

His leadership in matters of ethics, his leadership in matters of economy, and his leadership in the matter of honesty in Government is unexcelled.

Certainly the junior Senator from Alabama was as proud to follow the leadership of John Williams in these matters.

Former Senator Williams has long been one of the political heroes of the junior Senator from Alabama. He knows that that great Senator has not been guilty of any sort of impropriety, that he has not been guilty of any improper action. And the junior Senator from Alabama is delighted that his successor in the Senate has come to the defense of John Williams in the able fashion that he has.

I would like also to commend the distinguished junior Senator from Delaware on his following in the footsteps and following the leadership of former Senator Williams.

It was with pleasure that the junior Senator from Alabama noted that the distinguished junior Senator from Delaware submitted an amendment to the tax bill seeking to set a ceiling on the expenditures of the Government for the present fiscal year. That is an amendment that former Senator John Williams of Delaware would have been proud of. I commend the junior Senator from Delaware for the great record that he is making in the Senate in relation to following the leadership and following in the footsteps of John Williams.

I am delighted that the junior Senator from Delaware has made an explanation of these charges that have been made against former Senator Williams.

Mr. ROTH. Mr. President, I thank the junior Senator from Alabama for his gracious remarks.

In closing, I would like to echo what the Senator from Nebraska (Mr. CURTIS) had to say about former Senator Williams, that he knows of no man with a finer mind or more brilliance than John Williams and that he would have indeed made a great lawyer if that was his chosen profession. He is known as a man of great integrity.

I think the one thing he will be better known for than anything else is the fact that he lived by the standard he chose for others. There was nothing John expected of others that he did not perform with excellence himself.

I can say, with due humility, that I would not be here if Senator Williams did not practice what he preached. He well could have been reelected in the last election without any effort on his part. He was most popular in our State. But the good Senator felt that a man should not serve beyond the age of 70, and because he was 65, he chose to step down even though he was at the peak of his mental powers and certainly he was important on the Washington scene.

Again, I thank the many Senators here who have joined in these remarks about a great man.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. ROTH. I yield.

Mr. ALLEN. Did not Senator Williams have a constitutional amendment that he had offered that provided that no person could be sworn in as Senator after having reached the age of 65, and having introduced such an amendment he felt he should be bound by that amendment even though it never did pass the Senate? Was that not a mark of his honesty and integrity?

Mr. ROTH. He lived by his words. The Senator is correct.

Mr. ALLEN. I thank the Senator.

Mr. GRIFFIN. Mr. President, I want to commend the distinguished Senator from Delaware (Mr. ROTH) for his excellent statement concerning the charges made against our former colleague, Senator John Williams.

Those of us who know John Williams realize how ridiculous such charges were, how baseless they are in fact, as the distinguished Senator from Delaware and the Senator from Nebraska (Mr. CURTIS) have demonstrated.

John Williams personally needs no defense from his friends and colleagues in the Senate. His record during his 24 years in the Senate speaks eloquently of his complete dedication to the best interests

of the United States, first, last, and always.

I am glad the Senator from Delaware has made his statement. And I wish to associate myself with him and the others who have spoken.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

(The remarks of Mr. MILLER when he introduced Senate Joint Resolution 185 are printed in the morning business section of the RECORD under Statements on Introduced Bills and Joint Resolutions.)

#### QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AUTHORITY FOR COMMITTEE ON FOREIGN RELATIONS TO FILE A REPORT AND PERTINENT MATERIAL UNTIL MIDNIGHT TONIGHT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations may have until midnight tonight to file a report and any other pertinent material necessary.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 9 A.M.

Mr. MANSFIELD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 6:26 p.m.) the Senate adjourned until tomorrow, Friday, December 17, 1971, at 9 a.m.

## HOUSE OF REPRESENTATIVES—Thursday, December 16, 1971

The House met at 12 o'clock noon.

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

*Unto you is born this day in the city of David a Saviour, who is Christ the Lord.—Luke 2: 11.*

O God of light and life, whose greatness is love and whose glory is peace, we thank Thee for Christmas and for the good will this season spreads around the world. May this spirit permeate the heart of all mankind as we think of Him whose birthday we celebrate. Help us to welcome Him and to make room for Him on all our common days.

Open our ears that we may hear again the angelic chorus of old: open our eyes that we may see the star that shines forever in our sky: open our lips that we

may sing with uplifted voices "unto us is born a Saviour who is Christ the Lord."

In us and in all men may there be a new nativity of His spirit of peace and good will. May the Lord bless us and keep us through these demanding days. Amen.

#### THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced

that the Senate agrees to the 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. 6065) entitled "An act to amend section 903(c)(2) of the Social Security Act."

The message also announced that the Senate receded from its amendments Nos. 6 and 7 to the amendment of the House to the bill (S. 2878) entitled "An act to amend the District of Columbia Election Act, and for other purposes", and, that the Senate agreed to the amendment of the House to the amendment of the Senate numbered 12 to the amendment of the House to the above-entitled bill.

**"AMERICA'S FUTURE AND THE HUMANITIES," AN ADDRESS BY ROBERT F. GOHEEN**

(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 take this time to call to the attention of Members of Congress a most thoughtful article by the distinguished President of Princeton University Robert F. Goheen. President Goheen is in his 15th and final year as President of Princeton University, having resigned last spring "—because I believe the time has come for someone else to enjoy the rewards and fun of the job—which really do outweigh the headaches and the anguish."

The article to which I refer, "America's Future and the Humanities," is reprinted from the current issue of "University: A Princeton Quarterly" and first appeared in the September-October 1971 issue of "Foundation News."

The article follows:

**AMERICA'S FUTURE AND THE HUMANITIES**  
(By Robert F. Goheen)

The Vietnam war has cast a smoke screen across America's future, binding nearly all of us in some degree to the awesome challenges and problems this nation will face when that war no longer so painfully preoccupies us.

I believe that many of these challenges and problems can be met only by minds and spirits opened and helped to gain scope by humanistic studies; that the colleges and universities of America must therefore do all they can to sustain, strengthen, and extend their humanistic programs; and that, in this endeavor, the institutions of higher education urgently need the support of America's private foundations.

To discuss adequately a subject as broad as America's future and the humanities would take hundreds of pages. It is hard even to take up a subject with so many handles, hard to enter one with so many entrances. But university presidents are accustomed to stepping—I did not say rushing—in where angels fear to tread. And certain things need to be said now even though they cannot be said perfectly.

Let me be misunderstood, let me say that I do not mean to suggest that studying (or teaching) a humanistic discipline in college always produces a humanist or that this is the only way to produce one. I do submit that it is one of the best ways; that persons so educated tend to see events in better perspective—the present in relation to the past, the particular in relation to the general, the individual act in relation to the larger forces of which it is a part. I believe that such persons are likely to acquire a fuller, more profound awareness of man's potentialities for good and evil; and that they can bring to contemporary problems the insights of minds which in ages gone by have penetrated deepest and comprehended most.

Let me be bold to generalize—granting that many of our old generalizations are no longer acceptable to us—and certainly not to our children; yet, *homo sapiens* cannot live by particularities alone, and one of the things we most need from persons grounded in the humanities is to be helped to discover some deeper, more encompassing generalizations that we can accept and live by. More of this later.

**AMERICA NEEDS "RECVILIZING"**

My generalization is that for sometime America's civilization—a difficult term in itself—has been subjected to stresses which are now so great that they threaten to tear it

apart, that what we now need is a kind of recivilizing; not a mere smoothing of surfaces, not a new paint job, but a shoring up of moral, spiritual, cultural foundations.

To put it another way, we desperately need to get at the *problems underneath our problems*. We must, of course, deal with the pressing, here-and-now problems of racism, poverty, pollution, crime, overpopulation. And we have the scientific and technological skills and inventiveness to do so, at least potentially. What too many of us lack is the clarity of final purpose, the depth of thoughtful conviction, and the spiritual coherence to give us confidence and guidance as a people in dealing with those problems as effectively as we must. To oversimplify, we know how to build a good country—if we were confident what "good" means. As a people we want to do the right thing, but too often have trouble agreeing on what "right" means.

**KEY WORDS HOLD SOCIETY TOGETHER**

There are key words a nation lives by, and a substantial degree of consensus is needed among its people as to what those words mean—especially so within a democracy if it is to hold together. When meaning goes out of them, it is as if the magnetic north were lost and nothing remained to steer by but nearby landmarks. Meaning has gone out of too many of our key words.

What has this to do with humanistic studies? Simply that these studies deal with, among other things, the underlying meanings of such words. They enable us to see how the great value-connected words—virtue, truth, honor, human dignity, freedom, equality, justice—are always capable of being perverted when one takes a narrow simplistic view, but to see also that the concepts remain of consummate importance, always challenging us to know ourselves better, to raise ourselves higher. The words are never finally definable, once for all time. To venture another metaphor, they are beacons that signal man's way out of the inadequacies of his daily condition, of the time and space in which we struggle. But they must at intervals be relighted with clearer insights and widened understanding, drawn both from the facts of contemporary life and from the experience of the past. We are at such a time now, and badly need the beacons.

It is never merely a matter of putting the old meanings back in the words—though from my mail I can testify that many extremely well-meaning older persons are sure that that alone will do. I can also testify that many younger persons would abandon the words themselves as hopelessly outdated—but they are rarely those who have had ample chances to read and to think about the things embodied in the humanities.

**OUR KEY WORD: "HONOR"**

Let's look at one beacon word that needs relighting. It is almost impossible to open a newspaper or tune into a newscast today without hearing "honor" used in connection with the Vietnam war. Some Americans say that to do anything less than create a permanent anti-communist bastion in South Vietnam will be to sacrifice our national honor. Others say that to get completely out of Vietnam any later than this afternoon means national dishonor.

Between those extremes, thoughtful Americans ponder. Is it honorable to prolong a war in which other people's lives and property are spent far from our shores in a cause we understand (maybe) and they don't? Is it honorable, having entered into a quarrel, to desert an ally when the going gets tough?

I shall not attempt to answer those questions except to say that honor is often a matter of priorities. One can honor externalities, like rank and status, and one can honor qualities of mind and spirit. One can honor war, and one can honor peace. Achilles

in battle, Achilles with Priam: which is the more honorable, the more fully human? It is the business of the humanist to help us to see the full range of choices, to set our sights on those things that enlighten the human condition, that lift and strengthen the human spirit, and thus to extend men's capacities to live together peacefully, compassionately, and with understanding.

In saying this, I clearly mean by "humanists" not only scholars and teachers and students majoring in humanistic departments but all persons who have been deeply affected by such studies. Our aim must be to make the humanities more widely available to and more readily understandable by as many persons as possible so that each may become a pursuer of human excellence. The challenge is to develop in as many men and women as possible—though, especially in those who will go on to positions of leadership in government and business—the capacity to judge for themselves what is good, and proper, and fair, and honorable. The task is to spread interest in the humanities so that the level of taste of not just a few but of the public as a whole is lifted—including the taste for precision and subtlety in the use of language and thought. (My least favorite TV commercial describes a new model automobile as "Something to Believe in"!! The last two exclamation points are mine.)

If what I am suggesting seems grandiose and impractical, then one can have the less hope for the survival of constitutional democracy.

To me such an aim seems practical (if grand), but it requires, among other things, a re-examination of the ways in which the humanities are taught. If students are turning away from humanistic studies at a time when many are patently stirred by age-old humanistic ideals—as for example freedom, equality, fraternity, and happiness—those of us involved in higher education cannot assume that the fault lies somewhere else.

Today many young people are searching for values, for meaning, for purpose, for clues. If they are not seeking them in the materials with which academic humanists deal, then something must be wrong with our presentation of those studies, for that is where, if anywhere, the stuff for the answers may be found—in the far-reaching searchings and expressions of the human spirit as recorded in archaeology, architecture, the classics, history, modern languages and literatures, philosophy, religion, the arts down through the years. In Sophocles, Lucretius, Dante, da Vinci, Shakespeare, Cervantes, Vivaldi, Pascal, Molière, Mann, Eliot. Obviously I would not suggest that other disciplines or figures have nothing to do with the riddle of life, or that there is only one riddle; only that the humanities deal with the mysteries of human destiny that have been most casually considered of late and are in direst need of respectful attention now.

"After all," as Max Jakobson, Finland's Ambassador to the U.N., told a recent Princeton University Conference, "the past is really the only source of information we have about the future."

If young people are desperate for answers, and if the clues are in the materials that humanists deal with, why don't students come flocking to these disciplines and, having mastered them, go forth to relight the beacons that will show America through rocky waters?

**PEDANTRY TOO COMMON**

The fact is, a considerable amount of pedantry has always intruded into the teaching of the humanities in high schools and colleges, and despite the enlightened efforts of many teachers, much still does. No subject is so great that poor teaching cannot make it dull and pointless. We need more than ever before teachers who are "alive," as James McCosh used to say—meaning concerned with their subjects not just as so much encoded

data but rather as witnesses in the human drama.

This was always so, but is especially so today when there are so many demands on a student's time and attention. A teacher must be knowledgeable about the persons he is teaching as well as about the subject. Those teaching of artistic expression in the past should be aware of artistic expression in the present. The teacher of ancient Greek tragedy can do a better job if he knows from observation what is being produced today on the stage, in films, on television. The materials of the past need constant reinterpretation; students have to be helped to find the perceptions that connect and clarify.

In a time when we need more students better taught in the humanities, we cannot go on doing the same old things in the same old ways. We need to attract livelier, more talented teachers as well as more and better students to the humanities, and we need to look to the means of doing so. We also need to be more imaginative in the exploitation of new teaching techniques, including especially audio-visual aids. The master actor reading and interpreting a drama or comedy on tape alone can be very effective, far more so when sound is combined with sight.

My point is not that it would be "nice" if we could do these new things but that it is now imperative. I am not by nature an alarmist—alarmists do not survive 14 years in university presidencies—but I am alarmed by what, without undue eyestrain, I can see in this country's future if higher education is not re-infused with humanistic values. I am alarmed by the prospect of the country's drifting into a state of general sleaziness of morality and esthetic taste that can destroy not only the quality of life in America but our very system of government. No sensitive person needs to have the evidence of such a drift pointed out to him. Emerson's often quoted words carry today a dreadful pertinence:

"Things are in the saddle and ride mankind."

At the same time, we can be heartened by the prospects of positive developments. If technology and the largeness of organizations threaten us with depersonalization and alienation, they also promise the leisure which could give us richer, fuller, more ennobling lives. But if the general, newly leisured public is to move upward in taste and mutual respect instead of being sucked further down into spectator sports and consumerism, there must be an upsurge of interest in the humanities; in creative expression and self-fulfillment; in those humanistic endeavors a person can enjoy almost regardless of what may be beating him down.

#### QUALITY OF LIFE

There is encouragement, too, in the large numbers of young people who are, these days, deeply and consciously concerned about human values and "the quality of life." The creative arts and humane attitudes both are in the ascendancy among them just now. There will may be in these stirrings the making of a potent and broad humanistic revival, if we can but seize the opportunity properly. That, however, calls for much more than mere enthusiasm or empathy. It needs the leadership and direction of persons genuinely and soundly grounded in humanistic studies.

I have already suggested that the humanities can help us become aware that there are higher and lower levels of human expression and fulfillment. One of the problems of mass culture is that it tends to reduce the heights; to be indifferent to precision of language, to subtleties of thought and perception. It settles for the obvious term and writes in large block letters. One need not sneer at *Love Story* to perceive that though it deals with some of the subject matter of *Romeo and Juliet* its dimensions are very different. Shakespeare, through language, through an

almost incredible sensitivity embodied in language, conveyed a richness and subtlety of understanding which *Love Story's* language forswears. But few young persons will prefer *Romeo and Juliet* to the sweet, sentimental poignancy of *Love Story* without having been taught to see the difference.

#### HUMANITIES NEED SUPPORT

The reader will have guessed that I am saying that the humanities need support. The small, quiet voice of the humanist too often has trouble being heard, and I am therefore urging that the foundations listen more attentively for and to it. For today humanistic studies are badly undernourished almost everywhere. They need money to attract and encourage the finest teachers, to nourish seminal scholarship, to buy teaching aids, to restudy instructional methods and act on the findings of such studies, to stock libraries and teaching museums—and this money will not come in sufficient quantities from any other source.

Where matters of aesthetic or moral judgment are importantly involved, government will always be skittish about providing support. There has been progress. We do have and are grateful for the National Endowments for the Arts and for the Humanities, and the current national administration has succeeded in getting considerably increased funding for these. But in this busy, technological, mass-culture-minded age, the non-strident and individualistic activities of humanists have a hard time competing for funds and are too often ignored.

As quoted in *The Chronicle of Higher Education* of March 29, 1971, Wallace B. Edgerton, acting chairman of the National Endowment for the Humanities, told only the simple, sad truth when he observed that federal support of new knowledge and research was "unbelievably unbalanced" in favor of the natural sciences. He went on to point out that "95 per cent of all federal research funds are expended in the natural sciences, 4 per cent in the social sciences, and less than 1 per cent in the humanities." The new and larger appropriations for the arts and humanities do not correct this imbalance.

The humanities have not been that spectacularly slighted by private foundations, but too few of them seem to have been concerned to help either to offset the government's heavy emphasis on the sciences and technology, or to uphold humanistic learning for its own sake.

An examination of tables in *Foundation News* showing how foundation grants of \$10,000 or more were distributed among seven fields (education, welfare, health, sciences, international activities, humanities, religion) during the last four years reveals that the humanities received 10 per cent of these funds in one year (1968) but in two years (1967 and 1970) only 7 per cent and in 1969 only 5 per cent.

As a university president I have had the responsibility of seeking funds for a broad spectrum of programs, and in other times I have not been a special pleader for the humanities. Today I am—for good reasons. It becomes increasingly clear to me that some of our national problems that on the surface seem least connected with humanistic studies are, in fact, very closely connected at their roots. To cite one of many possible examples, I believe that if before involving ourselves so deeply in Vietnam we had sought some guidance in studies of Vietnamese culture and history (studies such as those by the late French scholar Paul Mus), we might have seen better, and before so many lives and so much wealth were destroyed, that Vietnam was not like Korea, and the Vietnam war not like World War II.

It is my hope that private foundations, including many that have not heretofore supported the humanities and may have to revise their charters to do so, will look with

new interest to the support of humanistic studies—not because this is an emergency for the humanities but because it is an emergency for civilization, and one that demands the greater involvement of humanistically educated citizens.

No one event will galvanize us to support the humanities as Sputnik galvanized the support of mathematics and the sciences in education 14 years ago. The erosion of our value structure, our taste level, our sensitivity, is insidiously gradual, almost imperceptible to the preoccupied eye. But if I read the signs right, we need the same kind of recognition of urgent and extensive deficiencies to be made up in the humanities today.

When I began drafting this article I went back to a book I had admired some years ago—*The Humanities After the War*, published by the Princeton University Press in 1944. Rereading it was a strange experience. The words of the seven essays in the volume were familiar, but time had given them new sharpness. For example, this from an essay by the late Gordon Keith Chalmers:

The truly finest hours of men have been peaceful. These may be distinguished from the fine hours of warfare by the fact that in peace man's fineness is more complex than in war. While in war a hero may ignore ends and devote his whole mind to process (being certain of the one, all embracing, simple end, victory), in peace no heroic deed is done without an elaborate and vivid awareness of ends. Who are the enemies in peace? They are subtle, hidden, sly serpents, wolves in sheep's clothing. To know them, to know the fine shade of right which marks it from the similar shade of wrong, to know when pride turns virtue into vice, when sacrifice becomes vainglory, when ideals become hypocrisy—this knowledge requires the most manly skill and courage available to men.

Looking back over what I have written, I am aware that little of it will seem "new" to the sophisticated reader. And I am reminded of e. e. cummings' lines—

... certain ideas gestures  
rhymes, like Gillette Razor Blades  
having been used and reused  
to the mystical moment of dullness  
emphatically are  
Not to Be Resharpended.

But the times give the inherent timeliness of the humanities a new edge.

#### TO RECOGNIZE ECUADORIAN CLAIM OF 200 MILES WOULD REPRESENT A NEW LOW IN U.S. INTERNATIONAL POSTURE

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

Mr. ANDERSON of California. Mr. Speaker, as a result of the Ecuadorian Government hijacking of 50 U.S. fishing vessels in international waters, last week the House of Representatives ignored the administration's request of \$25 million for foreign aid for Ecuador. Instead, the House of Representatives prohibited the State Department from making foreign aid grants to Ecuador.

At approximately the same time, it was reported that administration representatives were involved in "high level talks" with Ecuador, hopefully, to solve hijacking problems in the best interests of the United States.

In the December 15, 1971, Washington Evening Star, there was a newsstory entitled "Tuna Boat Issue Progress Hinted."

The article stated that—

One possibility appears to be that Washington will back away from its refusal to recommend to U.S. tuna men that they purchase licenses from Ecuador to fish in the disputed Pacific waters.

As you know, Mr. Speaker, Ecuador, contrary to international law, claims jurisdiction up to 200 miles off her shores. Heretofore, the State Department has recommended to our fishermen that they continue to fish in international waters and that they refuse to purchase licenses from Ecuador in order to fish in the international waters. To purchase a license would, in effect, recognize Ecuador's claim of jurisdiction up to 200 miles off her shores. If the State Department capitulates to this piracy on the high seas, reverses our longstanding policy and recommends to our tuna fishermen that they pay tribute to a foreign nation in order to fish on the high seas, then I say that our international posture has fallen to a new low.

#### INDICTMENT OF FEDERAL JUDGE OTTO KERNER

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

Mr. GROSS. Mr. Speaker, a Federal grand jury in Chicago has returned a long-overdue, 19-count indictment of Federal Judge Otto Kerner and three former Illinois State officials who were Kerner's cronies when he was Governor of that State, on charges of bribery, mail fraud, tax evasion, perjury, and conspiracy.

Mr. Speaker, the House Judiciary Committee should lose no time in opening hearings and accumulating evidence for the purpose of impeachment of Kerner, as I suggested in the CONGRESSIONAL RECORD of September 23 of this year.

The faith and trust of the citizens of this country in the integrity of the Federal judiciary is already at low ebb, Mr. Speaker, and only swift action on the part of Congress can begin to restore faith and confidence.

#### CONCERN OVER SEIZURE OF VESSELS BY FOREIGN COUNTRIES

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

Mr. MONAGAN. Mr. Speaker, I was greatly interested in the remarks of the gentleman from California (Mr. ANDERSON) and I do subscribe to much of what he has said.

At the same time, information, perhaps more recent than he has had, has come to Washington which indicates significant progress in the attempts of the Assistant Secretary of State for Inter-American Affairs, Charles Meyer, and officials of Ecuador in reaching a meeting of the minds on this very difficult problem of the U.S. fishing vessels. Significant movement toward an agreement has been made which will not involve any retreat or backing down on the part of the United States, but will involve mutual concessions and mutual advantages for both countries concerned.

I will insert in the RECORD with my remarks the telegram which has come through on this subject.

Mr. Speaker, many Members of Congress, including myself, have been greatly concerned over the continued seizure of U.S. fishing vessels by Ecuador. During the past week, Assistant Secretary of State for Inter-American Affairs, Charles Meyer, has been in Ecuador discussing a possible interim solution to the dispute. I am happy to report that significant progress has been made in the movement toward such an interim solution prior to a final agreement being worked out at the 1973 Conference on the Law of the Sea. Yesterday evening the Foreign Ministry of Ecuador issued the following statement:

Since December 11 through December 15, Assistant Secretary Meyer, legal adviser Stevenson, and special assistant for Fisheries McKernan have carried on continual conversations with Foreign Minister and his staff and Meyer and Stevenson had meeting with President Velasco Ibarra on two occasions. The representatives of the two governments have emphasized importance of reopening quadripartite negotiations as soon as possible to reach an agreement on fishing and related ocean problems of interest to Chile, Ecuador, Peru, and the United States.

The foreign minister has reiterated that a conference of the four countries cannot take place before the suspension of the sale of military equipment to Ecuador is lifted by the Government of the United States. With respect to this point, the representatives of the U.S. explained the scope of the suspension in accordance with U.S. legislation, as well as the procedures for the lifting of such measure.

Aspects relative to fishing licenses and permits were considered fully for the purpose of avoiding future incidents. The United States representatives presented, in seeking an agreement, the possibility of buying fishing licenses and permits, under protest, with the reservation by the U.S. Government of its juridical position with respect to maritime jurisdiction and provisions to avoid prejudice to its positions at the conference on the law of the sea called by the United Nations. In addition, the U.S. representatives pointed out that action of the Congress of their country would be necessary to reimburse the fishermen for the purchase of licenses and permits in advance.

The representatives of the two states also considered cooperation in the conservation of tuna and the exchange of scientific information.

The delegation of the United States intends to inform the Government and Congress of the United States about the conversations held in Quito, which conversations can contribute to a better mutual understanding between the U.S. and Ecuador, and are of value in general Latin American context.

Having completed the pertinent consultations with the government of Chile and Peru, the Ecuadorean representatives indicated that following the lifting by the U.S. of the suspension of sales of military equipment to Ecuador, the Quadripartite Conference would take place, with a view to arriving at an agreement with respect to fishing and the adoption of conservation measures as well as for cooperation in the development of the fisheries of the countries of the South Pacific.

#### THE ISSUE OF BUSING

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

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

Mr. NICHOLS. Mr. Speaker as this Congress prepares to adjourn and look to the new 1972 congressional session, I am disappointed that we have failed to meet head on the issue of busing. The busing of America's young people, both black and white, from one area to another to satisfy the whim of some Federal bureaucrat is nothing short of shameful. There are schoolchildren in my State who are being bused up to 100 miles each day—away from the confines of neighborhood schools into communities and areas far removed from their homes. In the winter months, these children get up before daybreak and return to their homes after dark. Such unwarranted, unnecessary and, in my opinion, unconstitutional busing is nothing short of disgraceful. It contributes absolutely nothing to a child's education and in fact, it deteriorates from the learning process.

In years gone by, many of our friends from outside the South were inclined to shrug their shoulders and say, "Well, so what? This is a problem confined to Alabama, to Georgia, to Mississippi." But with judicial edicts now reaching into the confines of communities throughout the country, we are finding that people everywhere are rightfully concerned. Recent polls have indicated the displeasure of parents, children, and teachers alike and I would hope that Members of this Congress from every section of the country will join together in signing discharge petition No. 9 which would bring the busing situation on the floor of Congress for debate and hopefully, passage of the Lent-Steed antibusing bill, providing that—

No public school student shall, because of race, creed or color, be assigned to or required to attend a particular school.

The courts themselves have a responsibility in this field and, in my judgment, Mr. Speaker, the highest court in the land has been derelict in their April decision which authorized the busing of schoolchildren to achieve racial balance. Americans will be watching the new Nixon court along with the Congress for relief. I believe the readers of this CONGRESSIONAL RECORD will find of interest an article by Frank A. Capell containing comments from prominent Americans on the Nixon court. There will be opportunities in the new year for the Members to assert themselves in a positive way on matters relating to busing. Let us hope that both the courts and the Congress measure up to their responsibilities.

#### THE BURGER COURT—NO IMPROVEMENT

(By Frank A. Capell)

The U.S. Supreme Court decision in April 1971 authorizing the busing of children to integrate public schools is in itself a form of racism. While segregation has been declared illegal, forced integration is just as illegal and the decision is a usurpation of the authority of Congress and is in violation of the U.S. Constitution. Congressman John R. Rarick has pointed out that the average American is being told via TV and newspapers that the Supreme Court has now "legalized" busing of school children and that the Supreme Court's order is the Law of the Land. "Nothing," he said, "could be further from

the truth." The law of the land is derived from Article VI of the U.S. Constitution which states: "This Constitution, and the laws of United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby. . . ." Nothing in the Constitution provides that Supreme Court decisions are to be the Law of the Land. To the contrary, judges are bound by acts of Congress and Congress made the matter of busing clear in Title 42 of the U.S. Code, section 2000C-B which reads:

"Provided that nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or the school district to another in order to achieve racial balance or otherwise enlarge the existing power of the court to insure compliance with Constitutional Standards."

Definition (b) of the above section states: "Desegregation means the assignment of students to public schools and within such schools without regard to their race . . . but desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance."

The decision of the Supreme Court was a follow-up to the 1954 Warren Court Decision which was in no small part based on studies made by Gunnar Myrdal, who was identified as a notorious Swedish Communist in hearings of the Senate Internal Security Sub-committee in March of 1958. The infamous Supreme Court Desegregation decision of May 17, 1954 set the stage for racial troubles which have continued ever since. It was the efforts of Thurgood Marshall, on behalf of the NAACP, which brought about the school desegregation decision of 1954. Marshall was rewarded by being appointed a U.S. Circuit Court of Appeals Judge and is now a U.S. Supreme Court Justice himself. Thurgood Marshall, according to official records, had several affiliations with organizations cited as Communist and subversive and practiced law in New York State for over 20 years without a license.

Representative John R. Rarick, addressing the House of Representatives, stated:

"Freedom of choice is not an empty slogan. Freedom of choice is the heart and soul of American liberty. The American people still understand this and we must understand that there is a point beyond which the great law-abiding majority cannot be pushed. We are perilously near that point."

"Long years ago, Thomas Jefferson warned free men of this very possibility, when he dramatically pointed out that of all tyrannies, judicial tyranny is the most fearful."

"If the Constitution of the United States forbids a State to assign pupils to a school solely because of their race, it makes no difference whether the object of such assignment is segregation or forced integration under the newly invested 'Doctrine of Racial Proportion.' If government has no power to forcefully segregate, it has no power to forcefully integrate."

"What the preposterous decision amounts to is that racial school assignments are unconstitutional if they are made by the States, but constitutional if made by the courts."

"These decisions are a gross distortion of any possible interpretation of the Constitution."

The militancy of civil rights groups began with the 1954 Supreme Court decision, with freedom rides, marches, demonstrations, sit-ins, and civil disturbances, which ultimately led to riots, lawlessness, anarchy and insurrection. In high schools throughout the country there have been untold instances of assaults, robbery, rapes, destruction of prop-

erty and even attacks on school teachers. National Negro militant groups advocate segregation of blacks from whites but neither the federal government nor the Supreme Court takes notice of this. The Black Muslims (with thousands of members throughout the country) and other black nationalist groups advocate separation of the races and practice blatant racism. The court decision, brought about by a subversive organization, supposedly is to benefit Negro children, yet no one has taken a referendum as to what white and Negro parents actually want for their children. In Richmond, Va. a city official conducted a poll and found that 99% of the whites opposed mandatory busing as did 85% of the blacks. Nevertheless a U.S. District Court judge ordered cross-city shipments of 17,000 Richmond secondary students, many of whom must travel two hours a day, including transfers, to fulfill a court order.

Commenting on the Burger court busing decision, Governor George C. Wallace of Alabama stated, "I am not surprised at anything the court does. I feel the people in Alabama's insane institution could have written a better decision."

Senator Abraham A. Ribicoff introduced an amendment to a bill appropriating \$1,400,000,000 for school desegregation. Sen. Ribicoff's amendment would have required the same rules to apply in the north as those which are to be enforced in the south. Senator Jacob Javits opposed the amendment and on April 20, 1971 Ribicoff charged Senator Javits with hypocrisy for being "unwilling to accept desegregation for his state, though he is willing to shove it down the throats of the Senators from Mississippi." Shunning the tradition against personal attacks on the Senate floor, Sen. Ribicoff declared that Javits and other northerners were against his proposal to force an end to school segregation in metropolitan areas in the North because of their "fear of political reprisal." Looking directly at Javits, whose head was buried in his hands, Ribicoff said, "I don't think you have the guts to face your liberal constituents who have moved to the suburbs to avoid sending their children to school with blacks."

At a time when there is so much talk of poverty, hunger and unemployment, to spend \$1,400,000,000 to push integration seems an unwise expenditure of tax-payers funds. Forcing white children into predominantly black schools and vice-versa creates antagonism and adds to the already serious condition which exists in schools in most parts of the country. A 1970 survey conducted by the Senate Sub-committee on Juvenile Delinquency shows a tremendous increase in crimes in schools from 1964 to 1968. Some types of crimes in the 110 school districts studied jumped several thousand per cent. Homicides in these elementary and secondary schools jumped from 15 to 26 per year—an increase of 73 per cent. Forcible rapes increased from 51 to 81 per cent (or 61 per cent). Robberies increased 306 per cent; burglaries and larcenies jumped sharply; narcotics arrests were 1,069 per cent higher. The biggest jump of all was in assaults on teachers by students, which went from 25 in 1964 to 1,801 in 1968, or a gain of 7,100 per cent in four years. Crimes by nonstudents at the schools jumped 2,600 per cent. The National Education Association has estimated that school vandalism alone is costing the nation's schools about \$200 million a year.

An organization of high school principals in New York City reported that crime—assaults, robberies, lawlessness, etc. including attacks on teachers—has become so prevalent throughout the city of New York that the entire school system is in danger of being unable to function properly. The majority of the crimes, according to reliable informants, are committed by young Negro militants who brutalize and terrorize younger students, and school authorities are reluctant, not only in New York but in many other cities, to bring

in the police for fear of creating racial tension. Forced busing of students is going to aggravate this situation considerably. Not only will there be student resentment but parent resentment as well.

Those Americans who thought the Supreme Court under Burger would become more conservative have to realize that they were indulging in wishful thinking. This recent decision is worse than the Warren Court decision of 1954. Most children of the federal judges, administration officials and legislators attend expensive private schools where integration or segregation problems do not exist. Senator Javits is not the only hypocrite; there are many others.

#### PERSONAL EXPLANATION

Mrs. ABZUG. Mr. Speaker. I was unavoidably absent yesterday when rollcall votes were taken on the conference report to accompany the bill H.R. 6065 and on the passage of House Joint Resolution 1005. Had I been present, I would have voted in the affirmative on both items.

#### NATIONAL JAYCEE WEEK

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

Mr. DORN. Mr. Speaker, President Nixon has proclaimed the week beginning January 16 as National Jaycee Week. I commend the President for his recognition of the dedication and patriotism of the U.S. Jaycees.

Mr. Speaker, it has been a great personal privilege for me to visit often with these outstanding young Americans—men devoted to those great ideals and principles which made America the most dynamic and progressive Nation in world history. I have observed Jaycees in every community activity truly developing the character of their local community, the State, and the Nation. I wish to take this opportunity to congratulate this outstanding organization and commend them for their confidence in our great private enterprise system and those great principles which are the soul and character of America.

Mr. Speaker, the Jaycees celebrated their 50th anniversary last year. Over 300,000 young men in the United States in 6,400 communities are in the Jaycees. There are an additional 100,000 men involved in international Jaycee activities. Their influence and enthusiasm are felt throughout all levels in our society. Their activities are a positive force and source of inspiration for others to imitate—they are actively involved.

Mr. Speaker, I commend to my colleagues and to you the Jaycee creed:

We believe—

That faith in God gives meaning and purpose to human life.

That the brotherhood of man transcends the sovereignty of nations.

That economic justice can best be won by free men through free enterprise.

That government should be of laws rather than of men.

That earth's great treasure lies in human personality.

And that service to humanity is the best work of life.

## RUMORS ON ADJOURNMENT

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

Mr. DOW. Mr. Speaker, may I pose a question to the distinguished majority leader, the gentleman from Louisiana?

There seem to be rumors floating around about why we are or are not adjourning. I believe it has to do with the foreign aid bills, both the authorization and the appropriations, which are now in conference with the Senate. I wondered if our distinguished leader could clarify the situation and tell us just what it is that is the crux of this difficulty.

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

Mr. DOW. I yield to the distinguished majority leader.

Mr. BOGGS. The gentleman pays me an unusual compliment when the gentleman refers to the idea that I can clarify this situation.

Mr. GROSS. Mr. Speaker, who has the floor?

Mr. BOGGS. Mr. Speaker, the gentleman from New York yielded to me.

The SPEAKER pro tempore (Mr. ROUSH). The gentleman from New York yielded the floor. However, the Chair recognizes the gentleman from New York if the gentleman cares to proceed further.

Mr. DOW. I do, Mr. Speaker.

Mr. BOGGS. Mr. Speaker, if the gentleman will yield further, as I understand the gentleman's statement the gentleman said he had heard rumors floating around. What rumors did the gentleman hear?

Mr. DOW. I have a great admiration for the distinguished majority leader, and if he has not heard any rumors floating around, he is not nearly as penetrating as I believe him to be.

Mr. BOGGS. I hear rumors floating around here every day. What specific rumors does the gentleman refer to?

Mr. DOW. I did not ask what the rumors were, really. I asked what is the crux of the difficulty in the conference between the House and the other body.

Mr. BOGGS. Mr. Speaker, if the gentleman will yield further so that I can reply quite seriously. First, we are not in conference at this time.

The gentleman will recall that we passed the foreign aid assistance authorization and the other body passed two foreign aid bills. We came back with a rule making in order our bill, plus the bills of the other body, and this is where we are insofar as the conference is concerned.

We passed a regular foreign assistance appropriation under a rule. The other body has not approved the regular appropriation bill. So, on yesterday we passed a continuing resolution, until March 15, 1972, in order to carry on the functions of that agency, plus a very considerable number of others.

The other body is now debating that continuing resolution. It is my information at this time—and I guess I will put this in the category of one of these rumors floating around—that they will continue to debate it for some time. So, there could be a vote, if they do not come to

some resolution today, on cloture at 11 o'clock tomorrow morning.

However, we have no way to adjourn this Congress unless both bodies are ready and willing to adjourn.

We have completed the work of the House of Representatives.

That is the best answer I can give the gentleman.

Mr. KAZEN. Well, can we go home?

Mr. BOGGS. The gentleman from Texas asked whether he could go home. I would say that quite a few people have anticipated that and have already done so. However, it could very well be that we would have a conference report that would require a majority present and voting.

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

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

Mr. BYRNES of Wisconsin. I would like to inquire of the majority leader, while we are speculating, whether any thought has been given to using the procedure which we did use one time in the past and that is this: As I recall, when we were through with our work and everything, and we had sent over there the results of our work, we simply sent a sine die resolution over and went home.

Mr. BOGGS. Mr. Speaker, if the gentleman will yield further. In this kind of a situation I might say to my good friend from Wisconsin that although consideration has been given to everything, this is a rather drastic device and I doubt that it would be employed.

Mr. DOW. Mr. Speaker, may I ask the majority leader another question, and that is if we have a vote in this House on any of these matters will there be any advance notice given so that Members who may be away will have a chance to get back here?

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

Mr. DOW. I yield to the distinguished majority leader.

Mr. BOGGS. At the moment we are talking about today and tomorrow. If the gentleman is anticipating that this session will continue on until January 3, certainly they would be given notice.

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

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

Mr. YATES. Mr. Speaker, will the distinguished majority leader tell us what he thinks will happen the rest of today?

Mr. BOGGS. If the gentleman will yield further, I believe at this time that the prospects are rather good for adjourning over until tomorrow very soon. However, there is a conference going on at the moment that may be fruitful.

Mr. YATES. If the gentleman will yield further, does the majority leader anticipate a recess today, or will there be an adjournment?

Mr. BOGGS. If the gentleman will yield further, I do not know at this time. There is no way for me to know. I might say that the Speaker is conferring with the important people involved on this piece of legislation, and we may have some information within the next few minutes.

I would hope that somebody would get up and make a speech, or something.

Mrs. ABZUG. Mr. Speaker, if the gentleman will yield, I will be glad to make a speech.

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

Mr. DOW. I yield to my friend, the gentleman from Connecticut (Mr. MONAGAN).

Mr. MONAGAN. Mr. Speaker, I thank the gentleman for yielding. In addition to the suggestion made by the gentleman from Wisconsin (Mr. BYRNES), I would like to reiterate another suggestion that I made a year ago at this time, when we were undergoing similar problems, and that is that we do what the Danes have done, and what has been done in the State of Nebraska, and that is to institute a unicameral national legislature, and if we had it now we would be able at this time to resolve this problem.

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

Mr. DOW. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, I have also made suggestions in the past that we get a constitutional amendment through here, and cut down the terms of the other body to 4 years. If we did this, I believe you would find some of those fellows over there who are serving for 6 years and who are not up for reelection next year would be more anxious to get out of here.

Mr. MYERS. If the gentleman will yield, does the gentleman have a bill prepared like that?

Mr. BURKE of Massachusetts. No; but I will be glad to join with the gentleman from Indiana if the gentleman wants to draft such legislation.

Mr. MYERS. The gentleman from Massachusetts initiated this idea, and I will join with the gentleman in his suggestion.

Mr. BURKE of Massachusetts. If this nonsense keeps up I think we might be compelled to take that action.

The SPEAKER pro tempore (Mr. ROUSH). The time of the gentleman from New York has expired.

## CONGRESS SHOULD ADOPT THE MANSFIELD AMENDMENT

(Mrs. ABZUG asked and was given permission to address the House for 1 minute, and to revise and extend her remarks.)

Mrs. ABZUG. Mr. Speaker, I share with my colleagues their concerns about not being able to conclude the business of the House. But I think it important for us to recognize why we have not been able to conclude the business of the House. That is because we are trying in conference, as I understand it, to resolve our differences, and the big difference is over the so-called Mansfield amendment. This is the amendment which seeks to cut off this war, which seeks to set a date certain, the amendment which the American people overwhelmingly support, but which our House conferees have refused to recede from their position and accept the Mansfield amendment. It is important for us

to recognize that we do have a role to play in seeking to resolve the differences in the conference. And the role we have to play, it seems to me, is this: We must bring pressure on our conferees who are refusing to accept the Mansfield amendment. The Mansfield amendment adopts and reflects the will of the American people, and the continuing refusal of the House conferees to recognize that that is what holding up the adjournment of this Congress. It would be very appropriate to have a motion to direct our conferees to accede to the Senate position on the Mansfield amendment.

#### ORDER OF BUSINESS

The SPEAKER pro tempore (Mr. ROUSH). The Chair would advise Members that since there is no legislative business before the House, if Members desire to speak for more than 1 minute, the Chair will recognize them for that purpose.

#### THE MANSFIELD AMENDMENT

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

Mr. RYAN. Mr. Speaker, I think the point made by the gentlelady from New York is well taken. But, I should like to clarify one aspect of it. As I understand it, the problem is more serious than the refusal of the House conferees to accept the Mansfield amendment. It is that they refuse to permit the House to have a separate vote on the Mansfield amendment, regardless of their own feelings. That compounds the situation, because what it means is that the House conferees are standing between the House and the determination of the American people that the war in Vietnam must end.

Mr. Speaker, this would be an appropriate time during this season of the year, when we speak of "Peace on Earth," for the House of Representatives to vote "yes" or "no" on whether or not we want peace and whether or not we want to end the war.

I would urge, whether the House conferees agree with the Mansfield amendment or not, that they at least bring it back to the House and let the House express its will. In view of the overwhelming sentiment of the American people to end the war in Vietnam and in view of the fact that it is clear that this administration will perpetuate the war unless, and until, Congress acts, I would hope that finally the House of Representatives will declare that the President and the administration have had enough time, that "winding down the war" is not sufficient. Since the President and his administration have failed to terminate the war, Congress must exercise its responsibility to end it.

#### FOREIGN AID

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, while we are talking about foreign aid, I would like to point out that most of the people who live in foreign countries are farmers. So foreign aid is primarily a program to help farm people in other countries.

If something happens so that the farm people in other countries cannot receive some benefits, it seems that it throws the whole government into a tailspin. But they are not so worried about the farm people in this country. They have a grain reserve bill in the Senate which they finally got out of the subcommittee yesterday, but they are not getting it out of the full committee. They do not seem to worry about bills affecting U.S. farmers nearly as much as those affecting farmers in other countries, so not having passed that bill is not holding up the adjournment of Congress.

I have supported foreign aid with some limitations, but I think it is about time we started thinking about some of the farmers in this country, too.

#### PHONE SERVICE FOR SQUAW GAP

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

Mr. LINK. Mr. Speaker, yesterday, I felt like Alexander Graham Bell, when I received the first telephone call from a new telephone exchange in Squaw Gap, N. Dak. The Reservation Telephone Co-operative of Parshall, N. Dak., has just laid 215 miles of line to serve 100 patrons in a 1,000-square-mile area near the North Dakota-Montana border which had never before had any telephone service.

Since this is my part of the country, I am personally familiar with the sense of isolation people out there have felt. It is hard for most Americans to realize what it is like to be cut off from business, medical, and personal contacts that most Americans take for granted.

The project was made possible by financing from rural telephone program loans, indicating the continued need for 2-percent loans under the Rural Electrification Administration. These loans are necessary to make the amenities of life available to people in sparsely settled areas where private companies often fear to tread.

Mr. Speaker, I include in the RECORD at this point an article on page 1 of the December 15 Wall Street Journal about the new telephone exchange at Squaw Gap:

TODAY IT IS POSSIBLE TO CALL SQUAW GAP— BUT WHO WOULD WANT TO?—A REMOTE NORTH DAKOTA AREA AT LAST GETS TELEPHONES—AFTER 20 YEARS OF PLEADING

(By David P. Garino)

SQUAW GAP, N. DAK.—Some good news and some bad news:

The good news: For the first time ever, you can now pick up the phone and place a call to someone in Squaw Gap, N.D.

The bad news: There's probably no one in Squaw Gap, N.D., you want to call.

In fact, if truth be known, Squaw Gap isn't even on the map. That's because it's not a town. It's an area. In this desolate corner of northwest North Dakota, they don't have towns. They have areas. Squaw Gap is an area of about 500 square miles of ridges and buttes and rutted roads, the highlight of which is a crumbling rock formation that is alleged to have once resembled a squaw with a papoose on her back. There is also, approximately in the middle of Squaw Gap, a one-room building that serves as community hall, polling place, dance hall and 4H club-house for the 100 or so farm families that call Squaw Gap home. (The one room was once a movie theater and grocery store, but that's another story.) And that's about it.

So it's not too surprising that Squaw Gap had no telephone service as recently as 1950. But it is a little surprising that Squaw Gap had no telephone service as recently as yesterday—despite numerous appeals by Squaw Gap folk to various phone companies to bring the phone to Squaw Gap.

#### BUFFALO BILL BUT NO MA BELL

But today, there will be a dance party at the community hall to celebrate the arrival of the telephone to Squaw Gap, and if you're in the area, you might drop by to watch the first call from the Squaw Gap exchange—to Congressman Arthur Link, Squaw Gap's man in Washington. Folks here say the last time anything as exciting happened was back in 1916 when Buffalo Bill Cody wandered through on his way to someplace else.

Getting the telephone to Squaw Gap took a lot of patience, and over the years the effort grew frustrating. "Astronauts were shooting into outer space," says farmer Ray Macik, "yet we couldn't get phones." Appeals to Bell system affiliates in North Dakota and Montana, as well as to some phone co-operatives, all received the same rebuff: Service wasn't feasible because Squaw Gap was too isolated, too large and too unpopulated. (Phone company people say a few towns and villages in the United States still remain without phones—but none of them take up 500 square miles.)

Finally, early in 1970, Reservation Telephone Co-operative, which serves three Indian tribes northeast of Squaw Gap, agreed to try to get phones into the area. Reservation negotiated a 35-year, \$400,000 loan at 2% interest from the Rural Electrification Administration, and Stromberg-Carlson, a supplier of phones and phone equipment, agreed to give Squaw Gap rush priority to get phone service in before Christmas.

"It's our Christmas present to Squaw Gap," says a Stromberg-Carlson man. It's an expensive present. What with private lines, dial phones and weatherproof, underground cables, the system is costing Reservation a neat \$4,200 per phone, almost triple its average cost. The company figures it will get the money back in fat phone bills. In Squaw Gap, most any call is going to be a long-distance call, including a call to the operator who is in Williston, N.D., 50 miles away.

#### A LADY NAMED LORNA LINE

Whatever the cost, life in Squaw Gap seems sure to change. In the past, people have died because there was no fast way to warn them of flash floods or grass fires headed their way. Less crucial, it will now be possible in Squaw Gap to say hello to the fellow next door without getting in your Ford pick up and driving a mile or 10.

Farmer Macik's wife says she's looking forward to calling her daughter, Nyla, a college kid in Billings, Mont., 300 miles away. Letters to Billings from Squaw Gap take several days. Mel Leland, a rancher who looks like the Marlboro Man, says he'll save money by knowing when trucks are coming to take his cattle to market. In the past, he was never sure, and the cattle penned up and away from

grazing land would "lose 1% of their weight per hour for the first three hours, and that costs a lot of money."

Squaw Gap has not been totally without communication with the outside world over the years. Some residents have used citizen's band radios to talk to Lorna Line, who owns the Bible Book Store in Sidney, Mont., some 30 miles away. In the past, Mrs. Line often used her phone to relay messages from Squaw Gap to the rest of us. She once passed on instructions from a veterinarian to a rancher trying to save the life of a prize bull. But Mrs. Line says the static on her radio is so bad "you can hardly hear yourself think, let alone understand what the other party is trying to say."

Presumably, phone transmissions will be better. There's only one way to find out. The Squaw Gap area code is 701.

#### REQUEST FOR AUTHORITY FOR SPEAKER OR SPEAKER PRO TEMPORE TO DECLARE RECESS TODAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker or the Speaker pro tempore to declare a recess at any time today subject to the call of the Chair and with 15 minutes notice of the reconvening of the House by the ringing of the bells.

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

Mr. GROSS. Mr. Speaker, reserving the right to object—I do not know about this.

We had a rather unfortunate experience yesterday, I will say to the gentleman, and since we are under no pressure with respect to time, I would like to read a little colloquy that is to be found in yesterday's RECORD.

Mr. Speaker, further reserving the right to object—

And this was with reference to the request of the gentleman from Louisiana (Mr. Boggs) for exactly the same purpose as he is now making the request—

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—

To which he added in his own handwriting "at this time." I do not know precisely what that means. He also added to my remarks "at this time," which I found a little strange. After I found it, I deleted it, because those were my remarks and were not subject to revision by the gentleman from Louisiana.

I went on to say in conclusion—

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

Now we are confronted with this situation again.

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

Mr. GROSS. I am glad to yield to the gentleman from Louisiana.

Mr. BOGGS. I guess the moral of the story is that in this business, never be too certain about anything.

By way of explanation, the gentleman asked such a question. It was about a quarter to 12, if I remember correctly, or maybe 20 minutes to 12. The Speaker, the minority leader, and I had designated the gentleman from Texas (Mr. TEAGUE), first, to preside, and subsequently Mr. PRICE of Illinois became Speaker pro tempore.

We had scheduled the conference report on the District of Columbia appropriation, which would normally take an hour for consideration and the rollcall on the conference report would take another 30 or 40 minutes, which would have allowed roughly 1 hour and 40 minutes for the President's briefing.

In addition, I did not know that the gentleman from Arkansas (Mr. MILLS) would be in the White House at the same time for the same briefing. He had the next bill to present.

What happened was that we did not have the full hour on the conference report. We had time left over. So there was no recourse except to recess. There was no intent at any time to deceive the gentleman from Iowa.

Mr. GROSS. Let me say to the distinguished majority leader that I would have been glad to have cooperated to the extent of calling for a rollcall vote on the conference report because, although I have been on record against it every time it has been up, so far as I know I would have been glad to put that rollcall on had I known that the gentleman wanted to prolong the consideration of the District bill, but I did not do it because I thought we were intent upon expediting the business of the House. Therefore, we went into a 2-hour recess when there was to be no recess whatever. This is the point that I am trying to make.

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

Mr. GROSS. Yes, I would be glad to yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I believe the record might be clarified a little more with regard to what happened on yesterday. I want to say, as far as the majority leader's commitment, in a sense, made earlier, that there was a change in circumstances. The next bill to be considered following the District bill—and I believe it was the only legislation that was then available for consideration by the House—was a bill dealing with unemployment compensation. That was under the managership of the gentleman from Arkansas, the chairman of the Ways and Means Committee. It was important because I was in opposition to it. I also participated in that debate. The White House was quite insistent, I would say to the gentleman, that if at all possible the President would like to have the chairman of the Ways and Means Committee and myself as ranking member of the committee, at that briefing. What was

done was to try to accommodate both desires, the desire of the President that we participate and also the desire of the leadership of the House that we get that particular piece of legislation out of the way. This was really the only course that could be taken in order to accomplish that objective.

Mr. GROSS. Let me first correct the gentleman to say that the chairman of the Appropriations Committee came in during the recess and was prepared to bring up and had been prepared to bring up the continuing resolution.

Again, the point I am trying to make is that it is all well and good to accommodate, but I scarcely think that it is necessary always to accommodate a few Members of the House to the exclusion of all the rest of the Members. I am perfectly willing to cooperate, but we might very well have adjourned yesterday and been able to go over and stay in our offices and work or do whatever else we wanted to do for two and one-half hours before we did had we not had the recess. And that recess was impinged upon the assurance that there would be no recess when legislation was pending.

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

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. BOGGS. Just for the record, the person we were attempting to accommodate was the President of the United States, and when the time comes when the President of the United States, regardless of what party he belongs to, asks urgently that the leadership of the Congress come to a meeting at the White House, and we will not go, then I say there is something wrong with what we do.

Mr. GROSS. Let me ask the distinguished majority leader this question. Are you and the leaders always here when every piece of legislation is considered by the House? Of course, you are not. This business could have been transacted even though you were at the White House if it was of that much importance. We thought we were bent on getting out of here—at least some Members of the House did.

Let me get back to the original request of the gentleman. I have no desire to prolong this. Let me ask the gentleman if he would not amend his request in this fashion, that we fix an hour this afternoon at which the recess expires, say 5 or 6 o'clock this afternoon, unless previously called back. Would the gentleman not give us some assurance that we can get out of here tonight at a reasonable hour unless previously called back?

Mr. BOGGS. I do not understand exactly what the gentleman means. Let me clarify that so we will be completely certain.

Mr. GROSS. Yes.

Mr. BOGGS. That I make the motion that the recess end at 6 o'clock?

Mr. GROSS. Or ask unanimous consent.

Mr. BOGGS. But if we come back, let us say, at 6 o'clock.

Mr. GROSS. There is nothing to preclude coming in earlier.

Mr. BOGGS. I understand, but let us



say 6 o'clock, and there is a reasonable chance of a resolution early in the evening, then the gentleman would have no objection for us to recess?

Mr. GROSS. I would have no objection if it was to come within an hour or two. Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

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

Mr. ANDERSON of Illinois. Mr. Speaker, I can well understand the reluctance of the gentleman from Iowa, and others, to agree to a recess at this time that would merely serve as a prelude to an adjournment over until tomorrow. I thought I should inform the House I have just had, by way of a telephone call, word that even now, the chairman of the House Appropriations Committee is meeting with the chairman of the Senate Appropriations Committee on a possible compromise on the subject of the continuing resolution on the foreign assistance program, and there seems to be some very real possibility to arrive at a solution, and, therefore, I think a limited recess might be in order.

Mr. BOGGS. Mr. Speaker, if the gentleman will yield further, I had that same information, and that is why I thought it was reasonable to request the recess.

Mr. GROSS. Then do we have an understanding?

Mr. BOGGS. I will so amend my request.

Mr. GROSS. Mr. Speaker. I thank the majority leader and withdraw my reservation of objection.

The SPEAKER pro tempore. Will the gentleman restate the request?

Mr. BOGGS. I ask unanimous consent that the Speaker or Speaker pro tempore have authority to declare a recess limited to 5 p.m. this afternoon.

Mr. CONTE. Mr. Speaker, reserving the right to object, I have a 1-minute speech I would like to get into the RECORD.

Mr. BOGGS. We do not have to recess until the 1-minute speeches are over.

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

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

Mr. MILLER of Ohio. Mr. Speaker, reserving the right to object, I would like to ask the distinguished majority leader if he would consider amending the request so that we could be back in the House at 2:30 p.m. Therefore, we would know whether action was taken by the other body, and we could at that time either adjourn or then continue the recess.

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

Mr. MILLER of Ohio. Yes, I yield to the gentleman from Louisiana.

Mr. BOGGS. The intent of the unanimous-consent request, as I understood it, was that the recess could not last beyond 5 o'clock, but that we would come back at any time prior to 5 o'clock; at 2 o'clock or 2:30. What the gentleman wants is information by 2:30, I do not know whether that is possible.

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

Mr. MILLER of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. I would think it would be easy to put an announcement on the electronic communications system. The gentleman could pick up the telephone and find out what the situation was at 2:30, if there was anything to report.

Mr. MILLER of Ohio. But also we would have an opportunity at that time, 2:30 p.m., to adjourn if we found there would be no business coming up today.

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

Mr. MILLER of Ohio. Mr. Speaker, further reserving the right to object, I should like to request that we do have a time certain set at 2:30 p.m.

Mr. BOGGS. Mr. Speaker, I should like to accommodate my good friend. I can see it working both ways. Members would be in their offices, and if we do not come to a resolution by 2:30, why ring the bells and bring them all back to tell them we will still be here to 5 o'clock.

Mr. MILLER of Ohio. At that time, 2:30 p.m., we could adjourn for the day, if we are going to be in tomorrow.

Mr. BOGGS. Mr. Speaker, I withhold my request for the moment. Let the 1-minute speeches proceed.

STRATEGIC GRAIN RESERVE ACT

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

Mr. CONTE. Mr. Speaker, once again the American consumer got the short end of the stick when the House passed the Strategic Grain Reserve Act in the early hours of Thursday morning. All told, this monstrous piece of legislation will cost the consumer over \$2 billion. And this does not even count the charges for storing this grain and not putting it on the market.

Aside from the additional costs of oats and barley, vegetable oil will go up 3 cents a pound—in 2 years, that is \$600 million. A loaf of bread will go up one-half cent per loaf—a 2-year cost of \$120 million. Red meat will increase 2½ to 3 cents per pound—a 2-year cost of \$750 million.

The people of New England are already saddled with extra billions of dollars in artificially high fuel prices because of the quota system on oil. Now they and the rest of the country will have to bear the additional food costs that this legislation guarantees.

My only hope is that the consuming public will be alerted to the provisions of this bill in time to ward off Senate approval of this ill-advised legislation.

REQUEST FOR AUTHORITY FOR SPEAKER OR SPEAKER PRO TEMPORE TO DECLARE A RECESS TODAY

Mr. BOGGS. Mr. Speaker, I should like to renew my request. I ask unanimous consent that it may be in order today for the Speaker or the Speaker pro tempore to declare a recess until 2:30 p.m. or prior thereto.

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

Mr. SCHERLE. Mr. Speaker, I object.

CALL OF THE HOUSE

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

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

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

A call of the House was ordered.

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

|                |                 |               |
|----------------|-----------------|---------------|
| [Roll No. 471] |                 |               |
| Abernethy      | Fisher          | Mills, Md.    |
| Abourezk       | Flynt           | Mink          |
| Adams          | Ford, Gerald R. | Mitchell      |
| Anderson,      | Ford,           | Mizell        |
| Tenn.          | William D.      | Mollohan      |
| Andrews, Ala.  | Fraser          | Montgomery    |
| Andrews,       | Frelinghuysen   | Moss          |
| N. Dak.        | Fulton, Tenn.   | O'Neill       |
| Archer         | Fuqua           | Patman        |
| Arends         | Gallagher       | Patten        |
| Ashbrook       | Gaydos          | Pelly         |
| Ashley         | Gettys          | Pettis        |
| Badillo        | Goldwater       | Peyster       |
| Baker          | Grasso          | Pirnie        |
| Baring         | Griffin         | Podell        |
| Barrett        | Griffiths       | Poff          |
| Belcher        | Grover          | Price, Ill.   |
| Bell           | Gubser          | Quillen       |
| Betts          | Haley           | Railsback     |
| Biaggi         | Hall            | Randall       |
| Bingham        | Hanley          | Rees          |
| Blatnik        | Hanna           | Reid, N.Y.    |
| Boland         | Hansen, Idaho   | Robison, N.Y. |
| Bolling        | Hansen, Wash.   | Roncallo      |
| Brasco         | Harrington      | Rooney, N.Y.  |
| Brooks         | Hathaway        | Rousselot     |
| Broyhill, Va.  | Hays            | Runnels       |
| Burton         | Hébert          | Euppe         |
| Caffery        | Heckler, Mass.  | St Germain    |
| Carey, N.Y.    | Helstoski       | Sandman       |
| Carney         | Henderson       | Scheuer       |
| Casey, Tex.    | Hicks, Wash.    | Schmitz       |
| Cederberg      | Hillis          | Sebellus      |
| Celler         | Hollifield      | Shipley       |
| Chisholm       | Horton          | Sikes         |
| Clancy         | Hunt            | Sisk          |
| Clark          | Jarman          | Smith, Calif. |
| Clay           | Johnson, Pa.    | Snyder        |
| Collier        | Jones, Ala.     | Springer      |
| Collins, Tex.  | Karth           | Staggers      |
| Colmer         | Kastenmeier     | Stanton,      |
| Conable        | Keating         | J. William    |
| Conyers        | Kee             | Steed         |
| Corman         | Kemp            | Stephens      |
| Cotter         | King            | Stokes        |
| Curlin         | Koch            | Stratton      |
| Daniel, Va.    | Kuykendall      | Stuckey       |
| Delaney        | Kyl             | Sullivan      |
| Dellenback     | Landrum         | Thone         |
| Dellums        | Latta           | Tiernan       |
| Dent           | Lent            | Van Deerlin   |
| Derwinski      | Long, La.       | Vanik         |
| Devine         | Lujan           | Veysey        |
| Diggs          | McClary         | Waggoner      |
| Dingell        | McCloskey       | Wampler       |
| Donohue        | McCormack       | Whitehurst    |
| Dowdy          | McDade          | Whitten       |
| Downing        | McFall          | Widnall       |
| Drinan         | Macdonald,      | Wiggins       |
| Dwyer          | Mass.           | Wilson,       |
| Edmondson      | Madden          | Charles H.    |
| Edwards, La.   | Mann            | Winn          |
| Eilberg        | Martin          | Wolf          |
| Esch           | Mayne           | Wyatt         |
| Eshleman       | Metcalfe        | Wydler        |
| Evins, Tenn.   | Michel          | Wylie         |
| Fascell        | Miller, Calif.  | Young, Fla.   |
| Fish           | Mills, Ark.     | Zwach         |

The SPEAKER. On this rollcall 233 Members have answered to their names, a quorum.

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

**AUTHORITY FOR SPEAKER TO DECLARE RECESS UNTIL 2:30 TODAY**

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that today the Speaker have authority to declare a recess until 2:30 p.m.

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

There was no objection.

**RECESS**

The SPEAKER. The Chair declares the House in recess until 2:30 this afternoon.

Accordingly (at 1 o'clock and 10 minutes p.m.) the House stood in recess until 2:30 p.m.

**AFTER RECESS**

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 33 minutes p.m.

**MOTION OFFERED BY MR. RYAN TO INSTRUCT CONFEREES ON S. 2819, FOREIGN MILITARY AND RELATED ASSISTANCE AUTHORIZATIONS**

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. RYAN. Mr. Speaker, I offer a privileged motion.

The SPEAKER. The Clerk will report the motion offered by the gentleman from New York.

The Clerk read as follows:

**PRIVILEGED MOTION OFFERED BY MR. RYAN**

Mr. RYAN moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill S. 2819, an act to provide foreign military and related assistance authorizations for Fiscal Year 1972 and for other purposes, be instructed to agree to Section 9 of S. 2819, which provides as follows:

"It is hereby declared to be the policy of the United States to terminate at the earliest practicable date all military operations of the United States in Indochina, and to provide for the prompt and orderly withdrawal of all United States military forces not later than six months after the date of enactment of this section subject to the release of all American prisoners of war held by the Government of North Vietnam and forces allied with such Government. The Congress hereby urges and requests the President to implement the above expressed policy by initiating immediately the following actions:

"(1) Establishing a final date for the withdrawal from Indochina of all military forces of the United States contingent upon the release of all American prisoners of war held by the Government of North Vietnam and forces allied with such Government, such date to be not later than six months after the date of enactment of this Act.

"(2) Negotiate with the Government of North Vietnam for an immediate cease-fire by all parties to the hostilities in Indochina.

"(3) Negotiate with the Government of North Vietnam for an agreement which would provide for a series of phased and rapid withdrawals of United States military forces from Indochina in exchange for a corresponding series of phased releases of American prisoners of war, and for the release of any remaining American prisoners of war concurrently with the withdrawal of all remaining military forces of the United

States by not later than the date established by the President pursuant to paragraph (1) hereof or by such earlier date as may be agreed upon by the negotiating parties."

**MOTION TO TABLE OFFERED BY MR. MORGAN**

Mr. MORGAN. Mr. Speaker, I move to lay the motion on the table.

The SPEAKER. The question is on the motion to table offered by the gentleman from Pennsylvania (Mr. MORGAN).

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

Mr. RYAN. 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 130, nays 101, not voting 200, as follows:

[Roll No. 472]

**YEAS—130**

|                |                 |                |
|----------------|-----------------|----------------|
| Abbutt         | Forsythe        | Passman        |
| Anderson, Ill. | Fountain        | Pickle         |
| Ashley         | Frenzel         | Poage          |
| Aspinall       | Frey            | Powell         |
| Bevill         | Gallagher       | Price, Ill.    |
| Blackburn      | Goodling        | Price, Tex.    |
| Blanton        | Gray            | Purcell        |
| Boggs          | Gross           | Quie           |
| Bow            | Hagan           | Rarick         |
| Bray           | Hammer-         | Rhodes         |
| Brinkley       | schmidt         | Robinson, Va.  |
| Broomfield     | Harsha          | Rooney, N.Y.   |
| Brotzman       | Harvey          | Rooney, Pa.    |
| Brown, Mich.   | Hastings        | Ruth           |
| Brown, Ohio    | Hogan           | Satterfield    |
| Broyhill, N.C. | Hosmer          | Scherle        |
| Buchanan       | Hull            | Scott          |
| Burke, Fla.    | Hutchinson      | Shoup          |
| Burleson, Tex. | Ichord          | Shriver        |
| Byrnes, Wis.   | Jarman          | Skubitz        |
| Byron          | Jonas           | Smith, N.Y.    |
| Cabell         | Jones, Tenn.    | Steed          |
| Camp           | Kazen           | Steiger, Ariz. |
| Carter         | Landgrebe       | Steiger, Wis.  |
| Chamberlain    | Lennon          | Stubblefield   |
| Chappell       | Lloyd           | Talcott        |
| Clausen.       | McCollister     | Teague, Calif. |
| Don H.         | McDonald,       | Teague, Tex.   |
| Clawson, Del.  | Mich.           | Terry          |
| Cleveland      | McEwen          | Thompson, Ga.  |
| Crane          | McKay           | Thomson, Wis.  |
| Davis, Ga.     | McKevitt        | Vander Jagt    |
| Davis, S.C.    | McMillan        | Ware           |
| Davis, Wis.    | Mahon           | Whalley        |
| de la Garza    | Mailliard       | White          |
| Dennis         | Mathias, Calif. | Widnall        |
| Dickinson      | Mathis, Ga.     | Williams       |
| Downing        | Mizell          | Wilson, Bob    |
| Dulski         | Morgan          | Wright         |
| Duncan         | Murphy, Ill.    | Wyman          |
| Edwards, Ala.  | Murphy, N.Y.    | Yatron         |
| Erlenborn      | Myers           | Zablocki       |
| Findley        | Nelsen          | Zion           |
| Flood          | Nichols         |                |
| Flowers        | O'Konski        |                |

**NAYS—101**

|               |                 |                 |
|---------------|-----------------|-----------------|
| Abzug         | Danielson       | Hechler, W. Va. |
| Addabbo       | Dellums         | Hicks, Mass.    |
| Anderson,     | Denholm         | Howard          |
| Calif.        | Dingell         | Hungate         |
| Anderson,     | Dow             | Jacobs          |
| Tenn.         | Eckhardt        | Johnson, Calif. |
| Annunzio      | Edwards, Calif. | Jones, N.C.     |
| Aspin         | Evans, Colo.    | Link            |
| Baring        | Fascell         | Long, Md.       |
| Begich        | Foley           | McCulloch       |
| Bennett       | Ford,           | McKinney        |
| Bergland      | William D.      | Matsunaga       |
| Blester       | Gallfanakis     | Mazzoli         |
| Bingham       | Garmatz         | Meeds           |
| Brademas      | Giaimo          | Melcher         |
| Burke, Mass.  | Gibbons         | Miller, Ohio    |
| Burlison, Mo. | Gonzalez        | Minish          |
| Byrne, Pa.    | Green, Ore.     | Mitchell        |
| Clay          | Gude            | Monagan         |
| Collins, Ill. | Halpern         | Moorhead        |
| Corman        | Hamilton        | Morse           |
| Culver        | Hawkins         | Mosher          |

|              |             |                |
|--------------|-------------|----------------|
| Natcher      | Roe         | Steele         |
| Nix          | Rogers      | Stokes         |
| Obey         | Rosenthal   | Taylor         |
| O'Hara       | Roush       | Thompson, N.J. |
| Pepper       | Roy         | Udall          |
| Perkins      | Roybal      | Ullman         |
| Pike         | Ryan        | Van Deerlin    |
| Preyer, N.C. | Sarbanes    | Vanik          |
| Pryor, Ark.  | Schwengel   | Vigorito       |
| Pucinski     | Seiberling  | Waldie         |
| Rangel       | Smith, Iowa | Whalen         |
| Reuss        | Stanton,    | Wolf           |
| Riegle       | James V.    | Yates          |

**NOT VOTING—200**

|                 |                |               |
|-----------------|----------------|---------------|
| Abernethy       | Fulton, Tenn.  | Mink          |
| Abourezk        | Fuqua          | Minshall      |
| Adams           | Gaydos         | Mollohan      |
| Alexander       | Gettys         | Montgomery    |
| Andrews, Ala.   | Goldwater      | Moss          |
| Andrews,        | Grasso         | Nedzi         |
| N. Dak.         | Green, Pa.     | O'Neill       |
| Archer          | Griffin        | Patman        |
| Arends          | Griffiths      | Patten        |
| Ashbrook        | Grover         | Pelly         |
| Badillo         | Gubser         | Pettis        |
| Baker           | Haley          | Peyster       |
| Barrett         | Hall           | Pirnie        |
| Belcher         | Hanley         | Podell        |
| Bell            | Hanna          | Poff          |
| Betts           | Hansen, Idaho  | Quillen       |
| Blaggi          | Hansen, Wash.  | Rallsback     |
| Blatnik         | Harrington     | Randall       |
| Boland          | Hathaway       | Rees          |
| Bolling         | Hays           | Reid, N.Y.    |
| Brasco          | Hebert         | Roberts       |
| Brooks          | Heckler, Mass. | Robison, N.Y. |
| Broyhill, Va.   | Heinz          | Rodino        |
| Burton          | Helstoski      | Roncallo      |
| Caffery         | Henderson      | Rostenkowski  |
| Carey, N.Y.     | Hicks, Wash.   | Rousslet      |
| Carney          | Hillis         | Runnels       |
| Casey, Tex.     | Holifield      | Ruppe         |
| Cederberg       | Horton         | St Germain    |
| Celler          | Hunt           | Sandman       |
| Chisholm        | Johnson, Pa.   | Saylor        |
| Clancy          | Jones, Ala.    | Scheuer       |
| Clark           | Karth          | Schmitz       |
| Collier         | Kastenmeier    | Schneebeli    |
| Collins, Tex.   | Keating        | Sebelius      |
| Colmer          | Keefe          | Shipley       |
| Conable         | Keith          | Sikes         |
| Conte           | Kemp           | Sisk          |
| Conyers         | King           | Slack         |
| Cotter          | Kluczynski     | Smith, Calif. |
| Coughlin        | Koch           | Snyder        |
| Curlin          | Kuykendall     | Spence        |
| Daniel, Va.     | Kyl            | Springer      |
| Daniels, N.J.   | Kyros          | Staggers      |
| Delaney         | Landrum        | Stanton,      |
| Dellenback      | Latta          | J. William    |
| Dent            | Leggett        | Stephens      |
| Derwinski       | Lent           | Stratton      |
| Devine          | Long, La.      | Stuckey       |
| Diggs           | Lujan          | Sullivan      |
| Donohue         | McClary        | Symington     |
| Dorn            | McCloskey      | Thone         |
| Dowdy           | McClure        | Tiernan       |
| Drinan          | McCormack      | Veysey        |
| du Pont         | McDade         | Waggonner     |
| Dwyer           | McFall         | Wampler       |
| Edmondson       | Macdonald,     | Whitehurst    |
| Edwards, La.    | Mass.          | Whitten       |
| Eilberg         | Madden         | Wiggins       |
| Esch            | Mann           | Wilson,       |
| Eshleman        | Martin         | Charles H.    |
| Evins, Tenn.    | Mayne          | Winn          |
| Fish            | Metcalf        | Wyatt         |
| Fisher          | Michel         | Wylder        |
| Flynt           | Mikva          | Wyle          |
| Ford, Gerald R. | Miller, Calif. | Young, Fla.   |
| Fraser          | Mills, Ark.    | Young, Tex.   |
| Frelinghuysen   | Mills, Md.     | Zwach         |

So the motion to table was agreed to. Messrs. NIX, MCKINNEY, HALPERN, McCULLOCH, PERKINS, and BYRNE of Pennsylvania 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.

**THE MANSFIELD AMENDMENT**

Mr. RYAN. Mr. Speaker, today, as we near completion of the first session of this Congress, the war in Southeast Asia remains the supreme issue for America.

We in the Congress cannot escape the

impact of this dread conflict—the bloodshed and lives lost, the opportunities missed and treasure squandered, the disaffection of our young and the polarization of our society.

Nor can we escape our responsibilities to the American public by hiding behind parliamentary procedures, defying the people's will, and permitting this dreadful conflict to continue.

For 3 weeks, deliberations over the differences in the House and Senate versions of the foreign aid authorization bills have been deadlocked; the conferees have not met; and any resolution of the differences has been thwarted by the refusal of the House conferees to agree to let the House have a direct vote on the substance of the Mansfield amendment, section 9 of S. 2819, the Special Foreign Military and Related Assistance Act of 1971.

Under the Rules of the House of Representatives:

After House conferees on any bill or resolution in conference between the House and the Senate shall have been appointed for twenty calendar days and shall have failed to make a report, it is hereby declared to be a motion of the highest privilege to move to discharge said House conferees and to appoint new conferees, or to instruct said House conferees; . . .

Therefore, I offered a privileged motion to instruct the House conferees on the foreign aid bills to agree to the Mansfield amendment. This motion offered the House the opportunity to live up to our responsibilities. It offered the opportunity to give peace a chance.

The Mansfield amendment declares it to be the policy of the United States to withdraw all American military forces from Indochina not later than 6 months after the date of enactment, subject to the release of all American prisoners of war.

I, for one, do not believe that this devastating conflict should be allowed to continue for even 1 additional minute, let alone 6 months. But I offered my motion to instruct the House conferees to agree to the Mansfield amendment because I believe that it is imperative that the House of Representatives take a stand on the most important issue that faces this country: the Vietnam war.

The American people, who have expressed their steadfast opposition to this war in the voting booth, in the public opinion polls and in the streets, are entitled to know how their Representatives stand. It is an unconscionable disservice to the people of this Nation for the Congress to hide behind parliamentary procedures, as it has today and in the past, obfuscating the issue and depriving Members of this body of a clear-cut "yes" or "no" vote on the war.

I regret that the leadership did not permit a direct vote on my motion, and thus on the substance of the Mansfield amendment. The motion to table will be seen for what it is—a device to avoid a direct vote.

Hiding behind procedural devices will not alter the fact that the war goes on. It will not alter the fact that more than 53,000 American lives have been taken by this brutal conflict; that over \$120 billion has been diverted from our urgent

domestic needs; that the fabric of American society has been wrenched apart.

Nor will it hide the fact that the administration's vaunted Vietnamization policy is not a path to peace—it is the road to continued death and destruction. It contemplates Asian armed forces pursuing military victory sustained by American air and logistical support.

The elected Representatives of the people have a responsibility to confront this issue directly. The war must end, and the Congress must end it.

#### AUTHORIZING SPEAKER TO DECLARE RECESSES TODAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Speaker be granted authority to declare recesses this afternoon.

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

Mr. HOSMER. Mr. Speaker, reserving the right to object, and I shall not object, but I wish to ask the gentleman from Louisiana if he can give us any estimate of what might be the program for the rest of today, tomorrow, if any, and thereafter, if any.

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

Mr. HOSMER. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, the business before the House is the continuing resolution which includes funds for the foreign aid program. The distinguished chairman of the Committee on Appropriations, the gentleman from Texas (Mr. MAHON) is here, and I would hope that he would be good enough to give us a progress report.

Mr. MAHON. Mr. Speaker, if the gentleman will yield, some of us were conferring informally with representatives of the other body at the time this roll-call began. We have been assured, repeatedly, over a period of weeks that if the House had a vote on the Mansfield amendment as contained in the foreign aid authorization bill then the problem of settling the authorizations for foreign aid would quickly resolve itself, and we have been assured that if the House voted on the Mansfield amendment the question of the continuing resolution could be quickly resolved. I point out that the House has, of course, voted previously on various versions of the Mansfield amendment.

So it seems to me as if we are in a good strategic position and ought to get through very rapidly.

So I would hope that we can go back immediately and confer with representatives of the other body and reach an understanding on the continuing resolution, and adjourn sine die today.

Mr. HOSMER. I thank the gentleman.

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

Mr. HOSMER. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Speaker, I would like to say that I have been with the gentleman from Texas in this conference, and I quite agree with what the gentleman has to say. I think we are making good progress. I would hope that we might be able to get out of here today.

Mr. HOSMER. I thank the gentleman. Mr. Speaker, I withdraw my reservation of objection.

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

Mr. MILLER of Ohio. Mr. Speaker, reserving the right to object, I would like to ask the majority leader if he would consider setting a time certain. If we are making that much progress, then we ought to be able to return to the House in 1 hour.

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

Mr. MILLER of Ohio. I yield to the gentleman.

Mr. BOGGS. I would be very happy to set a time certain, but if I did so it would have to be 6 or 7 o'clock. I hope that we can conclude prior to that time. My unanimous consent request is to grant the authority to the Speaker and I can assure the gentleman that the Speaker wants and is as anxious to conclude the legislative business as the gentleman is and as I am.

Mr. MILLER of Ohio. Would the gentleman consider amending the time to 5 o'clock?

Mr. BOGGS. I might say to the gentleman, if the gentleman will yield further, if the gentleman from Texas and the gentleman from Ohio and other Members in the conference are able to resolve the various matters, the problem of writing up the report and so forth will take time. We are attempting now to conclude tonight and we are doing this to expedite things. That is the best answer I can give the gentleman. If the gentleman wants to insist on a time certain, it would simply mean that the Speaker would have to reconvene the House and then we would have to recess again.

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

Mr. MILLER of Ohio. I yield to the gentleman.

Mr. MCKINNEY. If we could just point out some time certain that we can come back. If it is no sooner than 5 o'clock and if the Speaker does not call us back by then, a lot of people here have a lot of other things to do today.

Mr. BOGGS. Mr. Speaker, might I amend my request to fix the time at 6 o'clock today?

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

Mr. JACOBS. Mr. Speaker, reserving the right to object, I wonder if I could have the attention of the gentleman from Texas who said a moment ago that the conferees from the other body said that if the House had an opportunity to vote on the Mansfield amendment that an agreement on the conference would come in fairly rapid order. The gentleman from Texas said that such agreement could be expected in fairly rapid order.

Do I infer from what the gentleman has said that he expects the House will have an opportunity to vote on the Mansfield amendment?

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

Mr. JACOBS. I yield to the gentleman.

Mr. MAHON. Regardless of a vote on the Mansfield amendment, in the form

of a motion to table, I would hope an agreement can be reached today.

But after an agreement is reached, you still have to take time to do all that is necessary in drawing up all the papers. This is quite a problem.

Let me explain that there has been no conference with the Senate. The Senate has not passed the continuing resolution. Therefore, we are not in conference with the Senate officially. We have been in some exploratory discussions with certain Senators this morning and this afternoon.

Mr. JACOBS. Am I to infer from what the gentleman has said that he does or does not actually believe that we have had a vote on the Mansfield amendment?

Mr. MAHON. We have not had a direct vote on the Mansfield amendment. I think everyone believes that.

Mr. JACOBS. Does the gentleman consider the tabling vote on the Mansfield amendment as being an opportunity to vote on the Mansfield amendment?

Mr. MAHON. I would interpret it as being equivalent to opposition to the Mansfield amendment. I cannot imagine anyone who is in favor of the Mansfield amendment voting to table the motion. I cannot imagine the House taking that action unless it was opposed to the Mansfield amendment.

Mr. JACOBS. I have always been curious as to why we cannot vote on the Mansfield amendment. If the vote is expected to be the same except because somebody might have an opportunity to say something about it.

Mr. Speaker, I withdraw my reservation of objection.

Mr. RYAN. Mr. Speaker, further reserving the the right to object.

Mr. Speaker, I might point out that the motion, which was adopted a few minutes ago by the House, to table my motion to instruct the House conferees deprived us of an opportunity to have a straight up and down vote on the Mansfield amendment. Therefore, to interpret that procedural vote on a motion to table as being a vote on the substantive amendment is erroneous.

Mr. MORGAN. Mr. Speaker, reserving the right to object, I just want to inform the House I have just received a call from the chairman of the Senate conferees on the foreign aid authorization. He is willing to meet in 30 minutes on the authorizations and he said he will consider the vote on the motion offered by the gentleman from New York (Mr. RYAN) a vote on the Mansfield amendment.

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

Mr. WILLIAMS. Reserving the right to object, may I ask the distinguished majority leader a question: What was your first request?

Mr. BOGGS. Will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Louisiana.

Mr. BOGGS. I asked unanimous consent that the Speaker be permitted to declare a recess of the House subject to the call of the Chair. That was my first request.

Mr. WILLIAMS. Why did you change that?

Mr. BOGGS. Because objection was heard. Some Members wanted a time set. The only thing the setting of a time would result in is that we would come back and we might have to recess again. If we shall have settled these matters prior to 6 o'clock, we will come back. I point out that while we are talking now we consume time.

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

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

Mr. ANDERSON of Illinois. I would express the hope that now we have had this added explanation on both sides of the aisle, the gentleman would return to his original request, that is, that the Speaker be empowered to declare a recess with return at the call of the Chair, and get on with the business of this conference.

Mr. BOGGS. I thank the gentleman. Mr. Speaker, I renew my request.

#### PARLIAMENTARY INQUIRY

Mr. HOSMER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOSMER. Would an objection at this point to the unanimous consent request take us back to the gentleman's original request that we meet subject to the call of the Chair?

The SPEAKER. That would be up to the gentleman.

Mr. HOSMER. Well, I will object.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Speaker be permitted to declare a recess subject to the call of the Chair.

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

There was no objection.

#### THE CRITICAL NEED FOR A CHARLESTON-HUNTINGTON AIRPORT

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

Mr. HECHLER of West Virginia. Mr. Speaker, I present for the RECORD a remarkable article in the Huntington, W. Va., Advertiser dated December 14, 1971, which has just come to my attention:

#### MOORE KILLED STUDY URGING MIDWAY AIRPORT (By Tom Miller)

A \$40,000 statewide study of future airport needs in West Virginia that unequivocally called for construction of a regional jetport between Huntington and Charleston was privately killed by Gov. Arch A. Moore Jr. in late 1969 and a watered down version of the study which completely ignores major airport improvements was then released publicly. The Advertiser has learned.

The original study, ordered by former Gov. Hulett C. Smith and financed with federal money, was entitled "West Virginia Airport System Plan 1970-75".

According to informed sources, Gov. Moore said privately it would be politically foolish to release the study publicly and had it rewritten to reflect only a need for smaller developmental airports around the state.

The final version, released in January of 1970, is entitled "West Virginia Developmental Airport Program" and lists 20 recommended sites for new or improved 3,000-foot to 5,000-foot developmental airports.

The final report makes no mention of any commercial airport in the state such as Tri-State Airport at Huntington, Kanawha Airport at Charleston or Raleigh County Memorial Airport at Beckley.

#### HAD RECOMMENDED GLIDE SLOPE HERE

The final version was the basis, apparently, for Gov. Moore's request for state funds for airport construction. The Legislature allocated \$500,000 in 1969-70 and only \$42,000 was spent. Subsequently in 1970-71 nothing was added and in 1970-71 Moore asked for \$1 million with the \$458,000 balance in the 1969-70 appropriation still on hand. The legislature allotted \$750,000 to the fund in 1971-72.

The original report also recommended installation of a glide slope at Tri-State Airport here. The chartered airliner crash that killed 75 persons including most of the Marshall University football team and coaching staff occurred nearly one year after this recommendation.

The Federal Aviation Administration had insisted prior to the Nov. 14, 1970 crash that it could not install a glide slope at the field but it was accomplished and in service less than five months after the crash.

The airport study originally was due to be completed in 1968 before Moore took office, but the officials making the study decided to hold up to get the ideas of the new governor.

The final draft was submitted in September of 1969 to Moore. He sent it back, asking that it be revised to "put more emphasis on the developmental airports" which were a part of the overall plan.

The revised report was submitted later in 1969 and it, too, was rejected by the governor, who then had it rewritten in the form that it was made public in January of 1970.

#### DIRECTOR RESIGNED, SUCCESSOR OUSTED

Partly because of the governor's refusal to accept the findings of the study the first project director resigned and his successor was discharged for refusing to alter the report's findings to suit the governor's purposes.

The governor's actions were inconsistent with his campaign statement here Oct. 28, 1968 at a meeting of the Huntington Rotary Club when he said:

"I would like as governor to bring all the parties (involved in the effort for a regional jet airport) together for a conference without the geographical emotions involved. I'm not against Midway per se, and if I have funds available as governor they will be used for regional airport facilities."

However, in his "State of the State" message to the Legislature Jan. 14, 1970 shortly before the altered study was released publicly, Moore indicated his position when he asked for funding for 20 developmental airports in nonaccessible areas of the state.

#### PINPOINTED TEAYS VALLEY LOCATION

The original airport study recommended "the development of a HUB airport with a minimum runway of 8,000 feet and expansion capability to 10,000 feet in the Teays Valley area to be scheduled for completion in 1973, to coincide with the opening of the Interstate System in Charleston. To meet this schedule, it will be necessary to begin construction in 1971, and site preparation in 1970. Estimated cost—\$18,000,000."

The study further included a long-range recommendation which stated that "based on the growth of air traffic and the possible expanded use of the large jumbo jets, it may be necessary to expand the basic (Teays Valley) runway to 10,000 feet by 1980 and to add a second runway. Therefore, adequate land should be obtained to meet such future demands."

The study's conclusions leading up to the regional jetport recommendation were as follows:

"West Virginia, and in particular the major market areas of Charleston and Huntington, have lagged behind the nation in economic growth for several decades. The inaccessibility of this area has been a prime reason for this slow rate of economic growth. Air transportation growth in the Charleston-Huntington area has also lagged behind the nation and is but another indicator of the overall economic stagnation.

#### AIR CARGO SLOW TO DEVELOP

"Air cargo has been slow to develop within the Charleston-Huntington area and passenger growth has been limited. While both these cities have recently experienced conversion to pure jet aircraft . . . this conversion was delayed for several years due to the inadequate facilities available at the two regional general purpose airports (Huntington and Charleston).

"For many years both these cities received less than desirable service with aircraft that were considered obsolete in other comparable areas of the country.

"While the conversion to pure jet has been heralded by many as a major catching-up situation, there are indications that the area will soon fall behind again if a major HUB airport is not provided.

"The reasons for this concern are the facts that (1) the existing runways at the two major regional general purpose airports cannot be economically lengthened to the point where significant operating restrictions will not be necessary; (2) the reduced payloads may eventually result in higher fares into Charleston and Huntington than on comparative trips in other parts of the nation as was the case prior to the conversion to pure jet service; and (3) because this major market area is split into two regional centers, with two sets of air schedules, both centers will suffer from a limited choice of departure times and destinations.

#### WOULD HAVE IMPROVED SERVICE

"If on the other hand, a major national HUB is developed to serve the entire area, this section of West Virginia would experience over the long-run, the competitive advantage that goes to areas having superior air service; more reliable service for both passenger and cargo, more attractive schedules, and an assurance that air transportation costs would be competitive with other sections of the nation.

"The optimum location for such a HUB airport is the Teays Valley area between Charleston and Huntington. This area will be 25 minutes from downtown Charleston by 1973, when the Interstate Highway System is completed, and is currently just over 30 minutes from downtown Huntington.

"Within a one hour travel zone there are several hundred industries, most of which would be within the 30-minute zone. The population of the one hour travel zone is approximately 600,000 and the major population growth of the overall area is in the direction of Teays Valley.

#### MUCH LAND ACREAGE AVAILABLE

"Also of major importance to the long-range development of a HUB airport is the existence of thousands of acres of developable land for major industrial expansion in the vicinity of Teays Valley."

The plan also included recommendations for improvements at airports serving Beckley, Bluefield-Princeton, Charleston, Clarksburg, Elkins-Buckhannon-Philippi, Huntington, Lewisburg, Martinsburg, Morgantown, Parkersburg, Point Pleasant, Weirton-New Cumberland and Wheeling.

These recommendations also were eliminated from the final report with the excep-

tion of Philippi, Point Pleasant and Weirton-New Cumberland.

### ST. EDWARDS LEADS IN BILINGUAL EDUCATION TRAINING

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

Mr. PICKLE. Mr. Speaker, one problem which Texas educational institutions are struggling to come to grips with is the problem of the child who enters the first grade with little or no knowledge of English.

In Texas, this generally means a child who comes from a Spanish-surnamed home where Spanish is the only language spoken.

If such a child is thrown into the first grade cold, it is generally recognized that about the first 3 years of public education are simply lost—and the child faces an almost hopeless catchup game from then on.

The problem is complicated because it is also a cultural one. Consciously or unconsciously, the "Anglo" school system may degrade the child's Spanish heritage and customs.

Much still needs to be done. But the growing concern is there. The growing effort to meet that concern is there.

And one of the leaders is St. Edwards University of Austin, Tex.

St. Edwards began this year a new program that can be found in only half a dozen colleges and universities in this country—a program to train bilingual-bicultural teachers to prepare them for the special needs of Spanish-speaking children in elementary school.

I am most pleased to see this effort and this leadership, and I would like at this time to include in the RECORD a recent article from the Austin paper describing the program:

#### ST. ED'S PROGRAM, PROVIDING NEEDED BILINGUAL TEACHERS

(By Leslie Taylor)

A group of students at St. Edwards University is winding up the first semester of a new kind of program—one that can be found in only half a dozen colleges and universities in the country.

Under the direction of Sister Marie Andre Walsh, 20 students enrolled this fall in St. Ed's bilingual-bicultural teacher education program to prepare teachers for the special needs of Spanish-speaking children in elementary school.

"The orientation of most schools which teach English as a second language," said Sister Marie Andre, "is that Spanish should be used only until the child is able to speak English.

St. Ed's program is based on the belief the child whose dominant language is Spanish should be able to function in both the Anglo and Mexican-American worlds. When the child is able to function in both Spanish and English, he continues to learn in both languages.

The aim is to produce a person who is not only bilingual but bicultural as well, she said.

The teachers who will function in such classrooms must be specially trained. They must be able to teach in Spanish as well as English and they must have an understanding of the culture of the Mexican-American

child and how it compares with that of the Anglo.

Sister Marie Andre said the 1968 Bilingual Education Act guarantees "every child the right to be instructed in his home language in school."

In Texas there are about 250,000 Mexican-American children who need to benefit by this law immediately, she said. She said these are the children whose dominant language is Spanish and who need three years of language instruction in English in order to prepare them to learn in English.

Without bilingual training the first three years are wasted. "We need 10,000 teachers to provide for this first group of children," she said.

Texas needs another 10,000 teachers to provide for an additional 250,000 Mexican-American children who may have Spanish surnames and may handle English adequately but who, under the law, have a right to learn about their own language and culture, she said.

In addition to general courses leading to a bachelor's degree and teacher certification for the elementary school level, courses in the history, psychology and sociology of the Mexican-American culture are required under this four-year program.

The students also must develop proficiency in Spanish in order to teach in Spanish, to diagnose language learning problems, and to evaluate students' progress.

With the help of Dr. Olive Wheeler, director of elementary education at St. Eds, most of the students were placed in elementary classrooms with large numbers of Mexican-American children. The students worked as teacher aides six hours a week gaining the first portion of the three years of actual contact with the Mexican-American child and his culture.

Dr. Wheeler said all sixteen teacher aides had been invited to return next semester to their schools. The program is now operated in classrooms in Allison, Dawson, Becker, Govalle, Montopolis and Metz elementary schools.

The second year of the program, students will do some kind of community work in which they will become better acquainted with the Mexican-American child's home and neighborhood environment.

The junior year will be spent on campus in professional education courses in which the student will be taught to teach in Spanish and English.

The senior year will involve student teaching in Mexican-American classrooms.

### PCB'S: POISON BY THE POUND

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

Mr. RYAN. Mr. Speaker, scientific research has clearly revealed the growing presence of a highly toxic, extremely persistent industrial chemical in our environment: polychlorinated biphenyl—PCB. However, some question still remains as to the full extent and impact of this contamination. In order to assist them, it is essential that researchers have adequate information relating to the quantity of PCB's manufactured and sold, and their uses.

On April 9, 1970, I publicly called upon the Monsanto Co.—the sole domestic producer of PCBs—to release the production and sales figures for this chemical for each year since 1940. My reason for this request was clear. As I wrote in a letter to Monsanto:

These figures are necessary so that scientists can determine the extent to which PCBs are getting into the environment.

Monsanto, however, was totally unresponsive to my request and apparently unremoved by the documented hazards of PCBs. In fact, John Mason, writing on behalf of Monsanto on April 28, 1970, casually dismissed the environmental dangers with the following statement:

It should be emphasized that the apparent PCB problem relates only to the possible effects on some species of birds . . . (research) indicate(s) that there is no threat to the public health.

Unfortunately, that is not, nor has ever been, the case. The potential threat of this chemical has been well evidenced by scientific findings and revelations of massive contamination of meat, fish, poultry, and dairy products.

Thus, on June 18, 1970, I again wrote to Monsanto, reiterating my call for public disclosure of all sales and production data, emphasizing the extreme danger posed by PCB's. Again, Monsanto denied my request, assuring me in a letter of June 30, 1970, that—

Monsanto is taking an extremely responsible attitude to this problem and is doing everything within its power to insure a maximum degree of control to prevent the possibility of the (PCB) escaping into the environment.

Precisely 1 year after that assurance, huge quantities of PCB's were dripping onto 16,000 tons of fishmeal in North Carolina. As a direct result of that incident, thousands upon thousands of poultry, eggs, fish, and other food products were severely contaminated, endangering our food supply and threatening our health.

The seriousness of this situation, coupled with the disclosure of additional occurrences of PCB-contamination and evidence of increasing PCB-levels in the environment, brought about major public recognition of the severity of the PCB menace and the need to control this deadly chemical.

Yet, it was not until November 30, 1971, that the Monsanto Co. finally made public a summary of its domestic production and sales figures for PCB's since 1960, revealing the startling fact that over 700 million pounds of this dangerous product have been manufactured in this country since 1960. This figure is all the more staggering when one realizes that PCB-contamination is measured in parts per million.

Ironically, Monsanto's stated reason for releasing these statistics publicly is:

Scientists have continued to express a need for the data to make a proper estimate of how much PCB might be in the environment.

That is precisely the reason behind my requests for this information throughout these past 20 months—requests which Monsanto has steadfastly ignored until now.

It must be noted, however, that, although the data disclosed by Monsanto is needed, to fully evaluate the PCB situation a much more detailed breakdown as to uses and products is essential. If Mon-

santo is to fulfill its obligations to the public, it must release a complete list of all present and past uses of PCB's as well as the names of all products containing PCB's, their manufacturers, and their quantity. Further, Monsanto must, to the best of its ability, make public the disposition of fluids and other products containing PCB's after their usefulness has expired.

I include in the RECORD Monsanto's press release of November 30, 1971, setting forth a summary of its production figures since 1960. I also include an article from the December 13 Chemical & Engineering News detailing the efforts to investigate further the effects of PCB's in the environment.

The material follows:

#### MONSANTO RELEASES PCB PRODUCTION FIGURES TO DEPARTMENT OF COMMERCE

WASHINGTON, D.C., NOVEMBER 30.—Monsanto Company announced today it has released figures to the United States Department of Commerce showing the company's U.S. production and sales of polychlorinated biphenyl (PCB) from 1960 through estimated 1971.

Closed-system electrical uses ranged from 11,000 tons per year to 20,000 tons per year during the period.

The report also shows Monsanto voluntarily reduced its nonelectrical sales of PCB from the high of 16,000 tons in 1970 to 4,400 tons in 1971. Substantial further reduction will be accomplished in 1972, the company said.

C. P. Cunningham, managing director of Monsanto Industrial Chemicals Co., an operating unit of Monsanto, said, "As part of our control program, the data were originally prepared for the Federal PCB Joint Task Force and other concerned scientists for use on a confidential basis so scientists can properly evaluate the figures and relate them as to impact on the environment."

Monsanto has now chosen to release the figures publicly "because scientists have continued to express a need for the data to make a proper estimate of how much PCB might be in the environment. We also believe the figures will inform the public about Monsanto's positive actions to limit the sale of PCB to confined applications," the company executive said.

"Now that the figures are public information," Cunningham added, "we are confident both the scientific community and the public press will interpret the data properly. These are production and sales figures only. It should be clearly understood that all this material is not in the environment."

"For example," Cunningham said, "over 60 per cent of all sales in the past 12 years have been for closed-system electrical uses. It would be a completely false and irresponsible conclusion to say all PCB produced is in the environment. Much of the material is still contained in sealed electrical equipment where it acts as a fire-resistant safety fluid, protecting human lives and property from the danger of fire and explosion."

Cunningham concluded, "Monsanto continues its program to control the uses and prevent the release of PCB into the environment. To date, we have cut off all sales to paints, plasticizers, sealants, adhesives and all other open-system uses. We are receiving used PCB from customers for regeneration or safe disposal. And we are engaged in an all-out research effort to develop less persistent forms of PCB or suitable products which retain the fire safety features of PCB. We call on other producers, worldwide, to join in this effort."

#### PRODUCTION AND SALES POLYCHLORINATED BIPHENYLS (PCB) MONSANTO INDUSTRIAL CHEMICALS CO.

[In short tons]

| Year               | U.S. production | Domestic sales                                  |                             | U.S. export sales, all uses |
|--------------------|-----------------|---|-----------------------------|-----------------------------|
|                    |                 | Electrical insulating liquids uses <sup>1</sup> | All other uses <sup>2</sup> |                             |
| 1971 (estimate)... | 20,236          | 14,417  | 4,401                       | 4,938                       |
| 1970.....          | 42,527          | 20,268  | 16,263                      | 6,826                       |
| 1969.....          | 38,194          | 18,564  | 15,034                      | 5,312                       |
| 1968.....          | 41,427          | 20,568  | 11,990                      | 5,616                       |
| 1967.....          | 37,655          | 20,387  | 10,846                      | 4,062                       |
| 1966.....          | 32,925          | 18,897  | 10,642                      | 3,426                       |
| 1965.....          | 30,240          | 16,203  | 9,685                       | 2,117                       |
| 1964.....          | 25,417          | 13,769  | 8,666                       | 2,048                       |
| 1963.....          | 22,367          | 11,448  | 7,618                       | 1,824                       |
| 1962.....          | 20,986          | 11,683  | 7,339                       | 1,809                       |
| 1961.....          | 20,333          | 11,108  | 7,661                       | 2,076                       |
| 1960.....          | 20,786          | 12,444  | 5,163                       | 1,827                       |

<sup>1</sup> Closed systems, transformers, and capacitors

<sup>2</sup> Including heat-transfer systems, hydraulics/lubricants, plasticizers

[From Chemical & Engineering News, Dec. 13, 1971]

#### CONTROVERSY CONTINUES OVER PCB'S

Widespread headlines were generated earlier this year when 50,000 turkeys in Minnesota, as many as 88,000 chickens in North Carolina, and tens of thousands of eggs at various locations were destroyed after they were found to be contaminated with polychlorinated biphenyls (PCB's). Similar headlines have accompanied other findings that indicate that PCB's are extensively distributed in the environment. PCB's have been found in U.S. and foreign waters, in zooplankton in the ocean, in many species of fish, and in a variety of wild fowl. But even though high concentrations of PCB have been associated with various birth defects in birds and in animals, a definite cause-effect relationship has never been established.

Biological cause-effect relationships are, of course, inherently difficult to establish. The most obvious example involves cigarettes and cancer: That a link exists between smoking and cancer has been recognized for some time, but that smoking causes cancer has never been conclusively proved. Other such links that are the subject of continuing investigation include those between hormones and homosexuality, viruses and cancer, and PCB's and birth defects.

#### PERSISTENT

PCB's have been known for nearly a century, and have been used extensively since the 1930's. Chemically, PCB is a generic term covering a family of partially or wholly chlorinated isomers of biphenyl; commercial PCB's (42 to 60% chlorine) may contain as many as 50 different detectable isomers. Furthermore, PCB is a colorless, highly viscous fluid that can withstand temperatures up to 650° F. without degradation, does not conduct electricity, and is resistant to fire. Such properties make PCB an ideal fluid for heat exchangers and electrical equipment such as transformers. These properties also make the more highly chlorinated PCB's very resistant to degradation in the environment, so that their persistence is similar to that of DDT.

Monsanto Co. is the only U.S. producer of PCB, although PCB's are also made in Japan, Europe, and the U.S.S.R. Monsanto, however, is the only company that has released production figures. Since 1960, the firm has made some 353,000 tons of PCB, with output reaching a maximum of 42,500 tons in 1970 (C&EN, Dec. 6, page 15). About 60% of that output has been for closed-system uses and much of the remainder has been either recycled or safely destroyed. Nonetheless, a certain amount has appar-

ently been allowed to enter the environment where contamination continues to be detected.

#### CONTAMINATION

Last month, for example, Dr. George R. Harvey of Woods Hole Oceanographic Institution revealed that PCB at levels ranging from 1 to 100 p.p.b. have been found in nearly all animal and plant species from the Atlantic Ocean. Levels as high as 1.5 p.p.m. were found in zooplankton, Dr. Harvey says, but corresponding PCB levels were not found in fish that feed on the zooplankton.

Also last month, Rep. Gilbert Gude (R.-Md.) disclosed that the Maryland Department of Natural Resources has found PCB at levels as high as 0.2 p.p.m. in soft-shelled clams taken from the Chesapeake Bay. This level is well below the Food and Drug Administration's guideline of 5 p.p.m. PCB in fish and poultry. Rep. Gude points out, however, that the clams were contaminated with other chemicals, mostly pesticides, and it is not known whether combinatorial or synergistic effects can occur. Maryland is currently beginning a study to determine if other species in the bay contain PCB.

The November issue of *Natural History* magazine described a three-year study of birth defects among terns on Great Gull Island in Long Island Sound. One specimen found on the island, a four-legged chick that lived for three days after hatching.

The authors, Helen Hays of the American Museum of Natural History, New York City, and Dr. Robert W. Risebrough of the University of California's Bodega Marine Laboratory, Bodega Bay, say they also found birds with no flight feathers, with twisted mandibles, and with stunted extremities. The two workers attribute the high incidence of deformities to pollution in the sound.

Dr. Risebrough says the median concentration of the pesticide DDE in the flesh of all terns was 2.1 p.p.m.—about the same level found in other wild birds, and sufficient to account for the observed thinning of eggshells. The concentration of PCB in the flesh of the birds, however, ranged from 5 p.p.m. to 175 p.p.m. Despite these high levels, he points out, no cause-effect relationship between PCB levels and birth defects has been established for the terns.

Laboratory tests in the Netherlands, Dr. Risebrough notes have shown that fertile chicken eggs injected with chlorinated dibenzofurans, a PCB contaminant, produce similarly deformed chicks. Monsanto, however, says that U.S.-made PCB's do not contain that contaminant.

#### OSPREYS

Dr. Risebrough has also collaborated with Paul R. Spitzer of Cornell University to examine ospreys inhabiting the Long Island Sound area. Their results, disclosed last month, indicate that the ospreys may be more contaminated than any other wildlife in North America. They found that lipids of both viable and overdue osprey eggs obtained from the shore of the sound have PCB levels varying from 545 to 2270 p.p.m.

Another Cornell worker, Dr. David B. Peakall, has found strong evidence of chromosomal damage in ring doves fed food containing 10 p.p.m. PCB. His preliminary results, sent to the Environmental Protection Agency in September, indicate that all hatchlings from the first generation of birds were normal. When the hatched doves were mated, however, only 20% of the embryos survived. Dr. Peakall is continuing his work in an effort to find why the damage is manifested only in the third generation.

#### FIRM

Monsanto, meanwhile, continues to stand firm behind its contention that there is no "scientific data that indicate polychlorinated biphenyls may cause birth defects." A com-

pany spokesman indicates that Monsanto has sponsored several feeding tests and a teratogenicity study, all of which indicate only minimal effects from PCB's. Rats fed food containing 100 p.p.m. PCB, for example, showed only slightly increased liver weights after 18 months. Dogs fed a similar diet exhibited a tendency not to gain weight as well as expected. Chickens, however, were observed to exhibit loss of weight, thinning of eggshells, and decreased hatchability of eggs, although no embryonic deformities were observed.

Clearly the PCB file isn't closed. Monsanto's withdrawal of PCB from the market for uses where end products can't be controlled will reduce the amount of PCB entering the environment. But until a cause-effect relationship between PCB's and birth defects can definitely be proved or disproved, controversy will surround any use of PCB at all.

### THE ELEVENTH ANNUAL WEST SIDE COMMUNITY CONFERENCE—CITIES IN THE SEVENTIES

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

Mr. RYAN. Mr. Speaker, perhaps the greatest domestic problem facing our Nation in the decade ahead is the problem of the city—the quality, failure, and conflicts of urban life.

Early this year, leading urban experts from throughout the Nation joined with concerned citizens of the West Side of Manhattan and of New York City to discuss major issues facing our cities in this decade.

More than 40 authorities joined with us as panelists and "discussants" at the annual West Side Community Conference sponsored by me and by the Democratic and liberal clubs of the West Side.

The annual conferences are held in an effort to bring substantive issues to the community for discussion. As we say each year in our program, "They are presented in the belief that those who mold public policy, and the public are obligated to one another for understanding and direction."

I have sponsored one of the conferences every year of my tenure in Congress. They are free of charge, and free of partisan orientation. And they bring together at informal panel discussions leaders in Government and the academic world with the citizens to whom they are responsible.

On Saturday, April 3, 1971, we held our annual West Side Community Conference, "Cities in the Seventies." Some 2,000 individuals attended and took part in the five panels and the plenary session at Riverside Church, New York City. The panels covered a wide variety of subjects essential to the urban resident: consumer protection, health care, law enforcement, urban transit, youth, and the elderly.

We were very fortunate to have had two esteemed Member of Congress join me in addressing the plenary session of the conference. Both have dedicated their lives to making America a better place in which to live, and are in the forefront of those attempting to forge a

new coalition to meet our Nation's problems: WALTER E. FAUNTROY, Delegate to Congress from the District of Columbia; Senator FRED R. HARRIS, cochairman of the Urban Coalition's "Commission on the Cities in the Seventies."

The list of panelists, discussants, and moderators included:

#### LIST OF PARTICIPANTS

Bess Meyerson Grant, Commissioner, N.Y.C. Department of Consumer Affairs.  
 Charles S. Mack, Executive, Consumer Issues Committee, U.S. Chamber of Commerce.  
 Robert Pitofsky, Director, Bureau of Consumer Protection, Federal Trade Commission.  
 Joseph Swidler, Chairman, N.Y.S. Public Service Commission.  
 Woodrow Wirsig, President, The Better Business Bureau of Metropolitan New York.  
 Geoffrey Cowan, Attorney, Center for Law and Social Policy.  
 William F. Haddad, President, U.S. Research and Development Corporation.  
 Seymour W. Kianfer, President, Consumer Assembly of Greater N.Y.  
 Adele Misa, Chairman, La Mia Buying Club.  
 Florence Rice, Consumer Consultant, Harlem Consumer Education Council.  
 Stephen Press, Director, New York Institute for Consumer Education and Development.  
 Gordon Chase, Administrator, N.Y.C. Health Services Administration.  
 Douglas Coleman, President, N.Y. Blue Cross.  
 John L. S. Holloman, Committee for National Health Insurance; past president, Physicians Forum; past president, National Medical Association.  
 Vernon Wilson, Administrator, Health Services and Mental Health Administration, U.S. Dept. of Health, Education and Welfare.  
 Esta Armstrong, Program Director, West Side Neighborhood Health Services Program.  
 Leon J. Davis, President, Local 1199, Drug and Hospital Union.  
 William H. Hatcher, Chairman, Washington Heights-West Harlem-Inwood Mental Health Council.  
 Ira Glasser, Director, N.Y. American Civil Liberties Union; Chairman, St. Vincent Community Health Council.  
 Oliver Fein, Health PAC.  
 Edythe J. Gaines, Superintendent of Schools, Community District 12, Bronx.  
 Georgia L. McMurray, Commissioner designate, N.Y.C. Agency for Child Development.  
 Irving Miller, Professor of Social Work, Columbia University School of Social Work.  
 Elizabeth Stecher Trebony, Executive Director, Project FIND.  
 Ernest Cruz, Student; former Director, Community Youth Program, Upper West Side Community Corporation.  
 Ferdinand Danziger, President, J. Hood Wright Golden Age Center.  
 Dorothy Pitman, Community Director, West 80th Street Community Child Day Care Center.  
 Israel Weinstein, Vice President, Congress of Senior Citizens.  
 Barbara M. Silverstone, Federation of Protestant Welfare Agencies.  
 Stuart Greene, Student Member, Child Care Center Program.  
 Elmer Cone, Assistant Chief Inspector, Chief of Patrol, N.Y.C. Police Department.  
 Charles B. Rangel, Member of Congress, 18th C.D.  
 Burton B. Roberts, District Attorney, Bronx County.  
 Ralph F. Salerno, Consultant on crime and law enforcement, Hudson Institute; former Supervisor of Detectives, N.Y.C. Police Department.  
 Jack S. Hoffinger, Defense attorney; Asso-

ciate chairman, Criminal Justice Coordinating Council.

Charles Gilliam, Sergeant, Preventive Enforcement Patrol Squad, N.Y.C. Police Department; 2nd Vice President, Guardians Association.

Jeannine Green, President, The Block-In-Between Block Association.

Efrain Rosa, President, 24th Precinct Community Council.

Maxine Waldron, Member, MAD (Mothers Against Drugs).

Basil A. Paterson, Executive Vice President, New York Law Journal.

John G. deRoos, First Deputy Administrator, N.Y.C. Transportation Administration.

Justin N. Feldman, Member, Metropolitan Transportation Authority.

Bertram R. Gelfand, N.Y. City Council; chairman, Special Committee on Transportation.

Roger H. Gilman, Director, Planning & Development, Port of New York Authority; former Executive Director, Tri-State Transportation Commission.

Dick G. Lam, Director, Transportation and Regional Planning, N.Y.C. Planning Commission.

Nathan Bloom, Senior Economist, First National City Bank; former Senior Economist, Tri-State Transportation Commission.

Stephen Dobrow, President, Committee for Better Transit, Inc.

Mary Perot Nichols, City Editor, "Village Voice."

Myron Cohen, Chairman, Mayor's Subway Watchdog Commission.

I wish it were possible to acknowledge by name everyone whose work and leadership made the conference a success. I would like to thank the following people who made particularly vital contributions:

Coordinator of the conference was Susan Cohn. With the assistance of the conference committee, she coordinated the entire conference.

Members of the committee, who worked with great energy and dedication over many months, were panel coordinators—Jeanne Miles, Suzanne Abramson, Hugh Pickett, Ann Comay, Judy Gottehrer, and Doris Clark—secretary, Elaine Bernstein; treasurer, Ira Zimmerman; administrative coordinator, Elizabeth Savels; press, Rita Kardeman; publications, Jack Rennert; photographer, Philip Eisner; registration, Ellen Wallach; reception, Rita Breitbart Auerbach; recorder, Virginia Horton; arrangements, Ada Bass, Juanita Smith, Rosalind Silver, and Chauncey Olinger.

To all those who made the conference possible, we are deeply indebted.

I also want to express my deep appreciation for the friendly cooperation of Mrs. Theodore A. Dilday, Mr. Lopez, Mr. Lyndstrom, Mr. French, Mr. Williams, and the staff of Riverside Church. My thanks also to the staff of WRVR and to Dietrich Schnauer, manager, Butler Hall Penthouse Restaurant.

The participating clubs were: Audubon Reform Democrats, Carver Democratic Club, Central Harlem Liberal Club, Community Democratic Organization of Inwood and Marble Hill, Community Free Democrats, Concerned Democratic Coalition of Northern Manhattan, Fort Washington-Manhattanville Democratic Club, F. D. R.-Woodrow Wilson Democrats, Hamilton-Heights-Manhattanville Democratic Club, Heights Reform Democrats, John F. Kennedy Of-

ficial Democratic Club, Martin Luther King, Jr. Democratic Club, New Chelsea Reform Democratic Club, New Democratic Assembly, New Directions Democrats, New Horizons Democratic Club, Park River Independent Democrats, Riverside Democrats, Solomon Weiss Liberal Club, Tioga Democratic Club, Village Independent Democrats, Washington Heights Progressive Democrats, and West Side Liberal Club.

I am also grateful to the large number of community sponsors whose generous contributions made the conference possible.

At the plenary session, Congressman FAUNTROY, Senator HARRIS, and I discussed various aspects, problems, and hopes for our cities in the seventies.

I include at this point in the RECORD the remarks of Congressman FAUNTROY, Senator HARRIS, and myself at the plenary session:

OPENING REMARKS BY CONGRESSMAN  
WILLIAM F. RYAN

I stand here today somewhat perplexed—torn between wanting to speak positively about what can be done and feeling that to be anything but somber is to evade reality. My optimism stems both from my own personal nature—which says that there are answers to problems, and that we can do better, if we decide to do better—and from the very simple, empirical fact that, after all, we have chosen to live here.

We are New Yorkers, and when all is said and done about the garbage, the subways, the traffic, the noise, the housing, we come back to one point—New York is our home, and, at least for most of us, it is true to say that we would not trade our lot with the farmer in Iowa or even the man or woman living in Chicago.

Still, we must recognize the magnitude of the crisis confronting us.

For many New Yorkers, some lines from a poem by Coleridge, "Frost at Midnight," are all too accurate:

I was rear'd  
In the great city, pent mid cloisters dim  
And saw naught lovely but the sky and stars.

Today, with air pollution, even the stars are becoming a memory of things past.

I would like to begin with two major premises. The first is that the greatest crisis facing our cities is the growing cleavage between the races. And second, this cleavage is a function of economics—the break between the haves and the have-nots.

If the people fall apart, so must the cities. As Shakespeare said in *Coriolanus*, "What is the city but the people."

What we are witnessing is a steady exodus of the white middle class from the central cities, which are progressively becoming the refuse piles for the poor, the disadvantaged, the elderly, the blacks, and the Puerto Ricans.

Yet, despite the siren songs of disaster, no one responds. We are catapulting towards a frightening polarization which cannot promise anything but the most difficult problems for our nation.

Intrinsically involved in this racial bifurcation which is splitting our cities, and thereby our people, is the issue of money. Money, it is said lies at the root of all evil. In this case, it is the lack of money which is the root, and the tree it is producing is a dual one—one white, one black.

The simple fact of the matter is that there is insufficient money for the cities. Or, let me be more accurate—and it is deadly significant that I am accurate here—there is insufficient commitment to provide the money for the cities.

I lay the blame on this Administration. I know that coming from me, that is no surprise. But, let us put my particular approach aside, and let us put politics aside. Where, I ask you, in this Administration, do we hear a voice speaking out in the morally right terms of racial equality? Where do we see this President standing up and saying, "We are brothers?"

We have a man in the White House who takes 14 months to condescend to meet with black members of Congress.

We have a man in the White House who says he is not going to force integration in the suburbs.

We have a man in the White House who nominated for the Supreme Court a G. Harold Carswell.

We have a man in the White House who in the most total, tragic way has demonstrated his lack of compassion, of perception, of—to use a term of the times—sour. This man is not my soul brother. He is certainly not the soul brother of the black man and woman, or the Puerto Rican, or the Chicano, or the American Indian.

Given such attitudes, how can one hope for a meaningful perception of what is happening to our cities?

Apart from his abdication of moral leadership on the issue of race, he has used fiscal contrivances to encourage the dissolution of our cities' unity, and thereby to their racial division.

Let me cite some examples. And here I am not talking about supporting or opposing governmental programs. That is another question. Here I am talking about money. Right now, the Administration has frozen billions of dollars of federal funds which should be going into the cities. Two hundred million dollars in urban renewal funds. Over 700 million dollars for Model Cities. 192 million dollars in public housing funds is frozen. Five million dollars for community education. Thirty four million dollars for regional medical programs. Two hundred million dollars for water and sewer facilities grants.

The administration's budget requests for fiscal year 1972, which begins this July 1, perpetuate the situation. Twenty five million less than could be requested for the Section 236 rental assistance program. Funds for students with special vocational education needs—\$20 million this year. Gone in the next. Grants for public libraries: out by 50 per cent. Seventy-five million dollars less than the authorization for bilingual education. Nothing for the lead based paint poisoning program, which we finally pushed through to enactment only a few months ago.

And, while the money recedes, we hear a lot of rhetoric about revenue sharing. Let me just say, the President's so-called new revolution of revenue sharing provides \$143 million less for education in Fiscal Year 1972 than it did in Fiscal Year 1971—and this is when we combine special revenue sharing and general revenue sharing.

Money, my friends, money—speaks loud. And all we hear from the White House is a whimper.

And, so long as we do not have the money for education, so long as we do not have the money for housing, so long as we do not have the money for mass transit and anti-pollution programs and adequate health care and community action programs and employment services and job training and 100 other things, we are sentencing the cities to death.

And let there be no mistake. This is not simply a matter of frugality. This is a direct reflection of an attitude towards race. Without compassion, without a perception of the races, without soul, there is no recognition of what must be done. Or, if there is, there is no commitment to make that recognition emerge into a reality, in terms of hard dollars.



I do believe that this Administration is leading our nation down a dire course. I do believe that our hope—our hope domestically as well as internationally—lies in making this a one term Administration.

Rudyard Kipling wrote, in his poem, "To the City of Bombay,"

Comfort it is to say:  
"Of no mean city am I:"

We have no comfort in our cities today. We have no comfort in the split of the races. We only have the comfort of knowing that we can resist, we will resist, and we must prevail.

#### REMARKS OF WALTER E. FAUNTROY

Thank you so very much, ladies and gentlemen. Above all, Bill Ryan, I thank you for the privilege of being here today.

As I open the flood gates of memory and travel back through the past decade, through the height of the civil rights movement so nobly led by Martin Luther King Jr., I cannot help but be grateful to Bill Ryan. For he represents to me those Congressmen and Senators who responded to a national coalition of blacks and whites, of affluent and poor, young and old—who worked together to outflank those Southern Democrats and Conservative Republicans who have frustrated every progressive piece of legislation we have tried to move through the Congress, and who, even today, stand between us and the solution to the crisis in the cities. And I believe it is the reassembly of that coalition that is the hope of our cities in the 70's.

I would like to address myself very briefly to that subject, amplifying, no doubt, what so many of you have been saying in your panel discussions thus far, and in some measure that which Congressman Ryan has said before me and what Senator Harris will say even more eloquently after me.

I think we are all aware that deeply entrenched patterns of social behavior coupled with sweeping economic changes have combined to create a crisis in our American cities that has reached explosive proportions. A key social factor in this crisis may generally be referred to as "the class caste system" that functions in American life. Or to focus more specifically on the plight of Black people in America—it is attributed to the racist orientation of the American character structure. Couple that with the economic cages that are being wrought in the automation, cybernation revolution that is displacing unskilled workers at a rate of 35,000 a week or 2 million a year, and you understand the basis for our crisis.

This fact is reflected most clearly in the growing mechanization of our rural economy and the flow of increasingly large numbers of people toward our nation's urban centers in search of gainful employment. I need not remind you that all of America is becoming increasingly urbanized, especially black America. For while roughly 60% of white Americans live in our cities and our urban complexes, fully 73% of Black America lives in the urban centers of our nation. And in that fact,—the fact that the cities are becoming increasingly the abode of the Black and the poor while the affluent flee to the suburbs—we have the crux of the crisis in the cities. It is these, Blacks, Mexican-Americans, poor people generally who find themselves caught in the vicious cycle; forced to live in housing that is exploited; send children to schools that are neglected from which they emerge with an education that is inferior to take the lowest paying jobs in an economy that is displacing unskilled people at a rate of 2 million a year; and thus are forced to return to the housing that is exploited, to send children to the schools that are neglected to emerge with an education that is inferior. Thus the vicious cycle builds and continues.

In light of this vicious cycle, the 70's will be a decade in which the cities are engaged in a life and death struggle. I submit that their fate is tied almost directly to our abilities to marshal sufficient vote power, black and whites together across this nation, to see to it that our disordered priorities are reordered.

Seymour Melman in his book, the *Pentagon Capitalism*, I think puts his finger on the problem when he reminds us that over the last 25 years we have spent a trillion dollars in this country for the implementation of war. That over the past 10 years, we have spent 500 billion dollars—a tremendous drain on our national vitality and our national resources. And the toll of that disordered priority has been felt most keenly in the explosive situation in our cities.

As Dr. King said from this very church 4 years ago while launching his assault on the insane and senseless and illegal war in Vietnam: "The bombs that are dropped in South East Asia explode in the ghettos of our nation."

They have taken their toll on the vitality of our cities. For while we have spent that 500 billion dollars over the past ten years perpetrating death and war, our desperate needs in the country have gone wanting. The casualties, as he pointed out, have been the 15 million people who are hungry in this most affluent nation in the world.

The casualty over these past ten years has been the inventory of delapidated housing across this country.

The casualties have been our health needs in this country, for it is a tragic indictment of our priorities that we, the richest nation in the world, are 18th among the major nations of the world in infant mortality. In 1957, we had something like 105 physicians per 100 thousand people in our population. But with the continued spending 80% of our national budget on implements of war, today, I understand, we have only 89 doctors per 100 thousand.

All these things illuminate the disordered nature of our priorities and the need to reorder them—to turn, not only our money but our brain power as well, toward meeting our human needs.

Even in our domestic spending our priorities are disordered. Over the past 5 years we have spent 25 billion dollars in space exploration, and 20 billion dollars in highway construction—highways that have been essentially white men's roads to black men's homes. Over these past 5 years we have spent 15 billion dollars subsidizing country farmers like Senator James Eastland, while we spend only 5 billion dealing with the housing crisis that is the albatross about the neck of those of us who live in our inner cities.

Congressman Ryan is right. If we are to deal with the crisis in the cities, then we've got to spend enormously more money on each of those areas: Providing decent housing, job opportunities, health and welfare for our people.

I think I know where that money needs to be spent. And in closing, I just want to suggest two areas where we need to spend a great deal more money to meet the problems in our cities. These two areas grow out of my painful experience over the past 5 years of desperately trying to revitalize an urban core in our nation's capitol.

I was born and grew up in what is now known as the Shaw urban renewal area. It is an area 675 acres in space, lodged between the White House and the Capitol, between North Capital Street and 15th Street which begins six blocks up from the White House and 13 blocks from the Capitol. It is an area all too typical of the decaying inner city areas of our country: 95% black; 70% of the ownership by absentee land lords who extract an average of 100% profit each month on the investments they have made

on that slum property. We have there a census tract which in 1968 had the highest unemployment rate of any census tract in the country. There we are trying to draw federal money using the system of urban renewal to affect nonviolent land reform. The system provides a means of doing that, but the people have not the money to affect it. I see where massive doses of model cities funds can be spent for the acquisition of these slum owned properties and their disposition to nonprofit sponsors who can rehabilitate or redevelop them, so that the people who now live there, paying 100% profit to slum-lords, can own them in dignity.

In short, I think that, if I just take the case of my own father and our efforts to deal with his needs, you'll understand why and where the money needs to be spent. My father has lived in the Shaw area for 37 years now, in one house. He paid for the house 4 times in those 37 years. He paid for it four times because he paid 100% profit to the owners. As a matter of fact, some people think my father is poor, but I know he is pretty affluent fellow. He has bought 8 houses in his life time. When my father paid off the note the first time, the man refinanced the house and at once bought another house and put another Willie, that's my father's name, in it. And Willie paid off the second note, and he refinanced the house again; and he bought a third house and put another Willie in it, and Willie paid that one off.

Under the urban renewal process that we have been able to invoke the house has been condemned, acquired from him, turned over to a non-profit sponsor, which happens to be my church, rehabilitated and then sold to my father for less in monthly payments under the 235 program than he was paying in rent. That's revolution.

Fifteen years ago, when I wanted to go to college my father could not take that house down to the Savings and Loan Association and say: "Here is 20 years of my life in monthly payments. Let me have 2 thousand dollars to send my boy to school." Not because he hadn't paid it; but because he lived in that exploited situation whereby he paid for it, but had no claim on it. We've changed that for Willie, and there are millions of more Willies across this nation who need to be helped to that kind of citizenship and that kind of dignity and that kind of control of their destiny. And that can come only when we spend the countless billions of dollars that are necessary to revitalize our inner cities.

I assure you that on the 675 acres of land in Washington alone I could absorb all of the budget for the 236 and the 235 programs that has been appropriated by the Congress for the nation. That is the dimension of the need.

The final thing I want to point out is that in addition to the money for the revitalization of our inner cities, there is the need to deal with what I think should be the kind of issue around which we can reassemble the vote power of the forces of good will in this nation that out voted the forces of reaction in 1964-1965. That is the issue of drug traffic in our cities. The fact pervades our cities. This despair, that is developed because of our failure to deal with these problems, has found an opiate in drugs and has become our nation's chief internal security problem. In the past year I have buried 4 young men from two programs that we have developed in Washington: one called Pride and one called Project Build to deal with dropouts. And when we buried them the black young men and the white young men who were in those programs decided that we must picket the State Department and picket the Turkish Embassy and picket the French Embassy and say to them in no uncertain terms that we understand that drugs don't grow on 14th

Street in Washington; they don't grow on Wisconsin Avenue. We know they are grown in Turkey. Eighty percent of the drugs sold on the streets on the East Coast are grown there. And we know they are processed in France and brought here—40 tons worth a year, that they are destroying our most precious possession. If the FBI or the CIA can find out what Ralph Nader is doing in a hotel room, then surely they can determine where the gold flows and whose hand is in the pot across this nation and around the world and what needs to be done for the salvation of our cities. We must find a way in this country, even if it means subsidizing farmers in Turkey, to stifle the traffic in drugs which is a symptom of our failure to deal with the crisis in our cities.

Thank you.

#### REMARKS OF SENATOR FRED HARRIS

It is a delight to be here with Congressman Ryan and Congressman-elect Fauntroy, this afternoon. I have a prepared speech, but I have decided not to use it.

There is a story I heard recently about a Senator who was more dependent on his staff and speech writers than most, and who had a great turn over in his staff because he was tough to work for. One day he went to give a speech in the Senate, put on his glasses, opened up his speech, the first time he'd seen it, and said: "Mr. President, today I want to talk about the role of the U.S. in Africa, Asia, and Latin America. Then I intend to turn my attention to the farm problem, I'll close with a detailed discussion of problems of simultaneous inflation and recession in this country." Then he turned to the next page and it said: "All right, you old wind bag, I quit; you're on your own." I don't like to use prepared texts for fear that might happen to me.

Again, it's a delight to be here with Congressman Ryan and Congressman-elect Fauntroy and be a part of this program. I commend Bill Ryan and each of you who had a part in putting this program together and each of you who is participating in it.

The great hallmark of the 1970 elections is the feeling that so many people have in this country that it doesn't really matter what politician is elected since nothing much is going to be done about the problems of this country. As I travel around this Nation, I find people far more articulate now than they were in 1967. People can tell you precisely what is wrong with this country, exactly what is wrong with their lives. The problem is: how can we generate the will and the kind of coalition action that must be brought about to meet their needs.

Kevin Phillips wrote a book, which I think is an immortal book, called the *Emerging Republican Majority*. Its thesis is that its a good thing Democrats are associated with the problems of minorities and of the central cities and poverty, because the more Democrats are associated with those problems, the more people are going to flee the Democratic Party and join the Republican Party. I think that is an immoral thesis, because it seems to me political parties and governments haven't any reason to exist unless they are going to concern themselves with the real problems of the world and of this country. And I think that it is immoral because we don't need to look so much after the problems of the strong because the strong people take care of themselves. It's the weaker people of our society, those with less power, the government must be particularly interested in.

There is another book that I think is at least an amoral book and it is called the *Real Majority*. The basic thesis of that book is that politicians should find out where the center is and get over there as quickly as they can. I couldn't disagree more. I think people are so tired of wishy-washy double-talking mealy-mouthed politicians they could

just throw up. I don't think it is the time for cool calm concern about the issues. I think we ought to let it be known that the level of our outrage continues to climb.

Walter Fauntroy talked about health. I was down in Walters not long ago, a little town where I grew up, and I was talking to my dad. My dad is a small farmer, lives on a farm, has less than a high school education. He said he was with his sister, my Aunt Audrey, and he said she heard me say on the radio a lot of little people pay too much taxes and a lot of rich people in this country don't pay their share of taxes. And I said that's what I said. "Well," he said, "as I said to Audrey, is he one of them that put them on us to start with?" Well there's quite a bit of truth in that. But the point is Aunt Audrey. Her husband had just suffered a stroke. Despite the fact that he'd worked all his life for the local gas company, she is working as hard as she can now running a little hamburger stand, selling hamburgers to the high school kids at a little school where I grew up. She can not possibly pay the medicine and hospital bills. I say that it's an outrage. In the richest and most medically knowledgeable country in the world, it is unconscionable that a couple who have worked all their lives can't take care of something as basic as health.

I believe that there are people in this nation who want to focus on the polarization in our society. They want to try to build a negative coalition around the fears and hatreds that are in us all. I believe you can build that kind of coalition.

But I think we can also build a positive kind of coalition—around the things that are of mutual concern to the majority of the people of this country. By and large the basic kind of plank in that populist coalition has to be the maldistribution of wealth and income which is endemic in our society and which must be righted. If you look at the 1930's you'll see we haven't changed very much in the maldistribution of wealth and income. The upper one fifth of our population has roughly 41% of the income, slightly more than it was in 1930. The lower fifth of our population has about five percent of the income, slightly less than it was in 1930. It's issues like that around which we can begin to build a majority—a majority which can move this country forward.

We're not answering the basic kinds of questions that are on people's minds: like "Will my family be safe?" A lot of these fellows who talk most about law and order are the very ones who will not vote money for more police and better salaries and better training to do something about the awful slowness of the courts. They would rather have preventive detention. Now you wonder who has the franchise of making up those beautiful phrases to mask such ugly and unconstitutional concepts. Those same people are the last to be willing to give the city money to do something about prisons and jails—criminal academies, turning out far better criminals than originally sent there.

"Will we do something to end this war finally?" I think people know that all over this country a majority of people dread to see the name of another boy killed in that useless and tragic and immoral war. That's the basic kind of human and populist question that must be answered.

"What's going to happen to me when I get old?" Old people throughout this country—because of the levels of social security assistance that the government itself sets—are living lives which do not come up to the kind of decent standards to which they are entitled. More than that, far too many older people in this country go without breakfast or lunch just to buy drugs, because they can't otherwise afford to buy medicine that they must have. I say that that's a scandal. It's that kind of basic question—"What's going to happen to me when I get old?"—That we

are not facing up to with the kind of urgency that is required.

"What sort of chances will my child have?" "What kind of education will he have?" "Will he have a better chance than I had?" "What's going to happen to me if I'm out of work?" Billions of people are needlessly out of work today under a heartless policy which has consigned too many people to the jobless lines in order to get control of the economy.

"What's going to happen to me if I get sick?" These are the basic issues in this country.

It's so difficult for us to think about these things in terms of statistics and then feel the kind of human urgency that's involved. You have to focus on individual cases.

In my own state, in the little town of Edmond, my wife and I know a couple there who just had their first baby born with a birth defect. In the first 48 hours they owed \$3,000. Wiped out. There is no possible way this young couple, just getting started in life, can possibly pay for that kind of expense.

In Tulsa, Oklahoma, I held hearings on rising health costs. A young man who handles about 150 cases of bankruptcy said that the typical bankrupts in Tulsa,—and this is not abnormal throughout the country,—is a young married couple up to their necks in payments like we all are, refrigerators, car, furniture. Then the typical thing that throws them into bankruptcy is an extended illness of the wife or the child. They are wiped out, with no way to pay it.

The other day, Donna and I were down in a small community in Oklahoma, and we stopped in the home of a young couple. In the kitchen was a young boy. He looked to be healthy as far as any outward signs were concerned. We got into a discussion about several things, and it came out that the young mother was active in an organization called Human Growth, Inc. She told me that that was a group that tried to get more research funds for deficiencies in the human pituitary gland. I asked how she came to be involved in that group. She said because that little boy of theirs had been born with a deficiency of the pituitary gland and that he had no chance to live above the age of fourteen, without being seriously physically and mentally retarded, unless there could be some research breakthrough before he arrived at that age. During the past year, for the first time, in that young boy's life they have had some hope because the federal government under the National Institutes of Health had begun a small program with only about \$40,000 dollars, for research into that kind of disorder. She and her husband for the past year had been driving twice a month 250 miles down to Dallas to take that little boy to where some of that research was being conducted, hoping against hope that something might be done before too late.

Last year that money was cut out entirely. Because of President Nixon's economy move, that entire research project was ended.

As I said to Senator Warren Magnuson on the floor of the Senate, during the SST debate, go down there and look that mother in the eye and, if you can tell her that the building of that Supersonic Transport is more important than that little boy's life, I'll go in with you.

I believe that we can put this country back together again, if people will recognize the common interest we have in bringing this country back to human kinds of priority. I believe that these issues cut across a lot of lines, lines of race, lines of age.

I heard Rev. Jessie Jackson say in Chicago not long ago to a mostly white audience: "I don't blame that white unionist for not wanting a black man at his job. I don't blame that black man for wanting to get his job. I'd like to see a policy under which they can both have jobs." It's that kind of common sense around which we can put this country back together again and build the

kinds of coalitions which can move us forward. That's true of these problems in the city and it's true of the problems in the country. All over this country people want to feel that they are a part of some common enterprise which is more important than themselves. We can move this country back to the greatness that is in it, and give people involvement in an effort which seeks to practice what we profess.

I believe there is a progressive majority in America which can be mobilized in a new populist coalition to help enact an agenda for this country based on fundamental matters of principle and right: better distribution of income; justice for black people, Chicanos, American Indians, other minorities and women—and for white workers who pay an unfair share of social costs; peace, and a reversal of militaristic trends; confrontation and restraint of the powerful interests which profit by polluting the earth; and fundamental reform of government to make it responsive to the people's will.

The truth is that if we will but listen, we will find that all over America, people of the most disparate backgrounds—the young college student, the militant black, the suburban housewife—are saying the same things: we want to live in a society which believes in something, which stands for something, in which there are obvious values and ideals; and we are tired of having so little power in helping make decisions.

The trouble right now is that those people who are, potentially, part of a progressive coalition are in despair because they feel that nothing much is going to be done to right fundamental wrongs which exist.

That despair results partly from the fact that, for some people, both in and out of the present Administration, it has become fashionable once again to accept, as virtually God-ordained and inevitable, patriotic wars, higher unemployment as the cost of stable prices, poverty as the natural state of some men, and an America of two separate, unequal societies.

Race is the central fact of American politics today, because it is the deepest and most dangerous problem of American life. Deep down Americans know that it is not right to discriminate in education, housing, and jobs, but, deep down, they also know we have been guilty of it. And more and more people have come to realize that racism has been unbearably costly in lives, money, and peace of mind.

The response of the Nixon Administration to this central problem and basic moral issue is to give open aid and comfort to the last-ditchers by taking their side and by equivocation. Just when the moderate public figures in the South, for example, were beginning to feel politically secure enough on this issue to be able to say that nothing more could be done except to comply with the law ("We've run out of courts," Governor Robert McNair said), the hardliners were encouraged by government policy to hope that the clock might be stopped or turned back.

It is a wretched and heartless policy that makes men go jobless in order to slow down the economy. It is particularly indefensible to increase the numbers of the jobless without providing for a decent income maintenance system and a manpower program which assures a job for all those who are willing and able to work.

Why have we passively accepted a caste of poverty-ridden citizens in the midst of the greatest national wealth in the world's history? We did not count money when we decided to undertake the task of landing men on the moon. But we have often appeared to be prepared to cut almost every budget figure which would insure a real future for thirty million of our poorest fellow Americans.

The ways to prevent poverty are well

known to us all. Allow every baby a chance to be born wanted, raised in good health, educated to full capacity, accepted upon individual merit, welcomed to a range of job choices according to capacity and interest, paid a good wage, insured at adequate levels against the economic hazards of the industrial economy, and assured a comfortable house in a supportive neighborhood, and opportunities for cultural enrichment, participation in the decisions affecting his own life, and survival into a respected and secure old age.

The tragedy and immorality of our recent foreign policy have profoundly shaken our own people and made it far more difficult to enact and maintain progressive programs at home.

If one agrees that politics should stop at the water's edge, there is no reason why one should also agree, as some would seem to advocate today, that morality must also stop at the water's edge. Of those who are willing to admit that governments have a responsibility to operate in the domestic realm on some basis of idealism, many feel quite strongly that similar idealism is not a practical basis for the conduct of foreign policy. The truth is that an immoral foreign policy will prove, in the end, to be deeply impractical. The late Walter Reuther spoke the truth when he said that "Idealism is the pragmatism of our time."

One would think that Americans, of all people, would most understand that down-trodden people will rise, that people should and will be served and that there is a limit to what they will suffer if ever they learn that they need not suffer. Yet our tendency and the tendency of our government, abroad, is often to identify alone with the existing government in a country, however dictatorial or corrupt, almost as if we believed that governments have a separate life of their own, when we should know that, even under dictatorships, power belongs ultimately to the people only, and only they assuredly endure.

Two-thirds of the world's people are poor and hungry, and they live in countries where a frightening increase in population is far outstripping available resources and lagging economic growth, already insufficient and strained to the utmost. Anyone who feels that in the next twenty years we Americans can continue to sit in our air-conditioned homes, watching color television, getting fat from eating too much, polluting the environment through overconsumption and feeding our cats and dogs more than a great many starving humans have to live on, and still maintain our national security—not to mention our sense of moral uprightness—in such an unstable and anomalous world situation, has not thought the matter through.

Neglect and half-hearted action on too many fronts have brought us to a time when too many people feel that hope is a useless crutch. The times are confusing. The old solutions are not working. The old alliances are being severely tested.

We can go either way. Men may gain and hold power by turning some of us against others. Or we can begin to see that there can be new strength in ourselves, that the hopes of most of us are the same.

It is not the "long-haired hippie kid" or the "pushy black" or the "hard hat" who has caused our problems. We—all of us together—have caused them. And we can solve them if we believe we can and if we will trust one another once more. In the great mass of people there is strength, if it is turned loose and set free—strength enough to do what needs to be done.

Volunteer reporters generously gave of their time and skills to report proceedings at the conference. For their reporting, notes, and articles, I am particularly grateful.

The morning panel on "Profit, Protection and the Consumer" was moderated by Stephen Press, director, New York Institute for Consumer Education and Development. Panelists were Bess Myerson Grant, commissioner, New York, City Department of Consumer Affairs; Charles S. Mack, executive, Consumer Issues Committee, U.S. Chamber of Commerce; Robert Pitofsky, Director, Bureau of Consumer Protection, Federal Trade Commission; Joseph Swidler, chairman, New York State Public Service Commission; Woodrow Wirsig, president, the Better Business Bureau of Metropolitan New York. Discussants were Geoffrey Cown, attorney, Center for Law and Social Policy; William F. Haddad, president, U.S. Research & Development Corp.; Seymour W. Klanfer, president, Consumer Assembly of Greater New York; Adele Misa, chairman, La Mia Buying Club; Florence Rice, consumer consultant, Halem Consumer Education and Development. Panel coordinators were Jeanne Miles and Suzanne Abramson.

I include the report on the discussion:

PROFIT, PROTECTION AND THE CONSUMER

(By Elizabeth Savels)

After introducing the panelists and discussants, the moderator, Stephen Press, called on Robert Pitofsky.

Mr. Pitofsky stated that the Federal Trade Commission has the authority to protect the consumer against unfair practices. But in the past it has lacked leadership, motivation and the staff to pursue its authority.

Joseph Swidler, in his initial remarks, commented that, while the Public Service Commission has no such broad powers as the FTC, it has as its specific task regulating public service agencies and companies. Public institutions have not functioned well in the past, and in 1970 there was a re-organization of the PSC so that it is no longer only a rate reviewing service but now looks at long range planning and programs as they relate to better service and lower rates, as well as the environmental factor.

Woodrow Wirsig urged both self-regulatory and legislative controls to meet the rising consciousness among consumers that controls must be instituted. The Better Business Bureau, in relation to its members, he said, meets with a business firm to set up standards, monitors the firm, meets again, if necessary, to use moral suasion to keep the firm to the standards set. Also, it tests advertising in an attempt to be sure that no fraud is being perpetrated.

Charles Mac indicted the U.S. Government for discouraging the business community from proposed self-regulatory measures by not permitting sanctions to be imposed. A measure designed to clean up pollution which was proposed by business was said to violate the anti-trust laws. He also stated that the thrust of consumer legislation is injurious to competition from which consumers profit. Reduction of competition favors big business. The business community is not opposed to consumer legislation but does oppose harassment of business. Consumers can have as much protection as they want, but not without an increase in the cost of the product.

Seymour W. Klanfer to Mr. Mack: He said his interest was in the question of business harassment. What proof is there of business harassment? Is it harassment to insist that business fulfill its claims for a product made in advertisements? Mr. Mack replied that this did not constitute harassment.

Mr. Klanfer to Mr. Swidler: One used to have the idea that the Public Service Com-

mission was a subsidiary of the firms the commission was supposed to regulate. Is the idea of a Consumer Advisory Group welcome to the PSC? Mr. Swidler replied that such a group would be welcome in some areas only, but not in the area of rate cases. Mr. Klanfer urged the PSC to consider the help such a group could give, such as keeping it informed of consumer complaints.

Florence Rice questioned Mr. Wirsig about soliciting consumer complaints which the BBB can do nothing about. Mr. Wirsig said that the BBB was a private organization, that 97 percent of its complaints represented a breakdown in communication between consumer and supplier, and that the BBB has shown that it can handle such problems. Mrs. Rice quoted a survey which she said disproved the BBB claim, and went on to say that the low income consumer cannot get as much attention paid to his complaint as the educated consumer.

Mrs. Rice to Mr. Swidler: The AT&T is asking for an increase in the rates. Is anything being done about AT&T discriminatory employment practices before such an increase is considered? Mr. Swidler said that the PSC had no authority to correct discriminatory employment practices in any utility, but that other agencies do have such authority. Mrs. Rice then asked why the AT&T was not involved in the hearing on the Bell Telephone case presently under review. Mr. Swidler replied that the time limit on the hearings did not permit bringing in the complexity of the AT&T relationship.

Adele Misa directed her question to Mr. Mack: Why has no one compelled banks to extend credit to low income consumers? They are forced to use much more expensive loan agencies. Mr. Mack told of the fairly new steps being taken by Montgomery Ward and some company in Chicago, the name of which he could not recall, which permits loans to low income consumers in cooperation with the National Welfare Rights organization. No reports are in on this program, but it sounds promising.

Mrs. Misa to Mr. Wirsig: Why does the BBB not print a list of its member firms? Also, in setting up standards, who decides what is the right price of goods? Mr. Wirsig: The BBB is not competent to set prices. It does, however, protest if a price on goods seems unconscionably high.

Bess Meyerson Grant added to this the complaint that the BBB, once it has cleared up a complaint, wipes the slate clean and no record is made of trouble with a dealer. Mr. Wirsig responded that the BBB does keep a record, and that it prosecutes the dealer who has defrauded a consumer. He added here that the WMCA survey, previously quoted by Mrs. Rice, was being studied by the BBB for libel and malicious content.

Geoffrey Cowan asked if Mr. Wirsig could tell him how many of the complaints which came to BBB were handled by BBB and helped, how many were referred to government agencies. Mr. Wirsig replied that the majority of the complaints were settled to consumer satisfaction, and that BBB cooperates with Mrs. Grant's office.

Mr. Cowan to Mr. Mack: If self regulation has been ineffective, would you be opposed to self-regulation with consumer authority to impose remedial action? Mr. Mack said that would not be self-regulatory; it would be outside regulatory control.

William F. Haddad to Robert Pitofsky: Self-regulation is not going to work. Don't live in an unreal world! Mr. Pitofsky is not the right person to answer my question but he is here, so I want to know how the FTC hopes to overcome government pressure? Mr. Pitofsky said that as the consumers make their voices heard, the government will have to respond by lessening its pressure.

Mr. Haddad to Mr. Swidler: In hearing a rate case you hear only the monopoly protagonist. What is the role of the Commission

vis a vis the monopoly and the consumer? Mr. Swidler: The Commission must have a commitment to consumer protection.

Mrs. Bess Meyerson Grant, who had apologized for arriving late, now made her opening statement. She asserted that her agency was mandated to educate and protect the consumer, to take defrauders to court on behalf of consumers, and cited examples of some of the results of her commission's work in this field.

The audience was called on for questions. Mr. George Levine of the American Telephone Consumers Council reported that at the Bell Telephone hearings he was told that he could not testify unless he could present all the testimony at one hearing. He also wanted to know why the PSC lawyer was not present at that hearing. Mr. Swidler replied the PSC had permitted the lawyer to go on vacation as he was overworked.

Following are some of the questions and answers:

Question: What do you define as normal exaggeration in advertising? Reply: Advertising not measurably exaggerated, such as "world-beater" vs 20% better.

Question: Is anything being done to see that "special" goods from one store are not transferred to Harlem stores at regular prices? Mrs. Grant: Yes, something is being done. Also, she announced, unit pricing is going into effect.

Question: Consolidated Edison sends bills based only on an estimate. Can anything be done? This was referred to Mr. Swidler for the future.

Question: Who controls overproduction of gelatin capsules, the overage being used for drugs produced in this country, which are not legal to sell in this country, and are being shipped overseas? Mr. Cowan: The Attorney General has the power to control this.

The following question was asked by the vice-president of an advertising firm of the audience: "Is there any room in advertising for romance? The audience replied "NO" "Do you want only facts and diagrams?" The audience replied, "yes."

The morning panel on, "Health Care: Paying and Providing," was moderated by Ira Glasser, director, New York American Civil Liberties Union; Chairman, St. Vincent Community Health Council. Panelists were Gordon Chase, Administrator, New York City Health Services Administration; Douglas Coleman, president, New York Blue Cross; John L. S. Holloman, Committee for National Health Insurance; past president, Physicians Forum; past president, National Medical Association; Vernon Wilson, Administrator, Health Services and Mental Health Administration, U.S. Department of Health, Education and Welfare. Discussants were Esta Armstrong, program director, West Side Neighborhood Health Services Program; Leon J. Davis, president, Local 1199, Drug and Hospital Union; William H. Hatcher, Chairman, Washington Heights-West Harlem-Inwood Mental Health Council; Oliver Fein, Health PAC.

Panel coordinator was Hugh Pickett. I include the report on the discussion:

#### HEALTH CARE: PAYING AND PROVIDING

(By Virginia Horton)

Ira Glasser, the panel moderator, pointed out that health care has been a commodity to be bought rather than a right; because of the economy of scarcity, there is not enough to go around.

He said that in this society of abundance, the problem is distribution, not production. Health care is distributed on a fee-based system; solutions come in terms of finance solutions.

Various plans have been put forward. An American Medical Association plan would provide for continuation of voluntary insurance programs, with incentives through tax credits. The Health Insurance Association plan, proposed by health insurance underwriters, would extend private coverage, with the federal government paying premiums for poor and almost poor. The American Hospital Association plan consists of corporations throughout country funded by government. The Kennedy plan is broadest of all. It would eliminate all private coverage, provide total care through group practice under appointed local advisory boards with majorities of consumers. It would be financed by a tax on employers of about three percent, and on employees of about one percent supplemented by federal funds. The Rockefeller plan provides compulsory private insurance, with premiums to be paid by employer and employee and the government paying for the poor.

There are shortcomings of all the plans. They all represent the fee-for-service idea. There is no accurate controls of spiraling costs. They all are regressive, financed through flat percentage taxes on everybody. They are all financing plans, not health plans. They do not deal with problems of delivery of health care.

Many feel more money is not the answer. It may not improve quality. Do any of the plans speak to that possibility?

Gordon Chase asked, what are the real health problems? He said that the most pressing problems of the cities are environmental—lead poisoning, alcoholism, drug addiction, venereal disease. They are not strictly medical problems. Enormous numbers of people are affected by them. Research money is spent on more exotic things that affect very few people. The most widespread problems are under-funded.

Vernon Wilson said the Administration does have a plan. We are dealing with something of great concern, and there are reasons why it is not as easily resolved as we wish it would be.

One problem is that there is no description of what "health" is. We have put money in the things which frighten us the most, which are dramatic. The problem cannot be solved by a coerced system. Throwing controls from one place to another is not the answer. We must work together to solve problems. More initiative must be placed in the community. That will come from federal encouragement and the incentive system. The final decision among those who provide, medical problems. Enormous numbers of people who receive and those who must finance. Eighty percent of the health care system is operated on a pay-as-you-go basis. Twenty percent of the population is under-served, badly under-served.

Under an Administration plan, once an individual has paid, he will receive all benefits agreed upon with no further charge. Any member of a group can form a focal point for putting together a system, but the final set-up must include all of them in system.

Monies which have come into the health care system amount to one third of federal resources. They will go into health maintenance organizations only after approved contracts have been arranged and benefits will result.

There is a family health service plan in Administration's program.

National Institute of Medical Health, Center for Disease Control, Maternal-Child Health, Family Planning Services, regional medical programs, Community Health Services, Indian Health Services, National Center for Health Statistics, National Center for Health Research and Development, health facilities; federal health program which includes federal hospitals, clinics, etc., are all mandated to work with the Office of Education, Labor, Social and Rehabilitative Services, Social Security and the Department of

Justice. We are doing all we know how to do.

We must have meaningful cooperation with groups like yours.

John L. S. Holloman said that the problems have been recounted innumerable times. The plans offered are generally inadequate because we have a philosophical hang-up. We are unable to distinguish between changes that are real and those that are rhetoric. We pass laws at the federal level without disturbing medical tradition; we attempt to solve health delivery problem by pouring in more money, causing a cost spiral.

Health is an equal right, and we must make it one. Not after *we* have gotten *ours*.

In New York City, the commission to study hospitals came up with a solution which can not work: separating people by having continuation of a municipal and voluntary hospital system is inevitably unequal. In practical application, people will do what is closest to their own heart, at someone else's expense. We balance the budget by dropping people from medical rolls. We have various bills, introduced for political reasons rather than a desire to change the system and make health care an equal right. Nowhere in the world can poor people compete for equal care. Two-thirds of the physicians care for one-third of the people.

We must build a health care system based on philosophy of the right of health care.

Douglas Coleman said that most of his life he has been trying to spend other people's money wisely.

One of the things he is encouraged about, he said is that you cannot get a responsible and knowledgeable group talking about health services without agreement that there is need for change.

Health care is not something that a society or a physician or a hospital can hand to a person. There must be some participation by the recipient. A large part of health care problems are the accumulated result of personal living habits or environment. This is not to say that we do not have to address ourselves to the delivery system. The best of emergency rooms on a Saturday night are like battle stations. This is no way for human beings to treat each other. "I am not a proponent of any one way. We are talking about changing behavior patterns—of nurses, doctors, administrators, aides; how institutions are structured, how people are paid."

"I don't see much hope trying to deal with that on any short-term basis by a national law. You can only set in motion some forces. I think it will happen a neighborhood at a time. We are going to have to take a look at disadvantaged areas and share more than we ever have before."

Medicare is divided into hospital and medical care. This is artificial. There must be a total system. Health maintenance is service to *people*. It is easier to get money for a *building*.

Leon J. Davis said that our problem is that we have no health service system.

As a people we never agreed this is something we ought to have. We have a fire department system. But it is an accident if a person gets a doctor or an ambulance when he needs it. It is a fraud that the Administration is dealing with the health problem. What is the delivery system of hospitals that are controlled 80 percent by philanthropists? Hospital walls are plastered with names. No *consumer* is on the hospital's board of trustees.

We will not have a system unless it is a system for everybody. A medical system for the poor will be a poor system. Any system designed for the poor will become a poor system.

William H. Hatcher said that we are developing services for areas as we understand their needs to be.

"I feel cold and frustrated," he said, "at what I have heard here. There will be no

health system which will deal with these problems unless it deals with all the things that cause them. Addicts, etc., are symptoms of something else. (One addict said he took drugs to make him able to bear the stench of his building.) The poor have the fewest services, jobs, opportunities. But their areas have the most liquor stores. Drugs must be stopped from coming into the county."

"We can't improve health conditions without seeing that people have jobs. The welfare system isn't an accident; it's meant to control the people. The sanitation men are always complaining they haven't enough people, but what would be their reaction if you took men off welfare and put them in sanitation jobs at the same salary the sanitation men get?"

"It is asked if the community can provide and control its own services. My answer is, can it do any worse? I am hoping communities will begin to assert themselves and demand the right to do things for themselves."

Esta Armstrong said that concerning current legislation, communities are not familiar with what is being proposed.

Consumers, she said, for the most part, are playing the traditional role of "doctor knows best." The west side neighborhood Health Services Program has gotten national interest. Competent full-time physicians work together with the community, with a back-up hospital. The community is *not* just advisory. Policy decisions are made through a mechanism of an Executive Board of the Neighborhood Health Council and staff. Values and incentives are for curing, not for profit.

When we see insurance companies moving in on health care for the nation, we know the incentive is to keep rates low, to make sure that payments will not "abuse" the system—an approach that tells the medical society, "Don't worry. Your profits will not change. There will be a guaranteed profit at the end of the year."

We know that generally the most articulate, more health-oriented get good care. But the poor, who have not had experience fighting a bureaucracy, will not utilize a program geared to another level of the population. All legislation is concerned with more guaranteed profit but no control on the care given to the patient.

How many doctors on health program payrolls are spending full time in that program? Are doctors serving private patients on our time? Community control is the wrong issue. The battle is what kind of controls, what kind of quality care, what are we buying?

Oliver Fein said that Blue Cross was founded as a service institution; but now is in a position of defending itself.

In the 1930's the innovation provided was the idea that we no longer had to get health care on the basis of experience in being sick.

Blue Cross instituted the notion of community rating—we would all share the difficulties of some being more sick than others.

The real question is whether Blue Cross is any different from any other private insurance company. What efforts have they made to get at the division between paying just for hospital care and for doctor care? They have taken very little initiative in trying to close this separation. Every one of the health insurance programs will be administered if not controlled by Blue Cross. They could be explicitly excluded in any legislation.

Mr. Davis said that the only health care system we have is a system to serve doctors, not patients. Health care in this country should be free. At the time service is needed, there should be no financial barriers. It should be financed publicly and by the broadest number of people, with a progressive tax base. All profits should be taken out of the health care system. Any proposal for national health insurance must come out

against fee-for-service system. It should be a totally prepaid health system. We should explore other areas in which a profit is made. Perhaps the drug industry should be nationalized. There must be a reorganization of the health system, in which doctors are no longer allowed to practice all by themselves—they must be integrated on a team, practicing in groups. Services should be adapted to neighborhoods.

The afternoon panel on, "Urban Transit: Cost and Cures," was moderated by Myron Cohen, Chairman, Mayor's Subway Watchdog Commission. Panelists were John G. deRoos, first deputy administrator, New York City Transportation Administration; Justin N. Feldman, member, Metropolitan Transportation Authority; Bertram R. Gelfand, New York City Council; chairman, Special Committee on Transportation; Roger H. Gilman, director, planning and development, Port of New York Authority; former executive director, Tri-State Transportation Commission; Dick G. Lam, director, Transportation and Regional Planning, New York City Planning Commission. Discussants were Nathan Bloom, senior economist, First National City Bank; former senior economist, Tri-state Transportation Commission; Stephen Dobrow, president, Committee for Better Transit, Inc.; Mary Perot Nicholas, city editor, "Village Voice." Panel coordinator was Ann Comay.

I include the report on the discussion:

#### URBAN TRANSIT: COST AND CURES

(By Virginia Horton)

John G. deRoos said that the Metropolitan Transportation Administration is comprised of the Department of Highways, Department of Marine and Aviation, Department of Traffic, Park Violations, among others. It acts as the city's representative in all mass transportation matters. Transit facilities are owned by the City of New York. The City of New York is responsible for all capital expenditures. The City has gone to the limit of providing funds for a new transit system. It is committed to an expansion program of subway lines. It is now waiting for state and federal government to come across with more money.

Justin N. Feldman noted there are three aspects to a long-term solution of transportation problems: rehabilitation of present facilities, planning for the future and finding a way to pay for it. We have taken the present system with too much complacency. Mass transit can never pay for itself and should not be expected to. Unless something is done soon, we are facing a 50¢ fare starting next January. Labor costs account for 95 percent of the budget and 92 percent of revenue.

Bertram R. Gelfand said that with the development of mass transit, we saw this city develop into one vast metropolitan area—the ability to move great numbers of people some distance each day with some sense of regularity (although this is diminishing).

Many parts of the system are over 70 years of age. Existing lines must be maintained, including tracks and signal systems. A much longer car is being developed.

Transit is one of the areas which has been neglected too long, by both the state and federal government. Daily riders exceed by eight times all riders on all suburban lines. The urban rider is the stepchild of transportation today. Only by vast mass transit can cities hope to survive.

Roger H. Gilman said that of the 378,000,000 passenger trips made between New York and New Jersey, some 96 percent were via a facility provided by the Port Authority. In

1946 New York City requested that the Port Authority construct a bus terminal. This relieved traffic in that area; later, likewise with the terminal at the George Washington Bridge. In 1962 New York and New Jersey authorized and directed the Port Authority to acquire and salvage the rail system; this resulted in PATH.

The PA also participates in the New York State commuter railroad car program. It has financed passenger cars to Long Island and Pennsylvania Railroads. It has established a bus line to Bridge approach. It is now engaged in planning the expansion of the midtown bus terminal.

Dick G. Lam said that coming from Washington to New York one wonders about the level of tolerance of the New York commuter. The latter has become desensitized to daily inconveniences.

One of the key problems of changing systems is money. The state bond issue and money from the federal government have been long delayed. More has been spent since 1964 on the SST than on mass transportation. Many bus systems around the country are going bankrupt.

Ninety to 100 percent of the cost of mass transportation is for labor; there is no money for capital expansion.

Whom does mass transportation serve? Much of it does not serve the young, the old, the poor. Is it really public transportation?

We have to recognize that, with our many needs, we must press the federal government for adequate allocations if we are going to be able to revitalize the city.

Mary Perot Nichols noted that the World Trade Center is actually hurting New York City. With its tax advantages, etc., it can charge less for space.

There is a constant raid on the neighborhoods by the Transit Department, such as installing parking meters without neighborhood consent. There was a proposal to build a parking garage in Chinatown which would have eliminated garment factories employing residents who were able to walk to work.

Mr. Gelman said that our job is to see that trade and commerce continue.

Mr. de Roos said his group is trying to clear the streets of automobiles; that's the reason we put in parking meters. Since the Lower Manhattan Expressway proposal was defeated, those factory workers in Chinatown can still walk to work.

Nathan Bloom said that what impresses him is the huge scale agencies have to follow through on. In this process we can easily lose sight of the basic purpose of the mass transit system. Also, there is the problem of conflicting interests of the agencies. There is complexity because of the size.

Mr. Lam said that one way to improve the system is to put in better equipment and a more reliable power and signal system; also training programs for employees.

"I don't see any solution in MTA's program," he said. "We need comprehensive planning, which we won't get with MTA. Will new lines work when existing lines don't?"

Mr. de Roos said that under state law, the Transit Authority runs the system. We have old lines. Air conditioning is difficult in the IND because tunnels are smaller than in the IND, too small. We are looking into using smaller air-conditioning units.

The Transit Authority also designs new routes. City can review and criticize but city does not have authority under state law to submit routes, etc. to the Board of Estimate. This has to be done by the Transit Authority.

Miss Nichols asked whether when we get the new West Side Highway, we can have a mass transit system attached to it—subway or monorail?

Mr. Lam said there was no reason why we could not design two coordinating systems.

He said that monorails do not work. The state legislature would have to pass on it. We have to negotiate with highway engineers to incorporate such ideas.

Mr. Bloom asked if someone were to introduce an idea for a new system which would enable passengers to travel from Long Island to N.J., how would such a proposal be evaluated?

Mr. Gelfand said we would need more clear-cut plans to bring about another stage.

The afternoon panel on, "People, Police, and Safety," was moderated by Basil A. Paterson, executive vice president, New York Law Journal. Panelists were Elmer Cone, assistant chief inspector, Chief of Patrol, New York City Police Department; CHARLES B. RANGEL, Member of Congress, 18th Congressional District, Burton B. Roberts, district attorney, Bronx County; Ralph F. Salerno, consultant on crime and law enforcement, Hudson Institute; former supervisor of detectives, New York City Police Department; Jack S. Hoffinger, defense attorney, associate chairman, Criminal Justice Coordinating Council. Discussants were Charles Gilliam, sergeant, Preventive Enforcement Patrol Squad, New York City Police Department, second vice president, Guardians Association; Jeannie Greene, president, the Block-in-Between Block Association; Efrain Rosa, president, 24th Precinct Community Council; Maxine Waldron, member, MAD—Mothers Against Drugs. Panel coordinator was Doris Clark.

I include the report on the discussion:

#### PEOPLE, POLICE AND SAFETY

(By Barbara Brienzava)

The moderator, Basil A. Paterson, asked that the panelists dispense with speeches and that everyone limit his statement, so that there could be more audience participation with questions and answers pertaining to three major problems: lack of police protection, drug addiction and the lack of foot patrolmen on the streets.

Chief Inspector Elmer Cone opened the discussion by saying that the number of patrolmen in an area depends on the amount of personnel each precinct has. Each area has non-uniform patrolmen who are scattered around neighborhoods to apprehend perpetrators of crime. Inspector Cone also stated that there are now Tactical Patrol Force units in the high crime areas.

Jeannine Green was the next speaker, and she directed her questions to Ralph F. Salerno. She said her main concern was with crime and not safety, and what can the average citizen do in conjunction with the Police Department to get rid of the crime on our streets?

Mr. Salerno assured Mrs. Green that the police were cooperating. Arrests are being made every day, but what transpires when the criminal is sent before the judge is another matter. Many factors are involved in the various cases. Mr. Salerno made it clear that pressures must be put on every department and level of justice; blaming the police for all the ills of our society is just not fair.

At this point Mr. Paterson asked Jack Hoffinger to speak on the problems pertaining to police arrests and patrolling of city streets. Mr. Hoffinger brought out several points which are not encouraging. There are very few arrests being made by the police, due to the fact that there are too many delays in the Court system, and arrests are not or cannot be processed. Mr. Hoffinger felt there would be less crime if more foot patrolmen were in evidence. His Criminal Justice Coordinating Council is now in the process of

working out a plan whereby a policeman would not be needed in court until he is due to testify, thus freeing him and giving the precinct its full quota of men all the time. The Council feels that enlarging the police force is not the answer to utilizing the men better, nor will it cut down the crime rate. A major factor is the dope addict who, in order to keep his habit, must commit at least three robberies pay day. If there was full cooperation by the precincts, this could be solved. Something must be done to reduce the need of the addict.

Maxine Waldron of MAD directed her statement to District Attorney Burton B. Roberts. She said that the addict must be helped to his feet so that he may be put back into the mainstream of life in our city, and that as far as she could see, the 24th Precinct was not cooperating. Pushers were not being apprehended and the police know who these people are. Mr. Roberts answered by saying that police could only make arrests when a pusher was seen selling out in the open. He said that arrests are being made, perhaps not quickly enough to satisfy the community.

Charles B. Rangel then spoke out quite strongly, making the point that, as long as money was to be made from drugs, the problem would be a difficult one to solve. There is much evidence to show that money is being passed between pusher and the law.

At this time the audience was called upon by Mr. Paterson to ask questions or contribute any ideas that would help the neighborhoods in fighting crime in their streets. There was considerable discussion about putting stronger restrictions on countries where heroin is produced and from which it is smuggled into the country.

The afternoon panel on, "Serving Youth and Age," was moderated by Barbara M. Silverstone, Federation of Protestant Welfare Agencies. Panelists were Edythe J. Gaines, superintendent of schools, Community District 12, Bronx; Georgia L. McMurray, commissioner designate, New York City Agency for Child Development; Irving Miller, professor of social work, Columbia University School of Social Work; Elizabeth Stecher Trebony, executive director, Project FIND. Discussants were Ernest Cruz, student, former director, community youth program, Upper West Side Community Corporation; Ferdinand Danziger, president, J. Hood Wright Golden Age Center; Stuart Greene, student member, child care center program, Dorothy Pitman, community director, West 80th Street Community Child Day Center; Israel Weinstein, vice president, Congress of Senior Citizens. Panel coordinator was July Gottehrer.

I include the report on the discussion:

#### SERVING YOUTH AND AGE

(By Elizabeth Savels)

The moderator, Barbara M. Silverstone, introduced panelists and discussants and gave brief biographical sketches of each. She stressed that we did not want to dwell on old problems but instead to look for new concepts.

Edythe J. Gaines said that to be served is to be weakened; to make is to strengthen. She noted that our major problem is in learning how to serve others without weakening them, but strengthen them instead. She said that to give free breakfasts to hungry children seems a good solution to the problem of hungry children. All get the same food and from an established bureaucracy. Why not solve this problem by strengthening the family of the child so that his breakfast is eaten at home with them?

Day care centers she said seem to be a proper solution to care for children of work-

ing mothers. Before applying this solution in wholesale fashion, it should examine the family of the working mother. Does her husband need a better job, so that she can stay home with the children? Is the husband absent from home because of welfare department strictures? Or is the mother placing her children in day care centers in order to find work which is fulfilling to her as a person? And if this mother needs a day care center for her child, the center itself must have a different program.

There is the problem of college student drop outs, which has been solved with the funds of the Urban Corps; any job will do, most of the time. Instead, he should find a job for each young person which meets his needs and allows him to serve his community. How do we make institutions responsive to community needs? Institutions operate to maintain themselves, so look at every program which is proposed by any institution: Is the end result going to be worth the amount of money to be spent? We must build our communities. Urban Re-development removes a community and replaces it with money. We must examine this program in relation to building a community?

Georgia McMurray said The Child Development agency does not yet exist within the Housing and Rehabilitation Administration, but when it begins work, day care centers will be one of its fields.

Day care and child development has come of age. Children need a variety of experiences outside the home to learn to meet the pressures of the world they will enter, and of their own environment. Not every family is able to give a child all that is needed for his development; and any child care program must work in continuity with family and child. There is a lack of confidence in the public school system. Parents need resources which they can control where their children may learn.

Another field of service of the agency will be in caring for the unwanted child. Forty-two percent of the pregnancies in the U.S. are unwanted. We must redefine service. A child care agency must serve the family as well. We must organize to support legislation which provides for services to children regardless of economic status. Proper persons must be found to work in the new atmosphere in child care and development.

Elizabeth Stecher Trebony warned that so many programs for the elderly are being cut out that action must be taken by the elderly themselves. One of these actions is the organization of FIND, which in turn organizes groups of senior citizens for community action and activities. It provides services for the homebound, supplies escort services where needed, provides care, helps fill out forms, prepares meals in case of need, etc. Recreation centers have been provided in religious buildings. Senior citizens have no priority in allocation of funds. Medicare has been cut, the Office of Economic Opportunity is going out of being, the Administration on Aging is already out. The rent exemption is to be repealed. The hotels in which the aging are housed have been allowed a rate increase retroactive to January of 1971.

Irving Miller said he finds senior citizen and golden agers patronizing terms, but since they are commonly used, he uses them. The pattern in our country for solving problems is to identify the problem, study it at great length, and then develop an inadequate solution. Social Security is inadequate, welfare is inadequate. Class differences are sharper, and those who dispense charity no longer consider it a social good but donate grudgingly. Services to the poor are poor services, and paying landlords \$325,000 welfare money for housing does not alleviate the wretchedness of the housing.

Ernest Cruz said that no one has talked about schools. He said he was interested in hearing of a good program in our schools.

He also wanted to know what is considered a community? and what is the solution of the problems of the aged? He said he started a bilingual program but walked out because bureaucracy took over. Dr. Gaines said you should never abandon the victim to the enemy. Don't let your own frustrations stop you from doing all in your power to help children.

Ferdinand Danziger to Mrs. Trebony: In J. Hood Wright we are trying to organize a conference to bring pressure to bear on the authorities to see that some of their promises are kept. Mrs. Trebony said that a meeting was being held from which would come a Senior Citizens Report to Congress.

Dorothy Pitman said that everyone in this city is deprived of an education. When we speak of providing services without consultation with the people to be served we show a lack of education. We have programmed our children out of our world and they live on drugs because they are accustomed to living in an unreal world.

Stuart Greene, in reply to the question from Mr. Cruz about what is a community, said he thinks a community is a group of people who work together for a common goal. In my community we have a goal which is to set up a center which doesn't alienate certain groups, which will serve families. Through this we hope to build our neighborhood into a real community.

Dr. Miller responding to Mr. Cruz, said that in looking for solutions you are reacting to the ills of an unjust society. One thing we must do is develop the skills which will enable us to deal with all the various systems we come against. Exploiting the rules gives one lots of leverage. Make institutions fulfill the program for which it was organized. Efforts of citizens to pressure systems help keep them honest.

Israel Weinstein said that the census shows that New York City has 943,000 citizens over 65, 11 percent of the population. There are about 300 activists clubs of senior citizens and the slogan of the Congress is "Senior Power".

Following are questions and comments from the audience:

A question directed to Mrs. Pitman asked about the day care center set-up. Mrs. Pitman said there must be community control, but the responsibilities of community control must be taught, as well. In our present education system, the future of a child is determined by the color of his skin. We must humanize the system.

A member of the audience asked, "Why do we elect politicians who don't understand the problems?" Dr. Gaines said we should forget politicians. Nothing will happen if the people don't do it. There is a principle involved: people must be empowered. Empower the family and you empower the community. You must be guided by some star.

A member of the audience complained that apathy defeats any program. There were murmurs of agreement from panel and audience.

Mrs. Florie Charles asked if teachers in the interim day care centers were certified? Georgia McMurray said the interim center is required because day care centers cannot handle the numbers of children who need care. The Child Development agency will issue funds for interim centers only after investigations have shown a healthy premise. In many instances caring for children requires no certification.

A suggestion was made that the lack of funds for some of the best programs set up to service the community may be overcome by using people power to make government more responsive, or by giving the President of the U.S. more power, as "he represents all the people."

The panel adjourned with no response to the last suggestion.

## RELIGIOUS FREEDOM—SOVIET STYLE

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

Mr. MONAGAN. Mr. Speaker, we are all aware that citizens of the Soviet Union do not enjoy the right of religious freedom which we in the United States have had guaranteed since the founding of our Nation. A recent episode in Soviet Lithuania serves as a grim reminder of this difference between the two countries.

As reported in the New York Times of November 27, two Roman Catholic priests in Soviet Lithuania have been sentenced to a year's detention for preparing children to make their first communion. The Reverend Juozas Zdebskis of Prienai and the Reverend P. Bubnis of Raseiniai were arrested on August 26. The children the priests had been teaching were brought to the ensuing trial, and used to testify against the two men. The clergymen have now been found guilty, and will be forced to give up a year of their lives in prison.

The deprivation of individual liberty which this incident reveals is shocking, and it indicates that the Soviet Union is less than frank in its claims of giving its citizens the freedom of worship which is their inherent right. The Soviet Constitution grants the "freedom to perform religious rites." This language now stands disclosed as a sham. It is a sad day when two priests must be sentenced to detention camp for preparing children for communion.

I offer at this point the Times account of this episode for the information and consideration of my colleagues. I hope all Members will join me in deploring the Soviet action.

[From the New York Times, Nov. 27, 1971]

### TWO LITHUANIAN PRIESTS REPORTED CONVICTED

Moscow.—Two Roman Catholic priests in Soviet Lithuania were reported today to have been sentenced to a year's detention for preparing children to take their first communion.

A typewritten account of the two cases, circulated among Western newsmen, identified the clergymen as the Rev. Juozas Zdebskis of the town of Prienai and the Rev. P. Bubnis of Raseiniai.

Their arrest and imprisonment illustrated the fine line drawn by Soviet authorities between what is and what is not permitted in the exercise of religion.

### CODE RESTRICTS RIGHTS

The Soviet constitution grants citizens the "freedom to perform religious rites." But the criminal code sharply limits the constitutional provision by making it a crime to "perform deceitful acts with the aim of arousing religious superstitions."

The Soviet authorities have been particularly sensitive about the exposure of children to religious practices, hoping that religious beliefs will gradually be eradicated as the older generations die out.

The religious issue has been particularly acute in Lithuania, the only one of the Soviet Union's 15 constituent republics with a predominantly Catholic population. Although ties between Lithuanian Catholics and the Vatican have been virtually cut by the Soviet authorities, religious life in parishes appears to remain active.

### PROTEST TO LEADERSHIP

The cohesiveness of Lithuanian Catholics was suggested in a protest addressed to the

Soviet leadership by the parishioners of Prienai, 20 miles south of Kaunas, after their priest, Father Zdebskis, was arrested Aug. 26.

Charging that the arrest was contrary to Soviet law and the Constitution, the protest said:

"We ask the leaders of the Soviet state to give us real freedom of worship and religion and to give freedom to priests to fulfill their functions without fear of harassment."

According to the latest underground account, Father Zdebskis was beaten in prison during the investigation that preceded his trial Nov. 11. His mother had difficulty recognizing him when she visited him later, the report said.

In court, the priest said he considered it his duty to give children religious instruction if their parents asked him to do so. A 1966 decree prohibits informal religious instruction for minors, and the 1968 code on marriage and the family even restricts parents from giving such instruction to their own children.

In the trial of Father Zdebskis, about 10 children were reported to have been called as witnesses. But several were said to have remained silent or to have wept when questioned.

Father Bubnis was arrested when local party officials found 30 children waiting in his church to be tested on religious knowledge in preparation for confirmation.

According to the account, the children were taken to the firehouse in the town of Raseiniai, 45 miles northwest of Kaunas, and were asked to write out a dictated statement accusing the priest. Several children fell ill after that experience, the report said.

#### DRUG ABUSE STATISTICS—PLEASE

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

Mr. MONAGAN. Mr. Speaker, since discoveries concerning drug abuse in the military have come to light, one of the persistent problems confronting those seeking solutions has been the lack of adequate statistical information. In some cases, the Defense Department has been slow in gathering and reporting drug-related figures, or reluctant to release them. In other cases, the nature of the drug problem has made the gathering of information difficult or impossible. Finally, the Special Action Office for Drug Abuse Prevention, under the direction of Dr. Jerome Jaffee, has been ineffectual in supplying needed statistics.

No matter what the cause, this absence of information has clearly hindered the effort to solve the problem of GI drug addiction. We are unable to determine how many men will need treatment, how extensive that treatment will be, or what kinds of drugs have been used. Similarly, we have no idea how many GIs enter treatment after discharge, despite the fact that a House subcommittee has already completed hearings on legislation which adopts what is essentially the voluntary approach.

I have concentrated a large portion of my drug control efforts on the GI addict who has received a less-than-honorable discharge. In this area also, statistical information has been lacking. Earlier in the year, after I had filed legislation with similar objectives, the Department of Defense announced that it would review all undesirable discharges received

for drug-related reasons. Though I had hoped dishonorable discharges would be reviewed also, I applauded this step as a welcome first move in helping discharged servicemen regain their status as productive members of society.

Unfortunately, there are no figures at this time to indicate how effectively this program is working. The number of servicemen who have received drug-related undesirable discharges to date is unknown. How many of these cases have been reviewed, and how many reviews have resulted in an altered discharge status, is not on record. In addition, while those GI's with dishonorable discharges have gone through a more extensive court-martial and review procedure before being discharged, many of these cases warrant reexamination and possible alteration, but the number in this category is also unknown.

On July 26, I introduced H.R. 10080 to establish a Military Drug Abuse Review Board. The Board would have power to reexamine all less-than-honorable discharges, and in appropriate cases could change discharge status. The bill specifically excludes drug pushers from obtaining any relief under its terms. Rather, it is designed to help those men who are the victims of drug abuse, and who are seriously committed to rehabilitation.

Because of the importance of the problem which this legislation attacks, I have written to Secretary of Defense, Melvin Laird, requesting information on the number of ex-servicemen this bill would affect. I have asked that he include, among other statistics, the number of discharges which have been altered in status.

I believe such figures will demonstrate the need for a Discharge Review Board. They will indicate that the discharges of many servicemen, both in the undesirable and dishonorable categories, are in need of reevaluation.

I hope that these statistics will soon be available. Numerous GI's go through life with the stigma of an unfavorable discharge for reasons which we now understand with more compassion. These men face unemployment and other problems which seriously hinder their ability to return to civilian life. The information I have requested from Secretary Laird on these men should bring their attention to light. We must then give those who are deserving a second chance. We should pass a Discharge Review Board with the power to reevaluate and change all less-than-honorable discharges as the circumstances and the evidence dictate such action.

#### COLLEEN FITZPATRICK, MISS TEENAGE AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, it is with a great deal of pride that I salute today Miss Colleen Fitzpatrick, the new Miss Teenage America.

Miss Fitzpatrick, though she represented the city of Columbus, Ohio, at the recent Miss Teenage America pageant in

Fort Worth, is a resident of my hometown, Lancaster, Ohio. I know that I join thousands of citizens of Lancaster and southeastern Ohio in offering my sincerest congratulations to the 16-year-old Miss Fitzpatrick upon winning this distinctive honor.

As the new Miss Teenage America prepares to begin what will undoubtedly be one of the most memorable years of her life, I want to wish her well and commend her before my colleagues in the Congress for the honor she has brought to Lancaster, Ohio. The pageant judges could not have made a better choice.

For the interest of my colleagues I would like to submit a series of articles from the Lancaster Eagle-Gazette highlighting Colleen's selection over 54 finalists for the title of Miss Teenage America.

[From the Lancaster (Ohio) Eagle-Gazette, Dec. 4, 1971]

COLLEEN FITZPATRICK TEEN QUEEN OF U.S.A.  
(By Marie Heyer)

Lancaster's own Colleen Fitzpatrick, a 16-year-old junior at Lancaster High School, was named Miss Teenage America for 1972 at 10:55 p.m. Friday night over nationwide television.

Jack Moore, LHS principal, said early today: "We are tremendously proud of Colleen's selection. She is a fantastic kid—we have a lot like her at Lancaster High—and there were lots of parties last night following the announcement."

The telecast, hosted by John Davidson and Lucy Arnez, fulfilled two of Colleen's hopes when she filled in her questionnaire before the Miss Columbus pageant.

She wanted to win a full scholarship to take the burden from her mother, Mrs. Dorothy Fitzpatrick, 123 Union St.

The top spot carries with it a \$10,000 scholarship to the college of her choice, 56 shares of stock in each of two companies, and a guarantee of \$5,000 for personal appearances to be made in the next year.

Colleen was a standout from the beginning and there were 55 pretty girls there. From the opening production number with the girls dressed in red or blue pant suits until 10:55 when the four finalists were named (Colleen was the third of the four) until the final moment at 11 p.m. when she received the medallion (Miss Teenage America doesn't wear a crown), the production moved smoothly.

Some 22 million people were watching on television as a Las Vegas girl received the leadership award and a St. Louis girl the friendship award. The panel of judges included Miss Teenage winners or contestants of previous years along with William Brennan.

[From the Lancaster (Ohio) Eagle-Gazette, Dec. 10, 1971]

#### OUR QUEEN COLLEEN'S SHEEN

This week has been a memorable one for Lancaster's Colleen Fitzpatrick, America's Miss Teenager of 1972.

The 16-year-old Lancaster High School junior, fresh from her triumph in the heart of Texas as the nation's Teenage Queen where she became the cynosure of countless millions on television, came home Monday night amidst the plaudits of her many, many high school friends and acquaintances, other youths, executives of governments, business and civic leaders, and other fellow townsmen.

The "Lovely Lass" of Lancaster was the "eye" of a whirlwind of celebrations, including ceremonies at City Hall, downtown parades, and student assemblies at the local



schools. A public reception for Queen Colleen is planned here for the near future.

Lancaster this week has never been so highly enthused since the reign of "King" Rex Kern, the Lancaster redhead quarterback of Ohio State University's Buckeye football fame from 1968 through 1970, or perhaps, in the city's earlier times when Hollywood's 20th Century-Fox studio filmed the movie, "The Green Grass of Wyoming," featuring a galaxy of topnotch film stars, at the Fairfield County fairgrounds.

In all her appearances here and elsewhere, Queen Colleen displays a unique sheen, radiating a wealth of warmth among all those who have or will greet her in the future. Also she will endear herself to millions throughout the country with her remarkable poise and grace, scholarly mien and keen awareness of the topics of the times.

The "Miss Teenager of America" contest at Fort Worth, Tex., is not a beauty contest, but one of fathoming and measuring the intelligence, knowledge and mental capacities of the competitors.

Colleen amazed her mentors and appraisers at Fort Worth with her responses in these examinations, in addition to her dramatic talents.

We are happy she is determined first to finish her education here, then later at an institution of higher learning so that she may become qualified to either enter one of the major professions or performing arts for a career—part of her "impossible dream" she experienced in winning the crown when she actually kept thinking she wouldn't achieve the honor.

In the aforementioned education process, we are certain Colleen Fitzpatrick will have wisely used the rewards bestowed on her.

For Colleen, in the final analysis, will strive earnestly to accomplish her objectives as a young woman, and then find her niche in life as an active American citizen.

Our very best wishes, Queen Colleen, for a year ahead, to be filled with countless opportunities and new exciting experiences while you represent America's teenagers and your home town—Lancaster.

#### "LOVE STORY"—THE MCCORMACKS

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

Mr. BURKE of Massachusetts. Mr. Speaker, one of the more touching tributes I heard paid to the former Speaker and his dear departed Harriet on the occasion of her passing was delivered by a local radio station in Boston, station WEEI. The title of the tribute was "Love Story," an observation common to most of the comments delivered on that occasion, it is true, but nevertheless a story which never seems to grow old and indeed improves with each telling. I would do justice to neither the spirit nor the sentiment of the radio editorial if I attempted to take excerpts from it. Instead, I am going to spread it in the RECORD so that all my colleagues, all friends of the former Speaker, will be able to appreciate the special poignancy of the tribute. The editorial follows:

[From WEEI radio, Boston, Mass., Dec. 8, 1971]

#### LOVE STORY

The marriage of John and Harriet McCormack is being immortalized in the media as a true love story—and rightly so. The former Speaker of the U.S. House of Representatives

was a devoted husband to his late wife, remarkably devoted considering the pressures of a political career which keeps husbands and wives away from home and inevitably offers extracurricular temptations. Mrs. McCormack for her part was, according to unanimous agreement, an equally loving partner.

WEEI considers this marriage particularly poignant in an age when swingers abound, when many politicians are accused of being part-time lotharios, and when some people are attacking the very institution of marriage as an anachronism. But WEEI doesn't think the McCormack couple was a throwback to another era. Rather, we believe they were a refreshingly unusual pair in any day, a husband and wife of high principle and great mutual respect.

Those familiar only with John McCormack, the politician, could have expected his private life to be conducted with the same distinction that characterized his 50-year tenure in public office. His private life was, apparently, marked with the same selflessness which led him to make the unusual decision to return expense money he was entitled to. Unlike so many people in public life, the Speaker has a special perspective on life. In a world populated by success-seekers with inflated egos, he clearly maintained a nearly unique balance. The Speaker played his game hard and well, but he knew when to call time out for more important matters, specifically the well being of his wife.

WEEI believes all people who value ambition can gain needed insight from the marriage of Mr. and Mrs. John McCormack. And WEEI offers sincere condolences to the Speaker. Surely, he is now lonely; but unlike far too many people, he can reflect on a lifetime of love.

#### MRS. MORRIS "ANNE" ALPERT

(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, in my congressional district in Miami Beach, Fla., resides a lovely, dynamic lady who is loved and admired by all who know her, Mrs. Morris "Anne" Alpert. Her enthusiasm for life has glowed brightly through the years, warming the hearts of her multitude of friends and indeed all those fortunate enough to know her. To her varied tasks as housewife, mother, grandmother, and career woman—she heads Alpert Investment Co.—she adds the creative spirit of a poet. Anne Alpert has written many beautiful poems, one of which was composed for the unveiling ceremony of a memorial to her beloved husband of 50 years, Morris Alpert. I can think of no finer tribute to this good man who left behind a legacy of close and numerous friends, a devoted family, and many accomplishments than the words written by his devoted wife, Anne. I therefore insert her poem in the RECORD immediately following my remarks:

MEMORIAL FOR MORRIS ALPERT, BELOVED HUSBAND, FATHER, GRANDFATHER, AND GREAT-GRANDFATHER

The monumental buildings standing so tall  
Reflect his life's work until late in the  
Fall...

How quickly he left, without a "Farewell"  
No hindrance or burden to us as he fell.  
His melodious voice resounds and sings  
His brilliance, his teachings to us still clings  
His roots now nourish our Everblooming  
Tree—

Wisdom, Honesty and Love—his Legacy.  
He will live in our hearts—Life's race well  
run—  
The Eternal afterglow of the Setting Sun . . .  
ANNE ALPERT.

#### TRIBUTE TO TURNER N. ROBERTSON FROM THE HOUSE PAGES

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

Mr. FOUNTAIN. Mr. Speaker, last week, following the many tributes which were paid to Turner N. Robertson, who is retiring from his job as chief page of this body at the end of this session of the 92d Congress, one of the pages asked me if I would include in the RECORD their own tribute to their boss, Turner.

At their request, and with great pleasure, I am including the following communication, together with the names of the pages who signed it:

Mr. SPEAKER: We, the pages, are sad to see "Boss," Mr. Turner N. Robertson, retire at the end of this session of Congress. It seems that everyone on the Hill is sad to see TNR take his hard earned rest, and everyone will surely miss him.

Some 5,000 boys have served under Mr. Robertson here in the House of Representatives, and we are sure that we speak for every one of them when we say, "Boss, thanks for helping and guiding and encouraging us in our jobs. Although we haven't always been right, we appreciated having you stick up for us when we were right, and telling us when we weren't. Our service here in Congress has been an honor and a pleasure and you have helped make it one of the real joys of our lives, a period that we will never forget. . . Boss, think of us wherever you go—for we shall never cease to thank you for what you have done for us."

With warmest admiration,

The House Pages: John Boutte, David Sachs, Douglas Marshall, Richard Siskis, Arthur Robertson, Patrick Brewster, Daniel Sullivan,

Alan Rose, Estes Davis, Kevin Beatley, Ronald Thomason, Richard Fine, Lester Hally, James Purcill, John Bridgewater.

Jim Rapone, Jim Parrish, Chris Shea, Geoffrey Fleming, Mike Victorson, Larry Raitel, Scott Berry, Garry Attman.

John McCreary, Mike Partridge, Greg Hartman, Mitch Rodriguez, Frank Badalson, Mark Zepezauer, Ken Barnett, Geoff White, Dave Stamper.

Randy Mirsky, Gary Garcia, Bob Tomernick, Mario Rivera, Larry Blythe, Jim Davis, Bill Litchfield, Jerry Papazian, Dave Meek.

#### RECESS

The SPEAKER. Under the order previously entered, the Chair declares the House in recess subject to the call of the Chair. The bells will be rung 15 minutes prior to the reconvening of the House.

Accordingly (at 3 o'clock and 24 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 6 o'clock and 24 minutes p.m.

### WASHINGTON POST BRINGS A NEW ERA TO AMERICAN JOURNALISM

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

Mr. PUCINSKI. Mr. Speaker, the Washington Post today has launched what hopefully will be a new era in American journalism and may go a long way toward restoring public confidence in American journalism.

The AP says:

The Washington Post, in the wake of a dispute with the White House over naming the source of a background briefing, says the newspaper henceforth "will make every reasonable effort" to pinpoint the source of information it receives from Government officials.

Post Executive Editor Benjamin C. Bradlee said Wednesday night he wants "to get this newspaper once and for all out of the business of distributing the party line of any official government without identifying that official and that government."

"We are convinced," Bradlee said, "that we have engaged in this deception and done this disservice to the reader long enough."

"Therefore, it shall be the policy of this newspaper to make every reasonable effort to attribute the information to its source."

Ever since the New York Times Sullivan decision, when libel became almost an impossibility in this country by a public official, there has been a spreading tendency in American journalism to publish stories attributed to unidentified sources.

Very often people in Government and out of Government had no recourse and no idea of who these sources were and what their purpose or intention was.

I congratulate the Washington Post. I hope that every newspaper in this country will voluntarily adopt the same policy, instead of the idea of attributing stories to well-informed, or usually reliable sources. This has become a vehicle for accusing the American press of indulging in propaganda.

I congratulate the Post, and I hope that every newspaper in this country will follow this historic decision by the Washington Post.

### LEGISLATIVE PROGRAM

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

Mr. BOGGS. Mr. Speaker, it is my intention to ask that we adjourn now and go over until noon tomorrow.

We have made considerable progress today. The conferees on the foreign aid authorization have agreed and the other body will consider the conference report on the authorization tomorrow morning. Our conferees have stated to the other body that we will not vote on that conference report until the new session in January. Thereafter, from the best information I have, the other body will then vote on the continuing appropriations resolution. Hopefully they will accept the House version of that resolution, but if they do not and if it is not in too much disagreement, we may accept the amendments adopted by the other body. If not, we will go to confer-

ence, and I trust that the conference will be of short duration and that we can conclude the business of the Congress relatively early tomorrow afternoon.

Mr. KOCH. Mr. Speaker, will the gentleman yield for a question?

Mr. BOGGS. I will be glad to.

Mr. KOCH. Will there be any recorded votes tomorrow?

Mr. BOGGS. The gentleman knows I cannot answer that question. If we have a conference report on the continuing resolution, someone may ask for a recorded vote. I hope there will not be any, because Members have already voted on it several times. However, I cannot give the gentleman any such assurance. I would trust that there would be a quorum present in town to adjourn the Congress when the time comes tomorrow.

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

Mr. BOGGS. I yield to the gentleman.

Mr. GROSS. I hope with all of the sincerity I can express that tomorrow will mark the end of what might be called genuflection to the House of Lords.

Mr. BOGGS. I thank the gentleman.

Mr. PUCINSKI. Will the gentleman yield for a question?

Mr. BOGGS. I am happy to.

Mr. PUCINSKI. I wonder if I might ask our colleague from Iowa if there will be any rollcall votes tomorrow.

Mr. GROSS. Will the gentleman yield?

Mr. BOGGS. I am happy to yield.

Mr. GROSS. I would rather let tomorrow take care of itself.

Mr. POAGE. Will the gentleman yield?

Mr. BOGGS. I yield to the gentleman.

Mr. POAGE. I wonder if the gentleman will explain now just what would happen if there is no quorum here tomorrow. Would it not mean there simply would not be any foreign aid bill passed this session?

Mr. BOGGS. I am sorry. My time has expired.

### WE MUST NOT TOY WITH TOY SAFETY

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, with Christmas only 1 week away and parents beginning the frantic shopping for the newest most exciting toys for their children, I think we should all pause for a few moments and look at the ever-present problem of toy safety.

Until recently, toy safety has not received the attention it deserves. Perhaps, this has been because it has only been in this age of affluence that manufactured toys have become such a central part of the lives of our children. From a time when a child's major supply of toys consisted of homemade or self-devised playthings we have reached a point where our homes, schools, and out-of-doors areas are now replete with devices to educate, occupy, dazzle, delight, and mystify a youngster. So much is this evident in the toy industry that it now enjoys annual sales totaling \$3 billion. In far too many

instances, however, these toys have the potential and capacity to injure and even kill the child who uses them.

The U.S. Public Health Service estimates that toys injure 700,000 children every year; another 500,000 a year are injured on swings and 200,000 on slides. Injuries from toys often result from predictable misuse. A child can be expected to put the wrong end of a blow-gun in his mouth, or while dismembering a doll, expose the sharp pins that hold the arms and legs.

In the toy industry, as well as in other industries, some manufacturers have concentrated more on innovation than on safety. Designers and manufacturers of toys have the admittedly difficult task and responsibility of avoiding any injury to the innocent children who use their products. The design of a toy must not only be based on a choice of materials, but it should also incorporate the realization that children will misuse or abuse products despite the intended method of use. In other words, toys should be "childproof."

The Child Protection and Toy Safety Act represents a first step in trying to deal with the toys safety problem. Every now and then we read that the Food and Drug Administration has banned particular toys. Unfortunately, however, this is not enough—there are still many, too many hazardous toys on the market. Therefore, it becomes the responsibility of those buying toys to be aware of the dangers and to be cautious of what they buy, especially during the coming holiday season.

Mr. Speaker, I have commented on the toy safety situation in the hopes of increasing public awareness of the danger which many toys present. Let us purge the Christmas season of all that threatens to mar the joyful spirit of parents and children alike.

### OEO COMPREHENSIVE CHILD DEVELOPMENT PROGRAM

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. KEITH) is recognized for 5 minutes.

Mr. KEITH. Mr. Speaker, recently the House voted its approval of the conference report on the Economic Opportunity Amendments of 1971. This piece of legislation promised many things to many people, primarily to our poor citizens. I am, of course, very much aware of their needs and am eager to find effective and viable ways of providing for them.

The city of New Bedford, in my district, has been plagued by a consistent pattern of unemployment. It has suffered greatly from the departure of the textile industry, the scarcity of our fishing resources, and the phasing out of the defense effort. As a result, we have had greater poverty and a greater need for Federal assistance to relieve the daily hardships facing the citizens of this city. Fortunately, we have had a great deal of Federal assistance—over \$100 million for a city with about 100,000 residents. And I want to do more.

I know of the good which has been

accomplished by the OEO programs. However, I am also aware that the benefits do not measure up to the billions which have been spent by that Agency. As my colleague, Congresswoman EDITH GREEN, pointed out:

Many people with high salaries and very lucrative contracts (with OEO) have made a good thing out of poverty, but the poor people of this country have benefited very little.

Despite the faults of the OEO programs, I wanted to vote for the conference report as I did when the original bill was passed by House. I want to help fulfill the drastic need which exists in New Bedford and other areas in my district. Yet, I voted against the conference report because I feel that, as Elliot Richardson, Secretary of HEW, said of the comprehensive child development program, it is administratively unworkable. Congressman ALBERT QUOTE called it an "administrative monstrosity which can't work."

Specifically, I do not agree with the provision of this bill providing "that any political subdivision with a population of 5,000 people could draw up its own anti-poverty program and go directly to the Federal Government for the money to run it." Secretary Richardson pointed out that:

We (HEW) would be wholly powerless to choose a State application over a local application, even if the State application would better assure quality care for children.

For these reasons, I voted against the bill in its present form. I hoped that it would go back to conference where it could be revised to include the positive things which HEW Secretary Richardson seeks and that it perhaps can redirect some of the programs about which Mrs. GREEN commented. If these things are done, we will have a better program both for the taxpayers and for the poor.

#### TRIBUTE TO ALLIED SPORTSMEN

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, it was a great pleasure and truly an honor to be with the Allied Sportsmen of Western New York for their dedication ceremony.

As the National Rifle Association has stated so well:

The ability to shoot straight is an American tradition.

Organizations such as the Allied Sportsmen of Western New York and the NRA play key roles in maintaining this heritage. At the end of my remarks, I will include the history of the Allied Sportsmen of Western New York.

Through the license fees and taxes on firearms and ammunition paid by these sportsmen, conservation and wildlife management programs are financed. Because of the interest and the financial support of the Nation's hunters, America's wild game population is in better condition than ever.

Although interest in the shooting sports has skyrocketed, with over 25 and a half million persons participating internationally few sports can match the

safety record of organized shooting. Accidents on shooting ranges are virtually unknown. Safety programs such as those offered by your organization and NRA are to a great extent responsible for the fact that shooting is today one of the world's safest sports.

The founders of our Nation considered the right to keep and bear arms so important, that in our Constitution, this right is second only to free speech, press, and worship in the Bill of Rights.

As you know, there has been increasing pressure in Congress for more and more restrictions on firearms, from proposals as universal gun owner licensing and registration to outright prohibition of the private ownership of handguns.

I believe that restrictions such as these would only succeed in hampering the legitimate sportsmen and other owners of firearms, without substantially reducing crime.

It is my feeling that the way to reduce violent crimes committed with firearms is to severely punish the gunwielding criminal rather than penalize the law abiding sportsman.

Mr. Speaker, yesterday I introduced a bill, H.R. 12342 to strengthen the penalty provisions of title 18 of the United States Code which apply to a Federal felony committed with a firearm. Very simply, the bill would prohibit suspension of sentence or probation in any case where an individual is convicted of such an offense. At present, both are possible on a first conviction.

In 1969, according to statistics compiled by the Federal Bureau of Investigation, out of 11,318 homicides in the country 65 percent were committed with a firearm; 24 percent of the 306,420 aggravated assaults reported that year involved use of a gun, along with 63 percent of all armed robbery. Of course, these are mostly crimes falling under the jurisdictions of the States, but a number of them—especially the bank robberies, U.S. post office robberies, and assaults on Federal officers—are Federal offenses.

The direct impact of the existing statute, and of my amendment, is on the Federal felon, as a matter of course. However, the secondary effect—the establishment of a general attitude toward gun crimes and the influence of Federal legislation on State legislatures—are probably of greater importance. Certainly, anything we can do on the Federal level will be beneficial if it serves as a warning to the gunwielding criminals of this country that they will be dealt with severely.

The statute which my bill would amend—section 924(c) of title 18—was enacted as a part of the Gun Control Act of 1968. It provided for a 1- to 10-year term of imprisonment for a first time offender and a 5- to 25-year term for a person convicted a second or subsequent time. It prohibited probation and suspended sentences only for the man convicted more than once.

Last year, a title of the Omnibus Crime Control Act of 1970—Public Law 91-644—amended section 924(c) to bar the concurrent service of a term of imprisonment imposed by the section with the

one imposed for the underlying felony. This was very definitely a step in the right direction, repairing a serious weakness in the original statute. However, we should now be ready to take the final step in tightening up this law by denying suspended sentences or probation to any of the people convicted under this section.

I submit that any man who carries a gun during commission of a felony does so with absolute premeditation and with a willingness to use that gun to wound or kill if necessary. For such a man I do not think it matters whether he has been convicted of the same offense previously. It is just as serious the first time.

Mr. Speaker, we still hear proposals for such draconian laws as universal gun owner licensing, universal registration, and even outright prohibition of the private ownership of handguns. A certain segment of the American public seems to relish the thought of any measures which will annoy or restrict the hunters, sportsmen, and other law-abiding gun enthusiasts. I suggest it is time to stop pandering to this group. If the House is really interested in gun control, it should pass my bill, H.R. 12342.

Mr. Speaker, at this point I include a copy of H.R. 12342:

#### 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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second sentence of section 924(c) of chapter 44 of title 18, United States Code, is amended by striking "and, notwithstanding any other provision of law, the court shall not suspend the sentence of such person or give him a probationary sentence" and inserting a period and the following: "The execution or imposition of any term of imprisonment imposed under this subsection may not be suspended and probation may not be granted. Any term of imprisonment imposed under this subsection may not be imposed to run concurrently with any term of imprisonment imposed for the commission of such felony."

Sec. 2. The amendment made by the first section of this Act shall apply only with respect to felonies committed after the date of the enactment of this Act.

Mr. Speaker, gun control advocates that tar law-abiding citizens and the criminal with the same brush are finding growing public resentment toward lenient treatment of criminals and proposals to disarm the law-abiding sportsman.

At this point I include the history of the allied sportsmen and three articles that speak to this point of the need to keep our sportsmen active.

#### THE HISTORY OF ALLIED SPORTSMEN OF WESTERN NEW YORK

The Allied Sportsmen originated in October of 1934 when approximately thirty men dissatisfied with the Bison City Rod and Gun Club entertained a conservation movement and joined together for "concerted thinking on problems of vital importance to all sportsmen." Under the leadership of Stewart Maxson, the first President, acting under charter from the State of New York granted on the first day of November 1934, Allied Sportsmen adopted and promulgated their Constitution and By-laws. The Organization was designated as the Allied Sportsmen of Western New York, Incorporated.

The founding fathers—Stewart I. Maxson,

William Clark, Harold L. Overdorf, Raymond J. Mosgeller, Jacob M. Young, Dr. Arthur F. Gehrman, Eugene Hans, Robert Johnson, Daniel O'Donnell, Elmer R. Rust, John A. Faulring, Alfred J. Utz, Fred C. Fish and Howard Filscher stated these purposes: "To pursue good sportsmanship. To create, cultivate and sponsor among all people a respect for the fish and game laws and regulations of the Conservation Department of the State of New York. To sponsor legislature that will tend to preserve fish, game and natural resources that will be beneficial to all persons interested in angling, hunting or conservation for recreational purposes. To actively and aggressively seek the repeal of any laws, ruling or regulation that may be discriminatory, unfair or unjust insofar as such provisions affects the preservation or propagation of fish and game life or which may unduly or unnecessarily restrict the privilege of taking such fish and game, by bringing such facts to the attention of the proper authorities in as forcible a manner as possible. It shall be the primary aim and purpose of this organization at all times to improve the hunting and angling conditions for the sportsmen."

In the early years under Presidents George Hoerst 1936-1937, and William Clark 1937-1938, an Alliance Committee was formed whose duty and purpose was, "to devise ways and means of creating a practical plan for the affiliation of any existing organizations of a similar nature with the Allied Sportsmen." This Committee became autonomous and in 1938 became known as the Erie County Sportsmen Alliance and in 1940 it became known as the Ways and Means Committee of Sportsmen Clubs of Western New York.

During this period, Allied Sportsmen under Presidents George Baker 1938-1939, Alfred J. Utz 1939-1940, vigorously supported such conservation legislation as "the purchase of reforestation areas and the better practice of forest management outside the limits of the Adirondack and Catskill Parks (Blue Line) but within the so called Forest Preserve Counties." The stocking of rabbits and pheasants purchased by the organization itself, later led to raising of pheasants and rabbits by the Conservation Department for distribution and release by Allied Sportsmen and clubs with similar interests.

Migratory bird regulations in the late thirties was another area of prime concern to New York Conservationists. Allied supported organizations like Ducks Unlimited in the early fight for breeding ground and wetland land acquisition in Canada.

The sixth President of Allied Sportsmen, John Reiman, retained office from 1940 to 1948. He was a charter member and President of the Erie County Sportsmen's Alliance, officially incorporated in May of 1946. This Alliance is now known as the Erie County Federation of Sportsmen's Clubs; historically, a decendent of the original Alliance Committee of Allied Sportsmen of Western New York.

As early as 1940 Allied Sportsmen went on legislative record as opposed to firearms registration in New York. The organization was involved locally on such issues as farmer-sportsmen interests on unjust farmer levies in retailing licenses, issuance of dog licenses in Buffalo, rabies control, and the organization evaluated and supported the Mahoney-Gugino Buffalo Waterfront Improvement Bill. In 1940 Allied Sportsmen made New York Governor Lehman aware of its interests in the Alleghany State Park Commission, its management and limited hunting usage. In 1941 Allied Sportsmen made strong protests to the State and War Departments about sand dredging along Lake Erie and the Niagara River area and was instrumental in stopping this rape of local fish spawning areas and remaining beaches. This organization promoted legislation for control of the

gray and red fox in Western New York, supported appropriations of funds to the Bemis Point fish hatchery for facilities for Muskellunge rearing in New York State, effectively supported legislation for the transfer of Erie Barge Canal lands to Buffalo for use as a small boat harbour facility, and endeavored to promote fraternal and social activities in fishing and hunting to its members.

In 1948 Stanley Spisiak became President and remained in office until March of 1961. During his tenure notable members such as Raymond Mosgeller and Dr. Arthur F. Gehrman, Charter Members; Louis Shafer, John Olender, Edward Burger, Wesley Rogers, William Mueller, Emmett Mueller, Albert Stenman, John Cheslow, Francis R. Ewert, and others directed the organization in accomplishing goals established as sportsmen.

After meeting at sites as diverse as Ahl's Hall in 1938 to later in the Edward M. Daly Post #1130 Hall; fifteen acres of property were purchased on Dick Road in Cheektowaga, New York. A shelter was erected with the facility used less for meetings and more as a rendezvous for trap shooters. By tradition, Allied Sportsmen hold their monthly meetings on the second Wednesday of every month. During this era of activity our meeting place was the Neighborhood House, 1799 Clinton Street in Buffalo.

Allied Sportsmen of Western New York, actively participated in conservation legislation independently and through the Erie County Sportsmen's Alliance. Stanley Spisiak held presidential office in the Erie County Conservation Society and the Erie County Sportsmen's Alliance. Because of his aggressive interest and pursuits in areas of water pollution, land and park development, and programs in fish, wildlife and forest management, Allied continued its legislative effectiveness in the community and the State Conservation Council.

Allied inaugurated sending at least one boy yearly to a conservation camp. The organization currently continues sending at least one boy to the conservation education program at Camp Rushford, New York. Incidentally, the first boy sponsored to the conservation education camp at Canandaigua, New York, was Norman Faust. The boy, now a man, a father, archer, pistol shooter and an outstanding leader in Allied Sportsmen.

In 1956, Allied Sportsmen vigorously opposed the Panther Mountain Dam proposal in New York. It was eventually defeated by public referendum.

In 1959, Allied Sportsmen sold its property on Dick Road in Cheektowaga and in 1960, purchased another tract of property, 37 acres in area and it is now the current clubhouse site in Marilla, New York. It was envisioned as a permanent home of Allied Sportsmen, removed from the urban area accommodating expansion into trap, rifle, pistol, archery and fishing facilities, yet close enough to metropolitan Buffalo to have the membership conveniently meet monthly.

In April 1961, Matthew Grobelny succeeded the former President and continued office until 1963. Preceding and during this time, members like Harold Faust, Gordon Owen, Michael Civic, Norman Faust, Erwin Ess, Robert Pellegrine, Hans Boschart, Edward Rusch, Aldon Skinner, Alphonso Butlak and James Pollard helped perpetuate the social and conservation oriented ideals of the Allied Sportsmen.

As conservationists and sportsmen, the club embarked on tree planting projects for the property and evaluated best approaches for realizing Allied's future. A pond was constructed and stocked with trout supplied by the immediate former President. In addition a trap field and shelter were completed and utilized by the membership.

Coincident with our organizational pursuits, Allied remained influential in legis-

lation suggested by the Erie County Federation of Sportsmen's Clubs and reinforced by the New York State Conservation Council.

This was the beginning of the reformative period that uniquely identified Allied Sportsmen of Western New York as a composite of facilities for sporting and conservation activity.

Wesley Tresch became President in April of 1963. A period of physical growth, membership expansion, and property development resulted from his leadership. In addition to many other members, Frank Koabel, Daniel Ruzszyk, Delmar Shloh, Arthur Hasenstab, Rene Roemig Jr. and Michael Lavis were outstanding in their efforts to further establish the organization as a leader in the environmental and sport community.

In 1967 Allied completed the first "Clubhouse" and established our current facility at 12,846 Clinton Street in Marilla, New York. Our membership after meeting for many years in the "Moose Hall" on Main Street in Buffalo, now commuted monthly to our new home and meeting place.

The membership expanded with our added facilities. Allied constructed a twenty-eight target archery field course, built indoor and outdoor shooting ranges, conducted basic pistol courses, supported the conservation exhibits at the Hamburg County Fair, conducted hunter training courses, and hosted many Erie County Federation of Sportsmen's Clubs activities.

Stanley Spisiak continued as Allied Sportsmen's delegate to the Erie County Federation. With his usual enthusiasm, he pursued his ideals of "clean water" and an environment capable of best supporting man and animal alike. He was awarded the Conservationist of the Year Award by both the Erie County Federation of Sportsmen's Club and the New York State Conservation Council in different years.

Stanley Spisiak was extended the distinct honour of being awarded the 1965 National Water Conservation Award by Lyndon B. Johnson, President of the United States of America. Through his tenacious and often frustrated efforts as a pioneer in water pollution abatement and protection of our environment, this Whooping Crane, symbol, embodied respect and tribute to one of the Country's first ecologists.

Allied Sportsmen of Western New York received the outstanding Club of the Year Award for 1965.

In April of 1969 Edward J. Rutecki was installed the tenth and current President of Allied Sportsmen of Western New York. Catherine Koabel, Walter Sears, Roy Hachten, Carl Salzman, Arthur Mueller, Joseph Galbo, Stanley Minko, Martin Brennan Sr., Henry Kostrzewski, John Wroblewski, David M. Williams, and Lawrence Huber along with a membership of six-hundred sportsmen continue to advocate the improvement of our environment, our inalienable rights to bear arms, our fishing and our hunting.

Allied Sportsmen was again awarded the Club of the Year Award for 1969 by the Erie County Federation of Sportsmen's Club.

For 1969 Allied Sportsmen of Western New York was also presented with the National Rifle Association Club Achievement Grand Award presented at the 99th annual meeting of the N.R.A. in New Orleans, Louisiana.

In 1969 John Olender retired as Treasurer of Allied after serving in the office for thirty-three years.

The organization has expanded its facilities to include: Separate meeting rooms, an indoor combined regulation archery-pistol and rifle range, two spring-fed ponds stocked with trout, a twenty-eight target archery field course, outdoor pistol and rifle ranges, and two illuminated trap fields. The new accommodations were dedicated in conjunction with commemorating the 100th anni-

versary of the National Rifle Association and what their principles represent.

Allied is a group member organization of the following: New York State Conservation Council, Erie County Federation of Sportsmen's Clubs, National Rifle Association, New York State Field Archery Association, Western New York Field Archery Association, New York State Rifle and Pistol Association, Niagara Frontier Pistol League, Suburban Pistol League, and the International Pistol League.

Allied Sportsmen of Western New York has endeavored to uphold the principles and purposes of its founding fathers. We have inherited a heritage only to be secured in a democracy like these United States. We have an obligation to our children and their children's children to sustain these rights.

EDWARD J. RUTECKI,  
President.

#### JUSTIFIED RESENTMENT

Advocates of measures to deprive law-abiding private citizens of the right of gun ownership have a problem. They find themselves confronted with a growing body of irate citizenry which is sick and tired of seeing criminals riding roughshod over the sanctity of person and property while those who uphold the law are castigated by the politicians as if they were criminals simply because they oppose abridgment of firearm ownership.

Typical of the reaction of gun owning sportsmen and concerned citizens to sweeping antigun measures was apparent in the state of Connecticut when several gun control bills were being considered by the State's General Assembly. Some 4,000 hunters, target shooters, gun collectors and ordinary freedom-loving individuals packed the State Capitol to make known their views. Typical of those views was the comment of one opponent of the antigun proposals who happened to be a woman. She said, "Sportsmen resent being told they must have an ID card, permits and licenses to enjoy their sports. They are tired of seeing persons who use firearms in crime go free while law-abiding citizens are harassed. . . ."

The gun control legislation already on the books has not been effective in curbing crime, and there is little reason to believe further legislation would help the situation. That is why gun control advocates that tar the law-abiding and the criminal with the same brush are finding growing public resentment toward lenient treatment of criminals and proposals to disarm the law-abiding citizen.

[From Buffalo Courier-Express, Dec. 13, 1971]

#### HANDGUN-CONFISCATION BILL BADLY OFF TARGET

Senator Philip A. Hart, D-Mich., has been credited with sponsoring a number of worthwhile projects. In the congressional works, however, is a bill by him, with Sen. Fred Harris, D-Okla., as co-sponsor, which rates exclusion from that category. The bill, constituting retroaction with a vengeance, calls for handgun confiscation. Citizens who now own handguns legally would face as much as five years in prison and a \$5,000 fine if they failed to turn over their handguns to the government.

The Hart bill would forbid individual ownership of handguns by all U.S. civilians except law-enforcement officers, licensed security guards and members of pistol clubs licensed by the Treasury Department. Even pistol club members couldn't keep their handguns at home—the guns would have to be kept under lock in clubhouses or police stations. Citizens who turned in their handguns would be compensated by whatever the government said was "fair market value." How does one figure "fair market value" for a particularly prized and favorite weapon?

There already has been adverse criticism of the Hart proposal. The Detroit Free Press

conducted a poll on whether or not its readers favored it. The result was 74.5 per cent against. Sen. Hart himself admitted that his mail ran 607 to 99 against following announcement of the measure, with a common critical theme: "How can you be so feeble-minded as not to realize that only honest citizens will turn in their guns, leaving them at the mercy of criminals who do not?"

We find this criticism dead center on the target. We deem it folly to disarm law-abiding citizens while leaving criminals in full possession of what arms they have been able to amass, and they are plenty. We are fully in accord with any legislative measure designed to get illegal weapons away from criminals, but the Hart bill would do nothing whatever to accomplish this purpose. It is a bill which absolutely should not be crammed down the throats of American citizens legally in possession of handguns.

[From the Conservationist (State of New York) October–November, 1971]

#### THE HUNTING ETHIC

(By Herbert E. Doig)

Few resources stir the emotional stability of the people of this world more than wildlife. It is logical then for points of view to conflict, when values associated with wildlife differ. Such is the case with hunting as a use of wildlife and the philosophy of preservation which to some offers the only hope for perpetuation of the resource.

In an obvious attempt to avoid being placed in the center of this conflict, I will approach the sensitive subject of hunting objectively, recognizing its values and its shortcomings through the eyes of a professional biologist responsible for a program with primary concern for the perpetuation of wildlife as a part of the total ecology of the State. It is important to add that in this context conservation is viewed as the wise use of natural resources for the good of mankind and that man is an element of his environment and not the master of it.

It is necessary to understand some basic truths if one is to assess objectively the ethics of hunting and its effect on wildlife populations. Wildlife represent a renewable resource that cannot be stockpiled for the enjoyment of future generations. All species produce an annual surplus that will be removed by predation, disease, parasites and, if allowed to exceed available food supplies, starvation. Many species undergo annual mortality rates that may exceed 70 percent and are perpetuated by a compensating reproductive rate.

#### WILDLIFE FLEXIBLE

As wildlife abundance increases some species become a nuisance to man, compete with him for food or destroy the products of his labor. Wildlife are flexible and react to changes in the environment, frequently becoming more abundant as habitats more nearly satisfy basic survival needs.

Since his origin on earth man has functioned as a predator on the wildlife with which he has come into contact. This role has been strengthened with the development of weapons while his dependence upon prey for survival has diminished with time. The pressures man applies to wildlife populations are not significantly different from those of other predators except in degree and the beneficial aspects of the predator-prey relationship also exist. The removal of the weaker individuals in a population usually results in a strengthening of the species, thus enabling its perpetuation under changing environmental conditions. Man is an efficient predator and in some instances represents the only harvester of a growing population.

Man's reliance upon wildlife for meat has greatly diminished in this country but enjoyment of the savory flavor of a game dinner

still remains. The value of the meat alone, however, does not sustain the popularity of hunting. It is the physical, emotional and often spiritual rewards that are associated with a day out-of-doors that attract many and establish hunting as a traditional recreational endeavor. Unless personally involved, few can appreciate the identity of man with the land that occurs when a person enjoys a quiet place to hunt and the natural habitat where game can thrive.

The benefits from hunting are not enjoyed by the hunter alone. Sportsmen through the purchase of licenses and permits willingly finance programs designed to protect and enhance wildlife resources. In 1925 the sportsmen of New York sponsored a law that led to the establishment of the Conservation Fund which for many years represented the only source of revenue for wildlife management and research programs in the State. This fund has been used to effectively enforce laws and regulations designed to protect all wildlife. Moneys have also supported a wide spectrum of programs that have ultimately led to the preservation and improvement of habitats essential to the continued welfare of the resource.

#### SPORTSMAN PAID BILLS

In 1937 Congress established the Pittman-Robertson Act which provided for moneys derived from an eleven percent tax on arms and ammunition to be returned to the States on a cost share basis and to be used for wildlife habitat restoration and research. Until recently when general tax revenues have supplemented these sources of funds, it was the sportsman who alone paid the bills for wildlife conservation in the State.

Hunters through a strong organization have long supported conservation action on many fronts. In spite of their intense and often narrow interests, they stood firmly behind environmental cleanup efforts and were an influential force in the promotion of a healthy environment long before it was fashionable to do so. They have effectively used the legislative process to protect rather than exploit their interest in wildlife and have, as a group, exhibited a desire to do what is best even though some efforts have been misguided through a lack of knowledge.

The nature of the hunter's interest and his investment of money through purchase of license fees have led to a somewhat narrow outlook which in some cases visualizes wildlife resource programs as serving game species at the exclusion of other wildlife. This bias is gradually changing and most hunters are recognizing the values of all wildlife and are supporting programs that will benefit all species. It is not difficult to understand the restrictive nature of the hunter's interest when wildlife programs have been and continue to be funded with moneys derived from the sale of hunting licenses.

The recent manifestation of social awareness of environmental problems has stimulated the development of an attitude that supports preservation as the only hope for the future of wildlife. Those expressing this point of view believe that hunting destroys and that over-exploitation will lead to the extinction of the hunted species. Quite to the contrary, properly regulated hunting cannot lead to the extinction or even the endangering of any species. Witness the fact that none of the hunted species under modern fish and game management programs has ever become extinct or endangered. Enlightened wildlife management currently guided by competent staffs of professional wildlife biologists at the State and Federal level, will lead to the strengthening of protective measures for rare and endangered species and for those species that are most vulnerable to environmental pressures. At the same time programs that permit regulated harvest and utilization of the annual surplus of game can be continued without significant adverse effect on any species.

A second major motivating force supporting the preservationist philosophy concerns the humane treatment of animals. It is suggested that the killing of wildlife with firearms is inhumane and that hunting should be stopped to permit the peaceful pursuit of life by all living things. Supporters of this position should familiarize themselves with the true characteristics of the environment around them. It is soon evident to the student of nature that life in our environment is violent and that few individuals of any wild species survive to enjoy the amenities of old age. The natural forces of predation and starvation are savage and often result in a lingering death. Man through hunting is performing his traditional role as a predator in the environment and utilizes the prey to his best advantage. The application of his technique of harvest is seldom less humane than the inevitable death of the animal through what often is referred to as natural causes.

A third argument used by the opponents of hunting is impossible to rationalize. A segment of the human society views killing as a moral issue and feels that there is no justification in our sophisticated culture for causing the death of another living thing. Like religion and politics, this view is seldom discussed objectively.

In final analysis, the ethics of hunting gives rise to strong emotional conflicts. These conflicts are often polarized in uncompromising positions at opposite ends of the spectrum of reason. It is hoped that our society will accept the philosophy that there is room for both attitudes provided one does not try to force its views and beliefs on the other. Even more important, thinking men should not get lost in the fog of conflict but should look to solving the true problems that threaten the future of wildlife populations; the ever increasing danger of pollution; destruction of habitat by man's use of the land; incompatibility of wildlife with man's activities; forces of ecological change; and physical destruction from highways, efficient farming and urban expansion.

The accomplishment of future goals shared by all regardless of their position on the issue of hunting requires a total commitment from all people to look realistically at wildlife and its renewable characteristics and to practice good stewardship and wise use which will assure the enjoyment of this valuable resource by future generations.

#### OPERATION NOEL

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. VANDER JAGT) is recognized for 5 minutes.

Mr. VANDER JAGT. Mr. Speaker, most if not all of us are acquainted with Operation NOEL—No One Ever Lonely—which sponsors an annual Christmas party on Capitol Hill for servicemen in area military hospitals. Many of us were at the party last week.

Not many of us, however, are aware of the other side of Operation NOEL—the second step in their goal to insure that, in our military hospitals, at Christmastime there is "No One Ever Lonely."

Each year Operation NOEL distributes approximately 1,500 gift packages to seven military hospitals in the area—packages consisting of items the patients need such as shaving cream, after-shave, books, pens, et cetera. Packaged in plastic bags with a note saying they are from Operation NOEL on behalf of the Congress of the United States, the gifts are a welcome treat in each hospital ward.

Before the gift items could be packaged, however, they had to be purchased

or donated. Tuesday evening, the Operation NOEL officers went to the GEM store in Queenstown, and with outstanding cooperation and generosity, they were able to purchase \$1,110 worth of items, along with many gifts donated by GEM for separate distribution to the hospital wards. GEM deserves our thanks for their willingness to help—for showing the true Christmas spirit.

Another Operation NOEL worker was busy at MEMCO—and in return was given many gift items for the hospitals.

The next morning, Joe Westner—HUD's congressional office—president of Operation NOEL, decided there were not enough gift items and spent another \$1,000 at a local warehouse.

Fifteen hundred packages does not sound like very much, but believe me, it is. Wednesday evening, a corridor on the fifth floor of the Cannon Building was turned into an assembly line that accomplished the job in a little more than 5 hours—with eight long tables piled high with items, empty bags at one end, ribbons being tied on at the other end, 15 people were rushing to complete the job for delivery to the hospitals before Christmas.

The Operation NOEL officers deserve our deep and sincere thanks for two jobs well done—the party last week and the gifts packaged this week. I know all of you join me in expressing our appreciation to Joe Westner, his wife Fran, secretary to JOHN Y. MCCOLLISTER, and Jayne Gillenwaters and Pat Rinaldi, secretaries to JOHN SCHMITZ. They masterminded a tremendous project, and without their help and the help of some other dedicated people including Bill Westner, a Capitol Hill policeman, Operation NOEL's second step could not have been accomplished.

It is my hope that their Christmas will be the best they have ever had, because they have shown others they care.

#### THOMAS S. KLEPPE

The SPEAKER. Under a previous order of the House, the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 5 minutes.

Mr. SCHWENGEL. Mr. Speaker, a distinguished former Member of this body is now serving his Nation in another capacity. He is the Administrator of the U.S. Small Business Administration. I refer, of course, to the Honorable Thomas S. Kleppe. Mr. Kleppe began his new duties less than a year ago, but already has managed to put the SBA in an enviable position among Government agencies. He can make this record, because he comes from a background of successful business—small business—and he knows first hand the normal problems of business.

In his short tenure at SBA, Mr. Kleppe has realized that small business is in fact big business and has put the agency on a businesslike footing. At the end of October, SBA had 181,000 loans outstanding for approximately \$2.6 billion injected into the Nation's small business community.

During the first 10 months of this calendar year, SBA has made over 94,000

loans for a total of \$1.3 billion. The figures for the entire calendar year 1970, which was itself a recordbreaking year, amounted to 49,179 loans for a total of \$1.1 billion. It is estimated that at the end of the current calendar year SBA will have made 100,000 loans for a total of \$1.5 billion, an increase of 100 percent in number and 26 percent in value over last year.

SBA's regular business loan program has increased dramatically during the first 10 months of the year. At the end of October, SBA had made 20,000 business loans for \$1.1 billion compared to 17,425 loans for \$864 million during the entire year of 1970. In 1969, only 14,006 loans were made for a total of \$674 million. Estimates for the entire calendar year indicate SBA will make approximately 24,000 business loans for a total of \$1.2 billion.

Mr. Speaker, the agency has been particularly active in the area of minority enterprise. Through October of this year SBA had made 6,890 loans to minority-owned businesses for a total of \$194 million. In 1970, 6,741 loans were made for \$176 million. This amount represents a total of 34 percent of all SBA loans for 18 percent of the total dollar value. This is a laudable record and indicates genuine desire to help those who have been too long neglected in our society.

Mr. Speaker, the disaster program deserves special commendation. This year SBA has already made considerably more than twice as many loans to victims of natural disasters as it did in the entire previous year. Through October of this year, 74,000 disaster loans were made for \$308 million. During the previous calendar year, SBA made only 31,754 disaster loans for \$220 million. During calendar year 1969, only 9,288 loans were made for \$99 million. This is an increase of \$209 million in only 2 years. And these figures represent only the first 10 months of the current year.

The entire disaster operation at SBA has been reorganized to emphasize preplanning of all critical elements required to set up emergency field offices immediately following a national disaster.

SBA made \$53 million in venture capital available to small business investment companies—SBIC's—through the sale of \$30 million SBIC 10-year guaranteed debentures. Legislation was passed just this week in this House to give SBA greater opportunity to revitalize the SBIC program into a viable financial assistance program for the small business community.

The minority enterprise small business investment company—MESBIC—program has more than doubled in number of licenses. There are now 43 MESBIC's with aggregate capitalization of over \$11 million. These MESBIC's can generate more than \$11 million capital for the minority business community. The SBIC and MESBIC programs have outstanding loans and investments in more than 100 firms totaling more than \$475 million.

Not all SBA programs deal with financial assistance. In the area of procurement of Government contracts, the percentage of Federal contracts awarded to small business remained steady, despite

a reduction in total Government purchases. The overall procurement programs conducted by SBA amounted to \$11.5 billion or 28 percent of the total prime- and sub-contracts awarded to business in fiscal year 1971.

The number of Government contracts awarded to minority firms under SBA's 8(a) program was 811 for \$66 million during fiscal year 1971, compared to 196 contracts for \$22 million in fiscal year 1970.

Mr. Speaker, a program of sound management assistance to the small business community has been given new emphasis. SBA considers management assistance equally important to financial assistance, and additional stress has been put on servicing SBA borrowers with management assistance as a continuing and integral part of the financing operation.

Mr. Speaker, this not only is good business for Government, but is good business for those we serve and the communities where the small business is that Government serves. In making the management assistance program more viable, an agreement was made with the Veterans' Administration to help veterans get the necessary management and technical training to start businesses with SBA financing.

The bulk of management assistance has been provided by an expanded program involving volunteers, such as Service Corps of Retired Executives—SCORE—which was organizationally placed within Action, but remained under the supervision of SBA. At the same time, management assistance agreements increased with national professional and trade organizations, whose joint membership and branch structure cover all urban areas in the Nation.

Mr. Speaker, SBA, under Tom Kleppe, has wisely revamped its own internal organization. More complete authority has been granted the field offices in order to streamline delivery of Federal assistance. An Associate Administrator for Operations and Investment has been created to coordinate the relationship between Washington and SBA's 84 field offices. As a result of its efforts to put more personnel where the action is, 53 people have been transferred from the agency's central office to posts in the field. The central office complement has dropped from 862 to 783.

In addition, some 2,400 different types of forms have been eliminated in order to reduce the time required between loan application and final decision. Approximately one-third of all paperwork has been eliminated.

As a result of these and other administrative improvements, both the Administrator and members of a 14-man organizational task force have received a management improvement certificate from the President.

During the year, a number of program improvements have been made. Four separate financial assistance programs have been implemented to help the small businessman. They are surety bonding, a revolving line of credit, consumer protection loans, and occupational safety and health loans.

In addition, SBA announced the first concise size standards policy in the Agency's 18-year history. The policy gives greater protection to small firms, especially in the area of procurement.

It is obvious, then, that the Small Business Administration has taken strides to correct deficiencies in operational procedures and to bring the Agency's outreach programs to a greater number of deserving small businessmen.

I should like to commend and congratulate Administrator Kleppe and the SBA for the truly outstanding job they are doing.

#### QUALITY SCHOOL ASSISTANCE ACT

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. WILLIAM D. FORD) is recognized for 10 minutes.

Mr. WILLIAM D. FORD. Mr. Speaker, today I am joined by my colleagues, Mr. DINGELL, Mrs. GRIFFITHS, Mr. NEDZI, and Mr. O'HARA, in introducing the Quality School Assistance Act of 1972.

While the title of this legislation is the Quality School Assistance Act of 1972, we are introducing it today so the text of it will be printed in the CONGRESSIONAL RECORD and it will be available for the perusal of our colleagues here in Congress and for educators throughout the country prior to the time the Education and Labor Committee begins consideration of this matter early in the next session.

It is our hope that all educators and legislators will examine this bill and contribute their thoughts and ideas and participate in formulating the final version of this legislation.

This bill is designed to overcome the crowded and deteriorating conditions in our Nation's schools. It is designed to bring quality education and equality in education directly into every neighborhood in America by providing more Federal dollars to local educational agencies.

This proposal would provide a greatly expanded form of general aid to local educational agencies with special provisions for those districts with large concentrations of students from low-income families. It would provide Federal funds for construction or modernization of overcrowded and obsolete facilities, with priority given to school districts now being forced to operate on half-day sessions. It would also extend the impact aid program.

Mr. Speaker, a study financed by the U.S. Office of Education tells us that acceptance of the belief that substantially equal educational opportunity should be provided for all pupils requires that we support a policy of general Federal aid for the public school systems. The study also tells us that the Federal Government, as well as the State and local governments, must be concerned not only with the equality of education, but also with the quantity and quality of public education. This bill is designed to meet these concerns.

My experience on the House Education and Labor Committee has convinced me that the overwhelming majority of

educators throughout the country are deeply committed to the twin goals of quality education and equality in education. However, the overwhelming majority of our Nation's educators are hampered by a common problem in their attempts to achieve these goals. They lack adequate financial resources—and overcrowded classrooms, deteriorated facilities, inferior facilities, half-day sessions, and low-quality education are the results. Local revenue sources are virtually dried up. Property taxes, which account for approximately 98 percent of all tax revenue raised by local school districts, cannot be raised any higher, and the people are now looking to the Federal Government to provide the necessary additional funds.

Mr. Speaker, presently, the Federal contribution to elementary and secondary education amounts to less than 7 percent of the total expenditure. Yet a comprehensive study financed by the Office of Education recommended that public schools should receive at least 22 percent of, and preferably 30 percent of, their total revenue from the Federal Government for the schools to have an adequate tax base and for the Federal Government to accomplish legitimate and appropriate Federal purposes. Our proposal, "The Quality Education Act of 1972" would permit the Federal Government to respond to this need. This legislation would commit the Federal Government to provide 20 percent of the State average per pupil expenditure for elementary and secondary education or 20 percent of the national average, whichever is greater, in fiscal year 1973. The Federal percentage would increase 5 percent per year for the next 3 years until it reaches a level of 35 percent in 1976. Only by making a commitment such as this will be able to meet the challenge of fulfilling the goal of bringing quality education and equality in education to every neighborhood in America.

We have recently heard a great deal about busing schoolchildren to achieve this very same goal. Mr. Speaker, this proposal is an alternative to the need for busing. This bill is designed to eliminate the need for busing by providing every student in this country with an equal educational opportunity and a quality education right in his own neighborhood. It is designed to accomplish these twin goals by providing the type of financial aid which is so urgently needed by all the school districts in this country, and by providing special financial assistance to those districts with special needs.

At this point I insert in the RECORD a summary and the text of this bill:

#### SUMMARY OF THE QUALITY SCHOOL ASSISTANCE ACT OF 1972

This bill has three basic provisions. It provides for a greatly expanded form of federal general aid to education, it provides for special construction and modernization funds for overcrowded and impoverished school districts, and it extends the Impact Aid program.

#### QUALITY ASSISTANCE

This section makes a basic grant to each local educational agency based on the enrollment of all children ages 5 through 17 in the attendance area of such school dis-

trict. For the fiscal year 1973 the amount of the grant would be 20% of the State average pupil expenditure for elementary and secondary education or 20% of the national average, whichever is greater for each such pupil. This would increase by 5% for the next three years. Thus for fiscal years 1974 through 1976 the federal grant would be 25%, 30%, 35%, respectively. The federal grant would remain at the 35% level in fiscal year 1977.

In order to compensate school districts with the additional financial burden imposed upon them by concentrations of low-income families, an additional amount, equal to one-third of the basic per-pupil grant, would be allocated to each local education agency for each child from a low-income family in attendance in that district.

#### QUALITY CONSTRUCTION

This section makes available funds for the construction and modernization of school facilities. The formula provides that each local educational agency shall be entitled to receive the sum of \$500 multiplied by the number of pupils in excess of the classroom space available, based on an assumption of a maximum classroom size of 30—i.e., if a school has 300 pupils in attendance and eight classrooms, the maximum classroom space available would be for 240 pupils. The remaining 60 would be in excess of the classroom space available and the school would be entitled to receive a sum of \$30,000 (\$500×60). Priority for funding under this section would be given to schools now operating on half-day sessions. Additional funds would be provided for districts in which one-room schools are still in operation or in which there are schools presently lacking library or scientific laboratory facilities.

#### EXTENSION OF PUBLIC LAWS 815 AND 874

The final section of the bill would extend the provisions of P.L. 815 through 1975 and extend the provisions of P.L. 874 through 1978.

#### TEXT OF THE QUALITY SCHOOL ASSISTANCE ACT OF 1972

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Quality School Assistance Act of 1972".*

#### PURPOSE

SEC. 2. It is the purpose of this Act to furnish financial assistance to local educational agencies to assure that their resources when supplemented by this Federal assistance, will be adequate to provide an excellent elementary and secondary education for all children.

#### AUTHORIZATION OF PROGRAM AND APPROPRIATIONS

SEC. 3. (a) The Secretary shall carry out a program during the fiscal year 1973, and each of the four succeeding fiscal years, for making grants to States and to local educational agencies as provided in section 4, and shall carry out a program during the fiscal year 1973 and the fiscal year 1974 for making grants to local educational agencies for the purposes of section 5.

(b) For the fiscal year 1973 and the succeeding four fiscal years there is authorized to be appropriated such amount as may be necessary to carry out section 5 of this Act.

(c) There is authorized to be appropriated for the fiscal year 1973 and the fiscal year 1974, such amount as may be necessary to make the grants provided for in section 5 of this Act.

#### QUALITY ASSISTANCE

SEC. 4. (a) (1) From the amount appropriated under section 3(b) for the fiscal year 1973, the Secretary shall allot to each

local educational agency in a State for making grants under this section an amount equal to the aggregate of—

(A) 20 per centum of the product obtained by multiplying the estimated number of children who will be in the membership of elementary and secondary schools in the school district of such agency at the beginning of the school year ending during each fiscal year by the average current expenditure per public school child for the State or for all of the States, whichever is the higher, and

(B) an amount which bears the same ratio to one-third of the amount determined for all local educational agencies in the States under clause (A), as the number of children to be counted for purposes of this clause as determined under paragraph (4) bears to the number of children so counted for all local educational agencies in the States.

(2) From any amount appropriated under section 3(b) for the fiscal year 1972 and each of the four succeeding fiscal years, the Secretary shall make an allotment to each local educational agency in a State in the same manner as is provided in paragraph (1), except that the percentage factor to be applied in making determinations under clause (A) of such paragraph shall be 25 per centum for the fiscal year 1974, 30 per centum for the fiscal year 1975, and 35 per centum for the fiscal year 1976 and the fiscal year 1977.

(3) An amount equal to not more than 2 per centum of the amount allotted under paragraph (1) shall be allotted to Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands from the amount so appropriated according to their respective needs for assistance under this section, and the Secretary shall set the maximum amount which their local educational agencies shall be eligible to receive.

(4) The number of children to be counted for purposes of subparagraph (B) of paragraph (1) shall be determined as follows: If the Secretary determines that satisfactory data for that purpose are available, such number shall be the number of children who are aged 5-17, inclusive, in the school district of such agency (based on the latest available data from the Department of Commerce) who are in families having an annual income of less than \$3,000, or in families receiving an annual income in excess of \$3,000 from payments under the program of Aid to Families with Dependent Children under a State plan approved under title IV of the Social Security Act. In any other case, such number shall be the number of children of such ages in such county or counties in which the school district of the particular agency is located who are described in the preceding sentence, and shall be allocated among those agencies upon such equitable basis as may be determined by the Secretary. In the case of local educational agencies which serve in all or in part the same geographical area, and in the case of a local educational agency which provides free public education for a substantial number of children who reside in the school district of another local educational agency, the Secretary may allocate the number of children among such agencies in such manner as he determines will best carry out the purposes of this section.

(5) For purposes of this subsection and subsection (b) the term "State" does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(b) Any local educational agency in a State which desires to receive for any fiscal year a grant under this section shall submit to the appropriate State educational agency an application which contains—

(1) (A) an analysis of the facilities, curriculum, equipment, teacher preparation, and other related matters of the elementary and

secondary schools in the school district of the local educational agency. (B) An assessment of the educational attainment of elementary and secondary school pupils in basic educational subject areas. (C) An analysis of the number of those students who proceed to postsecondary education, those who after completion leave the elementary and secondary education system and find substantial employment, and those who leave school before completion of elementary or secondary education. (D) An analysis of the need for adult education programs. (E) The need for special inservice, teacher-training programs. (F) A detailed description of the proposed use of funds granted under this section with assurance such use of the funds will best enable the local educational agency to meet the educational needs of children and adults in the school district as reflected by the analysis and assessment of the educational needs of such children and adults evidenced in the matters submitted in clauses (A), (B), (C), (D), and (E) above.

(2) an evaluation of the effectiveness, including objective measurements of educational achievement, of programs and projects funded in the preceding fiscal year from funds provided under this section;

(3) such other information as the State educational agency may reasonably need to enable it to perform its duties under this section; and

(4) assurances that—

(A) (i) to the extent consistent with the number of children in the school district of such agency who are enrolled in private nonprofit elementary and secondary schools, such agency, after consultation with the appropriate private school officials, will provide for the benefit of such children in such schools secular, neutral, or nonideological services, materials, and equipment including such facilities as necessary for their provision, consistent with subparagraph (B) of this section, or, if such are not feasible or necessary in one or more of such private schools as determined by the local educational agency after consultation with the appropriate private school officials, such other arrangements, as dual enrollments, which will assure adequate participation of such children, and (ii) from the funds received by such agency under the provisions of section 4(a)(1), such agency will expend for the purposes of fulfilling the requirements of this paragraph, an amount which bears the same ratio to the total amount received under section 4(a)(1) as the number of children enrolled in private nonprofit schools who are counted for purposes of section 4(a)(1) (A) and (B) bears to the total number of such children enrolled in elementary and secondary schools in the school district of such agency;

(B) (i) the control of funds provided under this section and title to property acquired therewith shall be in a public agency for the uses and purposes provided in this section, and that a public agency will administer such funds and property; (ii) the provision of services pursuant to subparagraph (A) shall be provided by employees of such public agency or through contract by such public agency with a person, an association, agency, or corporation who or which in the provision of such services, is independent of such private school and any religious organization, and such employment or contract shall be under the control and supervision of such public agency; (iii) the funds provided under this section shall not be commingled with State or local funds; and (iv) Federal funds made available under this section will be so used as to supplement and, to the extent possible, increase the level of funds that would, in the absence of such Federal funds, be made available from non-Federal sources of the education of pupils participating in programs and projects assisted under this section;



(C) it will keep such records and afford such access thereto as the State educational agency may find necessary to assure the correctness and verification of such applications; and

(D) no more than 10 per centum of the funds received under this section in any fiscal year will be used for capital outlay and debt service.

(c) The State educational agency shall not finally disapprove in whole or in part any application for funds under this section without first affording the local educational agency submitting the application reasonable notice and opportunity for a hearing.

(d) Any State which desires to participate under this section or section 5 shall submit through its State educational agency to the Secretary an application, in such detail as the Secretary deems necessary, which provides satisfactory assurances that—

(1) except as provided in subsection (e) (2), payments under this section will be used only for programs and projects which have been approved by the State educational agency pursuant to subsection (c) and which meet the applicable requirements of that subsection, and that such agency will in all other respects comply with the provisions of this section including the enforcement of any obligations imposed upon a local educational agency under subsection (d); and

(2) the State educational agency will make to the Secretary (A) periodic reports (including the results of objective measurements required by subsection (d) evaluating the effectiveness of programs and projects assisted under this section in improving educational attainment, and (B) such other reports as may be reasonably necessary to enable the Secretary to perform his duties under this section (including such reports as he may require to determine the amounts which the local educational agencies of that State are eligible to receive for any fiscal year).

The Secretary shall approve an application which meets the requirements specified in this subsection, and he shall not finally disapprove an application except after reasonable notice and opportunity for a hearing to the State educational agency.

(e) (1) (A) The Secretary shall, subject to the provisions of subsection (f), from time to time pay to each State the amount which the local educational agencies of that State are eligible to receive under this section.

(B) From the funds paid to it pursuant to paragraph (A) each State educational agency shall distribute to each local educational agency of the State which has submitted an application approved pursuant to subsection (c) the amount for which such application has been approved, except that this amount shall not exceed the allotment to that agency pursuant to subsection (a).

(2) The Secretary is authorized to pay to each State amounts equal to the amounts expended by it for the proper and efficient performance of its duties under this section (including technical assistance for the measurements and evaluations required by subsection (b)), except that the total of such payments in any fiscal year shall not exceed—

(A) 1 per centum of the total grants made to local educational agencies of such State within that fiscal year; or

(B) \$150,000, whichever is the greater, or \$25,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(3) No payments shall be made under this section for any fiscal year to a State which has taken into consideration payments under this section in determining the eligibility of any local educational agency in that State for State aid, or the amount of that aid, with respect to the free public education of children during that year or the preceding fiscal year.

(f) Whenever the Secretary, after reasonable notice and opportunity for hearing to any State educational agency, finds that there has been a failure to comply substantially with any assurance set forth in the application of that State approved under subsection (d), the Secretary shall notify the agency that further payments will not be made to the State under this section (or, in his discretion, that the State educational agency shall not make further payments under this section to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this section, or payments by the State educational agency under this section shall be limited to local educational agencies not affected by the failure, as the case may be.

(g) (1) If any State is dissatisfied with the Secretary's final action with respect to the approval of its application submitted under subsection (d) or with his final action under subsection (f), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

#### QUALITY CONSTRUCTION

SEC. 5. (a) In addition to the sums allocated to it under section 4, each local educational agency shall be entitled to receive the sum of \$500 multiplied by the number of pupils of the local educational agency in the membership of elementary and secondary schools of such agency at the beginning of the school year for which payments are to be made pursuant to this section who are in excess of the classroom space available for elementary and secondary education in the schools of such educational agency assuming a maximum classroom size of 30, with priority to districts now compelled to operate schools with less than full day sessions for all grades.

(b) There shall be added to the excess pupil count authorized by paragraph (a) an additional 250 pupils for each one-room school in operation by such local educational agency and an additional 500 excess pupil count for each school exclusive of one-room schools of which there are no library facilities and an additional 500 excess pupil count for each school exclusive of one-room schools in which there are no scientific laboratory facilities.

(c) Funds allocated to a local educational agency for purposes of this section shall be utilized for the construction and modernization of facilities. Construction of facilities by any local educational agency from funds authorized by this section shall be approved by the State educational agency

upon application by the local educational agency in which application there is indicated appropriate planning of its facility needs by the local educational agency in providing programs of educational excellence in conformance with the requirements of section 4(b).

#### REDUCTIONS NECESSITATED BY INSUFFICIENT APPROPRIATIONS

SEC. 6. If for any fiscal year the amount appropriated under section 3(b) is insufficient to make to local educational agencies the full amount of the allotments provided for in section 4(a) and section 5(a), then the amount of each such agency's allotment under each such section shall be reduced by a percentage (which shall be uniform for each such agency and both of such sections) which will result in allotments which do not exceed the appropriations available therefor.

#### DEFINITIONS

SEC. 7. As used in this Act, except when otherwise specified—

(a) The term "current expenditure per public school child" for a State or for all the States means (1) the expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds granted under such Federal program of assistance as the Secretary may prescribe divided by (2) the number of children in average daily attendance to whom local educational agencies in the State or in all the States provided free public education during the year for which the computation is made.

(b) The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the provision of education services, such as instructional equipment and necessary furniture, printed, published, and audiovisual instructional materials and other related material.

(c) The term "gifted and talented children" means, in accordance with objective criteria prescribed by the Secretary, children who have outstanding intellectual ability or creative talent.

(d) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control, or direction, of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools, or a combination of local educational agencies; and includes any other public institution or agency having administrative control and direction of a public elementary or secondary school; and where responsibility for the control and direction of the activities in such schools which are to be assisted under this Act is vested in an agency subordinate to such a board or other authority, the Secretary may consider such subordinate agency as a local educational agency for purpose of this Act.

(e) The term "nonprofit" as applied to an agency, organization, or institution means an agency, organization, or institution owned or operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual, and which is exempt from taxation under section 501 of the Inter-

nal Revenue Code of 1954, and charitable contributions to which are deductible under section 170 of such Code.

(f) The terms "elementary and secondary school" and "school" mean a school which provides elementary or secondary education, as determined under State law, except that it does not include any education provided beyond grade 12.

(g) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(h) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law for this purpose.

(i) The term "State" means (1) one of the fifty States and the District of Columbia, and (2) for purposes of section 4 and 5(f), includes Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

#### EVALUATION

Sec. 8. Such sums as necessary but not to exceed a sum equal to 1 per centum, of the amount appropriated for section 5 for any fiscal year shall be available to the Secretary for evaluation (directly or by grants or contracts) of the programs and projects authorized by sections 4 and 5.

#### JOINT FUNDING

Sec. 9. Pursuant to regulations prescribed by the President, where funds are advanced by the Department of Health, Education, and Welfare and one or more other Federal agencies for any program, project, or activity funded in whole or in part under sections 4 or 5, the Secretary may be designated to act for all in administering the funds advanced.

#### GENERAL PROVISIONS

Sec. 10. (a) The provision of parts B and C of the General Education Provisions Act (title IV of Public Law 247 (Ninetyeth Congress) as amended by title IV of Public Law 230 (Ninety-first Congress)) shall apply to the program of Federal assistance authorized under this Act as if such program were an applicable program under such General Education Provisions Act, and the Secretary shall have the authority vested in the Commissioner of Education by such parts with respect to such program.

(b) Section 422 of such General Education Provisions Act is amended by inserting "Quality School Assistance Act of 1972;" after "the International Education Act of 1966;".

Sec. 11. (a) (1) Section 3 of the Act of September 30, 1950 (Public Law 815, 81st Congress), is amended by striking out "June 30, 1973" and inserting in lieu thereof "June 30, 1975".

(2) Section 15 (15) of such Act is amended by striking out "1968-1969" and inserting in lieu thereof "1970-1971".

(b) Sections 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, 81st Congress), are each amended by striking out "1973" wherever it appears and inserting in lieu thereof "1978".

(c) Section 16(a) (1) (A) of the Act of September 23, 1950 (Public Law 815, 81st Congress), is amended by striking out "July 1, 1973" and inserting in lieu thereof "July 1, 1975" and section 7(a) (1) (A) of the Act of September 30, 1950 (Public Law 874, 81st Congress), is amended by striking out "July 1, 1973" and inserting in lieu thereof "July 1, 1978".

#### THE SITUATION SHOULD BE RECTIFIED

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

New Jersey (Mr. HOWARD) is recognized for 10 minutes.

Mr. HOWARD. Mr. Speaker, I am in receipt of a report to the Congress by the Comptroller General's office entitled "Large Costs to the Government Not Recovered for Launch Services Provided to the Communications Satellite Corporation."

The Comptroller General made this study at the request of Senator GRAVEL of Alaska. I commend the General Accounting Office for its diligence in pursuing this inquiry and for its recommendations which, in this case, and others like it, can save the taxpayers a considerable amount of money.

Nevertheless, I am disturbed to learn that a private corporation received the benefit of over \$6 million of taxpayers funds for which the Government was not reimbursed. This stems from the failure of the Air Force to bill NASA for the full costs and launch services which NASA has provided Comsat in connection with launching its commercial communications satellites.

I fully support the view of the Comptroller General that Comsat, a going concern and a profitmaking enterprise, is subject to the policy of the Government that special groups should be expected to pay for any services provided by the Government. In fact, the report quotes a Presidential statement in 1966 that such a policy is first, good economics because user charges make possible an efficient allocation of resources; and second, good government, because user charges insure equitable treatment of the general taxpayer.

The fact that the Communications Satellite Corporation was established by an act of Congress should not entitle it to any special treatment in this respect. It is ironic that this report was sent to the Congress during the week in which Comsat announced a significant increase in earnings.

This situation should be rectified and proceedings instituted immediately to recover the funds for the taxpayers.

#### CITIES AND COUNTIES MUST COOPERATE IN WAR AGAINST CRIME

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. JAMES V. STANTON) is recognized for 10 minutes.

Mr. JAMES V. STANTON. Mr. Speaker, the need for city and county cooperation in the war against crime is self-evident. Generally speaking, the jurisdiction of municipal officials is limited to the police force, while the county controls the courts—including prosecution and probation—and some correctional facilities, such as the county jail and the juvenile detention home. No meaningful comprehensive plan for crime prevention and control can be shaped or executed without the collaboration of officials at both levels of local government.

For this reason, Mr. Speaker, when I introduced my Emergency Crime Control Act of 1971—H.R. 11813, CONGRESSIONAL RECORD, November 16, 1971, Page 41573—with my distinguished colleague from Akron, Ohio, Mr. JOHN F.

SEIBERLING, we included in the bill a provision that cities and counties must join hands in order to become eligible for the local block grants provided for in the legislation. H.R. 11813 says that, unless cooperative working arrangements are established, no Federal assistance funds will be piped into large urban areas. In the absence of collaboration, then, city and county officials would have to explain to their constituents why large sums of Federal assistance funds—some \$12 million in the case of Cleveland—being unclaimed, had slipped beyond the reach of the local governments and the people they represent. I submit that this is an innovative approach to achieving intergovernmental cooperation.

In my opinion, Mr. Speaker, and, I might add, in the opinion of that distinguished Ohio newspaper, the Cleveland Plain Dealer, the need for such legislation has been demonstrated by recent events in Cleveland. At this time, I would like to insert into the Record recent articles, hearing on this situation, that appeared in the Plain Dealer. I append also at this point an editorial relating to my legislation that was broadcast by Radio Station WGBS in Miami, Fla.:

[From the Cleveland Plain Dealer,  
Dec. 12, 1971]

#### CITY MAY SEEK OWN ANTICRIME AID

Cleveland may strike out on its own for federal anticrime funds because of a split between Law Director Richard R. Hollington and Frank R. Pokorny, chairman of the Cuyahoga County Commissioners.

An aide of Mayor Ralph J. Perk said yesterday the city will want to consider such an approach after Pokorny said Friday that Perk had gone back on a city-county agreement on a crime supervisory commission.

"The mayor reneged on nothing," said Hollington. "I came up with an idea and asked Pokorny to look at it and reply. His response was an inflammatory statement in a newspaper. He did not even have the courtesy to call me."

The Commission is proposed to oversee a regional planning unit that would channel federal anticrime money to local programs.

Pokorny charged publicly that Perk had upset an agreement reached after six months of negotiations between former mayor Carl B. Stokes and the county commissioners.

That agreement, Pokorny said, would set up a commission to include the Cleveland mayor, president of the county commissioners and 13 members chosen by the mayor and 17 by the county.

Earlier in the week Pokorny stated, Perk had submitted a list of 26 persons proposed for the commission. They are judges, law school deans or enforcement officials. None represented the public or social agencies.

"The mayor had nothing to do with it," said Hollington. "I wrote Frank suggesting he take a look at my proposal which suggested membership be made up mostly of persons in the law and order field, but also offered six at-large seats."

Hollington showed The Plain Dealer a copy of a letter to Pokorny dated Dec. 6 asking him to consider Hollington's proposal and reply.

"He did not call me back," said Hollington.

An aide said Hollington preferred "professionals" over political appointees because with a 17-13 voting arrangement, members "might never get down to considering the issues and instead might vote according to the wishes of whoever appointed them."

The Hollington plan, he said, provided for representation of the public and social agen-

cies through the six at large seats split equally between city and county.

[From the Plain Dealer, Dec. 15, 1971]

**STANTON BILL WOULD REQUIRE CITY-COUNTY  
ANTICRIME COOPERATION**

U.S. Rep. James V. Stanton, D-20, Cleveland, has stepped into a dispute that imperils a joint Cleveland-Cuyahoga County effort to set up a commission to administer federal anticrime funds.

Stanton said a row between Frank R. Pokorny, president of Cuyahoga County commissioners, and Cleveland Law Director Richard R. Hollington over composition of the anticrime commission points up need for legislation he has introduced in Congress.

"Without trying to assign blame to one side or the other, I am disgusted by what is happening in Cleveland," Stanton said.

Stanton said his legislation, amending the Safe Streets Act of 1968, would close any loopholes permitting cities and counties to split and seek the anticrime funds as individual entities.

He referred to a Plain Dealer story that Cleveland might launch its own fund-seeking effort because of Perk administration pique at charges by Pokorny that the city was reneging on an agreement negotiated between the county and former Mayor Carl B. Stokes.

Hollington denied that Mayor Ralph J. Perk was involved and took responsibility for a proposal that would set up a commission differing in membership from the one agreed to by Stokes and the county.

Stanton said it is possible Perk, as a Republican, might get aid directly from Washington, but only the police would be beneficiaries of such monies.

Under Stanton's legislation, city and county would be forced to cooperate by setting up a commission and thus insure that the \$12 million earmarked for this area would also go to courts, jails, probation offices and others involved in crime-fighting, he said.

Stanton's legislation, which is in the House Judiciary Committee, would apply to 56 city-county regions across the country. It is jointly sponsored, with U.S. Rep. John F. Seiberling, D-14, Akron.

[From the Cleveland Plain Dealer,  
Dec. 15, 1971]

**SAFE STREET MONEY IMPERILED  
(Editorial)**

It is difficult for the general public to reconcile the constant pleas from public officials for more money when these same public officials refuse to cooperate with one another to get money already coming to them.

A case in point is the current quibbling between Frank R. Pokorny, President of Cuyahoga County Commissioners and Cleveland Law Director Richard R. Hollington over establishment of a commission to administer Federal anticrime funds.

This quarrel could prevent the area from getting money now in state hands, allocated by the federal government under the Safe Streets Act of 1968. The Gilligan administration is insisting on cooperation between cities and counties in the six areas in Ohio qualifying for safe streets monies.

The reason for this insistence is simple. It is the belief that if cities and counties do not cooperate, the crime problem cannot be resolved.

U.S. Rep. James V. Stanton, D-20, who hopes to amend the Safe Streets Act to require county-city cooperation, explains the purpose of the act is to learn the causes of crime and how to prevent it. Experts are convinced this requires work and cooperation between all crime-fighting agencies, the

courts, the jails, the probation offices and law enforcement personnel.

Stanton said that if Cleveland is able to go it alone, through Ralph J. Perk's influence with the Republican administration in Washington, the only beneficiary of federal crime fighting monies will be the Cleveland Police Department.

Unless Pokorny, who deserves criticism for starting the feud, and Hollington who has used the disagreement to start a go-it-alone movement for Cleveland, get together, they will jeopardize a much-needed program and the monies to finance it.

They have already proved the need for Stanton's amendment.

[Broadcast from WGBS, Miami, Fla.]

**LEAA**

NOVEMBER 26, 1971.

Where is Miami's share of the federal money appropriated to fight crime?

A few years ago, Congress passed the so-called "Safe Streets Act". It provides federal money to help local police combat crime.

Known officially as the Law Enforcement Assistance Administration, the program, as far as Miami is concerned, has not been a rousing success. (You'll remember, this is now Number One in crime nationwide)

The LEAA funds are supposed to be handled by the states, after the money leaves Washington. Here in Florida, there is an additional level of advisory councils between the cities and the state capitol. And, it is somewhere within these multiple layers of bureaucracy that the "Safe Streets Act" has come to a dead end.

This becomes obvious in that, according to police Chief Bernard Garmire, the City of Miami has not received one dime from the state-administered program. This shocking fact came to light when Cleveland, Ohio, Congressman James Stanton, announced that he was going to try to amend the "Safe Streets Act", and eliminate the state governments entirely in administering these badly-needed crime fighting dollars. The Congressman actually cited Miami as the prime example of what is wrong with the "Safe Streets Act".

Think of it! Millions of dollars are appropriated annually for the states, and yet the city with the highest crime rate in the nation hasn't received ten cents from the state since the program began! Obviously, Governor Askew and the other concerned state officials have a responsibility to do their utmost to straighten out this situation.

However, unless Florida's Law Enforcement Assistance Administration program can get itself operating properly, WGBS can see no other alternative than for all of us, interested in eliminating crime, to offer wholehearted support to the changes being proposed by Congressman Stanton.

**ANOTHER LOADED ADVISORY  
COMMITTEE?**

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia (Mr. HECHLER) is recognized for 5 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, one of the central problems in protecting the safety of coal miners is the fact that the Bureau of Mines has traditionally been a production-oriented agency. Down through the years a very cozy relationship has developed between officials of the Bureau of Mines and the coal operators. Unfortunately, the leadership of the United Mine Workers of America has done little to disturb that relationship. The Bureau of Mines has far too often adopted the attitude that

in order to mine coal it is essential to keep all producers happy, and make a few gestures in the direction of the UMWA leadership. As a result, those who actually mine the coal and work in the mines are frequently not protected as well as they should be.

Down to the passage of the Federal Coal Mine Health and Safety Act of 1969, it was customary for the Bureau of Mines to hold many secret conferences with mine operators and occasionally with UMWA top officials. Advisory committees were as a matter of practice overloaded with mine operators and a few UMWA officials who did not cause too much trouble for either the companies or the Bureau of Mines. As a matter of practice, the policies of the Bureau of Mines seemed almost to be dictated by those dedicated to high production, frequently at the expense of the safety of the workers.

The Federal Coal Mine Health and Safety Act of 1969 attempted to break this habit and restore independence to the Bureau of Mines. The intent of Congress, as expressed in the preamble to the 1969 act was stated clearly:

Congress declares that the first priority and concern of all in the coal mining industry must be the health and safety of its most precious resource—the miner.

In the appointment of advisory committees, the Secretary of the Interior was directed by the 1969 act, in sections 102 (a) and (c), to appoint an advisory committee on coal mine safety research as well as "other advisory committees as he deems appropriate to advise him in carrying out the provisions of this Act." These advisory committees were explicitly prohibited by law from having a chairman or majority of members with economic interests in the coal industry.

On February 10, 1971, at page 2331 of the RECORD, I called attention to the illegality of the appointees of the Advisory Committee on Coal Mine Safety Research, and subsequently certain personnel changes were made. After the Department of the Interior's experience earlier this year, in appointing an airline stewardess to its coal mine safety research committee, I felt that the Department's officials would become more familiar with all the provisions of the 1969 law. Unfortunately, this is not the case in the appointment of the new advisory committee to develop safety standards for hard coal miners.

**THE ANTHRACITE ADVISORY COMMITTEE**

According to a press release of the Department of the Interior dated October 17, 1971, the Anthracite Advisory Committee was appointed. I was disturbed to learn that the chairman of that committee definitely has an economic interest in the coal mining industry, despite the explicit prohibition in the law. The chairman is Charles Zink, who is vice president of the Blue Coal Corp. Several other members of the Anthracite Advisory Committee added up to a clear majority of the members with economic interests in the coal industry.

Not wishing to embarrass the Department of the Interior, I called attention to these illegalities and conflicts of interest

in a private letter to the Secretary of the Interior, dated November 1, 1971. Hollis Dole, Assistant Secretary of the Interior, in a letter dated November 24, 1971, brushed aside my arguments. I, therefore, directed a further letter to Secretary Dole dated December 15, 1971, and a letter to the Attorney General. More importantly, I have asked the Comptroller General to rule on the legality of the new Anthracite Advisory Committee, also to review Interior's interpretation of the law.

In the light of the insistence of the Department of the Interior that it is complying with the Federal Coal Mine Health and Safety Act of 1969, I believe it is now fruitful to make public this exchange of correspondence, as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., November 1, 1971.  
HON. ROGERS C. B. MORTON,  
Secretary of Interior, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: A new advisory committee called "The Anthracite Advisory Committee" was recently established, according to your Department's press release of October 17, by the Interior Department to "develop" health and safety standards for anthracite mines and this committee met for the first time several days ago.

As you know, section 102(a) of the Federal Coal Mine Health and Safety Act of 1969 directs the Secretary of the Interior to appoint "an advisory committee on coal mine safety research." Section 102(c), however, provides for the appointment of other advisory committees "to advise" the Secretary "in carrying out the provision of this Act, "for which Interior has responsibility. Improvement of health standards for hardcoal miners is not an Interior responsibility. It is an HEW responsibility.

In granting this additional authority to the Secretary, Congress established limitations for all other advisory committees. These are that the Secretary:

"\* \* \* shall appoint the chairman of each such committee, who shall be an individual who has no economic interest in the coal mining industry, and who is not an operator, miner, or an officer or employee of the Federal Government or any State or local government. A majority of the members of any such advisory committee appointed pursuant to this subsection shall be composed of individuals who have no economic interests in the coal mining industry, and who are not operators, miners, or officers or employees of the Federal Government or any State or local government." (Emphasis supplied.)

Section 102(d) sets forth the authority for compensation and travel expenses for advisory committees.

Despite these very clear provisions of section 102 of the law, the Interior Department has failed to comply with its provisions in the appointment of the chairman and the other members of this new anthracite committee.

The Chairman is Mr. Charles Zink, who is the Vice-President of the Blue Coal Corporation. Quite obviously, he has an "economic interest in the coal mining industry." Moreover, he is a coal "operator."

The other appointed members are:  
Leon Richter, President of the Mercury Coal Company;

Lewis Evans, who recently retired as safety director of the United Mine Workers of America (UMWA);

Lewis Giusti, a UMWA safety coordinator;  
Clyde Machamer, President of Independent Miners and Associates—a group representing operators and miners of small non-union mines;

David Maneval, science advisor of the Appalachian Regional Commission; and  
Alfred B. Riedel, President of Appalachia Associates, Inc.—a consulting firm for anthracite mine operators.

Certainly, a "majority" of these appointees have "economic interests" in the coal industry and are either coal miners or operators.

As you no doubt are aware section 101(c) of the law directs that the Department consult with "such advisory committees as the Secretary may appoint in the development and revision of safety standards. That section of the law, however, does not provide for the appointment of advisory committees or the compensation of any member thereof. That must be done, as I have just stated, under the authority of section 102 of the law.

After Interior's experience earlier this year in regard to appointments to its coal mine safety research committee, I thought that Department officials would become very familiar with all of the provisions of section 102 of the 1969 law. Apparently that is not the case, because once again Department officials have either forgotten this section (which is hard to believe) or have chosen to ignore its precepts and to devise some unlawful scheme for avoiding its constraints. Such an effort, in my opinion, does a great disservice to those who believe that an anthracite advisory committee is needed and that it will serve a useful function in helping to develop improved safety standards for hardcoal miners.

I urge that you take steps to name a new chairman and additional members to this committee. The persons named to the committee could then continue to serve—no doubt, with distinction. The additional members would be necessary to meet the requirements of section 102 of the law. I urge that this be done before the committee meets next.

I would appreciate your advising me when this is done.

I would also be interested in learning whether, in the establishment of this committee, any consideration was given by your Department about possible conflicts of interest and the applicability of Executive Order 11007. If so, please explain what conclusions were reached to resolve such matters and whether these matters were discussed with any other agency or department.

Finally, I would appreciate your providing to me the present list of persons and their affiliation serving on the coal mine safety research advisory committee established under section 102(a) of the law earlier this year.

Sincerely,

KEN HECHLER.

U.S. DEPARTMENT OF THE INTERIOR,  
Washington, D.C., November 24, 1971.

HON. KEN HECHLER,  
House of Representatives,  
Washington, D.C.

DEAR MR. HECHLER: Your letter of November 1, 1971 comments on a news release of this Department of October 17, 1971, concerning the formation of the "Advisory Committee on Safety Standards for Anthracite Coal Mines." The news release states that the committee is to develop improved "health and safety standards" and you call our attention to the fact that the Secretary of Health, Education, and Welfare has the responsibility for development of health standards under the Federal Coal Mine Health and Safety Act of 1969. The news release was in error in stating that the committee would consider health standards. As you will note from the enclosed copy of Part 552 of the Departmental Manual, Chapter 3, section 552.3.1, which established this committee, the purpose of the committee is only to make recommendations with respect to

"improved mandatory safety standards for the protection of life and the prevention of injuries in anthracite coal mines."

You further contend that section 102 of the Act contains limitations which were not observed in the appointment of this committee. We do not read the limitations contained in that section as applicable to this committee.

Section 101(c) of the Act provides, in part:

"(c) In the development and revision of mandatory safety standards, the Secretary shall consult with the Secretary of Health, Education, and Welfare, the Secretary of Labor, and with other interested Federal agencies, appropriate representatives of the coal mine operators and miners, other interested persons and organizations, and such advisory committees as he may appoint . . ."

Section 101(c) requires that the Secretary shall consult with representatives of coal mine operators and miners. We are of the view that such consultation is most efficiently accomplished through the advisory committee institution which is authorized by section 101(c), and that such committee may include representatives of coal mine operators and miners knowledgeable in the peculiar problems associated with anthracite coal mining. We do not agree that section 102 imposes limitations on the formation of advisory committees under the provisions of section 101(c) and for the purposes stated therein.

You inquire whether consideration was given by this Department concerning possible conflicts of interest and the applicability of Executive Order 11007. It is provided in 552 DM 3 that the committee will be subject to the provisions of Executive Order 11007. You will note also that only those members of the committee who are designated as special Government employees shall receive compensation, and that representatives of mine operators, miners, and other groups are not special Government employees and do not receive compensation. Representatives of mine operators and representatives of miners are on the committee not as employees of the Government but in a representative capacity to speak for the group they represent. We recognize that views of such representatives may not be free of bias but believe that their views should be considered and weighed in the light of their interests. Informal discussions were held with staff members of the Office of Legal Counsel, Department of Justice, prior to the formation of this committee.

5 U.S.C. 3109 provides that when authorized by an appropriation or statute an agency may procure the services of experts or consultants or organizations thereof and such may be compensated.

The present list of persons and their affiliations serving on the coal mine safety research advisory committee which you requested is enclosed. For your information, a revised list of members of the anthracite committee is enclosed.

Sincerely yours,

HOLLIS M. DOLE,  
Assistant Secretary of the Interior.

DECEMBER 15, 1971.

MR. HOLLIS DOLE,  
Assistant Secretary of Interior, Department of the Interior, Washington, D.C.

DEAR MR. DOLE: Thank you for your letter of November 24 in reply to my letter of November 1, concerning the formation of the "Advisory Committee on Safety Standards for Anthracite Coal Mines."

You state that you "do not agree" with me that section 102 of the 1969 law "imposes limitations on the formation of advisory committees" under the law. In view of this, I have asked the Comptroller General to review this matter and to provide to me an opinion on the applicability of these limitations to advisory committees.

Your reply, however, also raises another matter which concerns me. Your letter correctly notes that section 102(c) "requires" consultation "with representatives of coal mine operators and miners" in the development and revision of mandatory safety standards." The letter then states:

"We are of the view that such consultation is most efficiently accomplished through the advisory committee . . ." (Emphasis supplied.)

I hope that you agree with me that the consultation requirements of section 102(c) would not be accomplished "through the advisory committee," because the statute explicitly requires consultation with,

- (a) the Secretary of Health, Education and Welfare;
- (b) the Secretary of Labor; "and"
- (c) with other interested Federal agencies;
- (d) state agencies;
- (e) appropriate representatives of operators and miners;
- (f) other interested persons and organizations; "and"
- (g) "such advisory committees as he may appoint".

Quite clearly, the Secretary must "consult" with all of these persons and organizations, not just advisory committees, even though some of these persons may be members of such committees.

I would appreciate receiving your assurance that you concur with me on this.

Sincerely,

KEN HECHLER.

DECEMBER 15, 1971.

HON. JOHN N. MITCHELL,  
Attorney General of the United States,  
Department of Justice, Washington, D.C.

DEAR GENERAL MITCHELL: Enclosed is a copy of a letter of November 24 to me from the Interior Department concerning, among other things, the applicability of Executive Order 11007 to Interior's new Advisory Committee on Safety Standards for Anthracite Coal Mines.

The letter states that Interior discussed the committee with officials of your Department "prior to the formation of this committee," and that this "committee will be subject" to the Executive Order. It also states "that only those members of the committee who are designated as special Government employees shall receive compensation, and that representatives of mine operators, miners, and other groups are not special Government employees and do not receive compensation."

I would appreciate your advising me,

(a) why such discussions with your Department were necessary;

(b) what is the criteria for designating some members as "special Government employees", the reasons for such designations, and the effect of such designations; and

(c) whether all members of the advisory committee, including those not so designated, are, in your opinion, subject to the conflict of interest laws. (If some members are not subject to those laws, please indicate the grounds for exempting them from such laws.)

I would appreciate your providing to me copies of any memoranda or regulations which pertain to advisory committees of this nature and which would support the Interior Department's apparent position that some members of the Advisory Committee are not subject to the conflict of interest laws.

Sincerely,

KEN HECHLER.

### FISHY POLICIES

(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, two stories in yesterday's Washington Star could fuel speculation on what lengths our Government is prepared to go in order to torpedo our own national fishery interests.

On the one hand, the Government seems ready to cave in to Ecuador's insistence on 200 miles of territorial fishing rights. But on the other, Washington is moving firmly to prevent the States from doing anything to regulate foreign fishing boats, a mere 3 miles or more off our own shores.

It does not make sense, until one recalls the cold disregard which has characterized the attitude of this administration and its predecessors toward the legitimate aspirations of our fishing industry.

This disdain may explain the one thread of consistency in our fishery policies: Do nothing to upset the Ecuadorans or the Cubans or other foreigners, while giving our own fishermen the back of the hand.

One of the stories in the Star explains how the State Department is preparing to capitulate to Ecuador's patently illegal claims to 200 miles of offshore sovereignty by sanctioning the purchase, by our fishermen, of licenses to operate in those waters.

The related, but seemingly contradictory article tells how the Government has gone to court to keep Texas and Florida from interfering with foreign boats more than 3 miles out, even though those vessels may be operating within the relatively modest 12-mile limit which the United States ostensibly claims as its own.

The Government may have a case here—but what would they do if the foreigners involved were Ecuadorans instead of Cubans?

The articles follow:

#### TUNA BOAT ISSUE PROGRESS HINTED

(By Jeremiah O'Leary)

For the first time since Ecuador began seizing U.S. tuna boats in waters Washington considers to be the high seas, it now appears that current high-level talks between the two nations hold some prospect of an interim agreement to halt the increasingly aggravating confrontations.

Charles L. Meyer, assistant secretary of state for inter-American affairs and some specialized advisers arrived in Ecuador last weekend for talks with Ecuadorian officials, including President Jose Maria Velasco Ibarra. The Meyer mission resulted from discussions last month in Quito by President Nixon's new Latin affairs counsellor, Robert H. Finch, and Meyer.

Informed sources said it must be obvious that Meyer would not have gone back to Ecuador so soon after his Thanksgiving Day return from Latin America if the path had not appeared eased for some solution to the strain between the two nations.

One possibility appears to be that Washington will back away from its refusal to recommend to U.S. tuna men that they purchase licenses from Ecuador to fish in the disputed Pacific waters. Ecuador claims jurisdiction up to 200 miles off her shores, as do nine other Latin nations, while the U.S. and most of the major maritime powers recognize only a 12-mile limit.

The subject is due to be discussed by the United Nations at a 1973 conference on international sea law, including fishing rights. The U.S. has been seeking temporary solu-

tions until the U.N. can reach a decision on the knotty problem.

Ecuador and Peru are the only nations that have seized U.S. boats fishing in the Humboldt Current off their coasts. This year, Ecuador has seized 50 boats, taken them into port and fined them heavily.

#### COURT ASKED TO FORBID STATES TO SEIZE BOATS

The federal government has asked the Supreme Court to forbid Florida and Texas to seize Cuban or other foreign fishing vessels more than 3 miles beyond their shores in the Gulf of Mexico.

Asking the court to permit a law suit directly in the high court, rather than in lower courts first, the government said its foreign policy may be disrupted by state control over international fishing.

On Feb. 25, Florida seized three Cuban vessels and their crews for fishing without a state license at a point nearly 9 miles off the Florida coast.

#### NO NEW INCIDENTS

Florida since has refrained from seizing any foreign vessels, but only because the federal government promised to take the issue to the Supreme Court promptly.

Texas has not captured any foreign fishermen or vessels, but insists that it has that right.

The government is not contesting the right of the two states to control fishing within a 3-mile limit, but maintains that no state may take action against international fishing beyond that point.

The government told the Supreme Court that a 1966 law gives the United States control over fishing out to a distance of 12 miles from shore. Florida and Texas have boundaries which, by Supreme Court ruling, are recognized out to a distance of 9 miles.

However, the government contends this distance is allowed only for domestic purposes. The area that stretches beyond the national "3-mile limit" is under federal control when foreign citizens or vessels are involved, the government argues.

#### A PERSONAL STATEMENT

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

Mr. KOCH. Mr. Speaker, I am very distressed by what has occurred in this House today. At 11:45 a.m., I called the majority whip's office and was informed that there would be no votes today and I could safely return to my district. Acting on that assurance, I returned to New York. I am told that without any advance warning to either the whip's office or the offices of those Members who would be sympathetic to a motion to instruct the conferees on the foreign aid bill to accept the Mansfield amendment, such a motion was made at 2:25 p.m. The motion was tabled by 29 votes. Had I been informed by the whip's office that there would be a vote today, I would have stayed in Washington. Had I been called prior to the vote any time up to 1 p.m., by the proponent of the motion to instruct, I would have flown back to Washington to vote for it. Most regrettable is that had the sponsor of the motion alerted us to his intentions, we might have carried the day.

When the bells rang for the vote at 2:27 p.m., I was called in my New York office and I immediately flew back to Washington, not to make that vote which was impossible, but to make the two votes

that the leadership then told my office would be called this evening.

Here I am now standing in the well of this House at 6:30 p.m. and being told by the majority leader that the House will now adjourn without any votes being taken this evening. Mr. Speaker, I am so angry by what has occurred today that I am at a loss for further words, other than to say that had I been present, I would have voted against the motion to table. Had the motion to instruct the conferees then come up, I would have voted in support of the Mansfield amendment, as I have on every other occasion when it has been offered.

#### THE LATEST ON STRIP MINING

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

Mr. HECHLER of West Virginia. Mr. Speaker, there is a great deal of excellent literature on strip mining. Dennis Lindberg, assistant professor of sociology at Davis and Elkins College, Elkins, W. Va., has written a very penetrating and cogent article with reference to the "strip mining is good for you" commercials which have suddenly blossomed out on West Virginia television. The article as published in the Charleston, W. Va., Gazette follows:

#### THE LATEST ON STRIP MINING (By Dennis Lindberg)

ELKINS.—Like most people in this state I suppose, I've watched a number of "strip mining is good for you" commercials on TV this year. They told me all the wonderful benefits strip mining brings to the state. Their logic didn't really convince me that stripping was good, but perhaps I was just blinded by the scars on the mountains and in the valleys around here. My thinking did change after a conversation I had in New York City.

I ran into my friend Ronald in Harlem. Ronald is a junkie, a heroin addict. I tried to tell him that heroin was bad for him, bad for Harlem, and bad for New York.

"That's the trouble with guys like you," he said. "You get all moral and idealistic and don't see the good side of things."

"What do you mean?" I said.

"See all these guys standing around here? Why if they weren't junkies, they'd all be unemployed. Then the unemployment rate would be sky high, and they'd all have to go on welfare. That's be real bad for the city and the government. They'd have to spend a whole lot more on welfare. It might even make them bankrupt. Why a hundred thousand junkies is a lot of guys to make unemployed."

"Then you got to think about all the pushers and dealers and wholesalers and importers. That's a lot of guys too, and they spread a lot of money around to a lot of people. Why half the Cadillac dealers in New York City would have to go out of business if they abolished the heroin business."

"And what about all these clothing stores? Not too many people besides the big buys in the trade can afford flashy, expensive clothes. Lots of customers in lots of stores are there to spend money they made workin' in the heroin business. Yes, doin' away with heroin would be a real blow to the business community. It'd turn this recession into a real depression."

"But all you junkies have to steal and mug to get money for heroin," I said. "You're not going to tell me that's good."

"You moralists are so dumb," Ronald shot back. "You latch onto one little insignificant thing and don't see the big picture."

"Sure we steal, but it don't really do no no harm because it's all insured. After we take it, it gets put back and made right by the insurance people, like, it's reclaimed."

"And that's another business that's dependent on the heroin business. Why if it weren't for us, they wouldn't need half as many insurance agents and claims guys. Insurance wouldn't take in so much money and those companies would be hurtin' bad. They wouldn't have nearly so much money to invest, and all their employees wouldn't have so much to spend in the stores, so the stores would be hurtin' more, and the guys that make the stuff that's sold in the stores'd be hurtin' too."

Ronald was really warming to his subject.

"Think of the narcotics cops—the federal narcotics cops, the state narcotics cops, the city narcotics cops. They get paid for regulating the traffic. If there weren't no narcotics to regulate, they wouldn't have jobs, and they'd be unemployed, makin' the welfare worse and buyin' less in the stores and sendin' them down further. Some of them might get other cop jobs, but they wouldn't be makin' as much cause they'd lose the payoffs from the dealers and the pushers."

"They wouldn't need as many regular cops either without heroin. There wouldn't be nearly as many robberies to check out, so some of those cops would be unemployed and on welfare causin' more burden on the taxpayers and the whole economy to go down."

"But what you moralists don't see at all is that we've got a very effective antipoverty program going."

"You've got to explain that one," I said.

"Street bargains," Ronald answered. "Say that I broke into your house and ripped-off your portable TV."

"Please don't," I cut in.

"Just say I did. Now who wants a hot TV? I can't sell it to a store. I got to sell it on the street, and I got to sell it quick cause I need the money for a fix right away. So that means I got to sell it in a neighborhood where people got a need for cheap TVs. Maybe my habit cost me \$50-75 a day, so I'll be willing to sell your \$300 color portable for \$75. That means a poor family that could never have afforded a color TV can get one at a price they can pay."

"So we're really helpin' the poor. It doesn't really hurt you cause you're insured, and it means that the guys who make and sell color TVs do a lot more business than they would if we weren't around, and that makes them richer and they buy more and all that business again. And that's so for all the businesses where they make something, sell it to you, we steal it, and you got to buy another one. All kinds of industries depend on us to make a bigger market for them. That's the American way. We're just part of the private enterprise system."

"I guess you're right," I said, somewhat overwhelmed.

"The heroin business is good for you," Ronald went on. "Don't you go and let some politician try and tell you different, usin' some emotional argument on you. Listen, if those politicians get serious about ending the heroin business, its goin' to be bad for everyone. Heroin's the foundation of our economy, and we can't let some politician play around with that for his own gain, can we?"

On the way back to West Virginia I started thinking about what Ronald had said. If heroin is good for New York, then maybe strip mining is good for West Virginia in many of the same ways. Maybe I should ignore what stripping does to the land, as Ronald ignores what heroin does to his body.

After all, both heroin and strip mining prosper because the end (money) justifies the means (destruction of men and the earth). As Ronald says, that's the American way. Other questions and concerns are stupid.

If lots of strip mining is good for West Virginia, then lots of heroin would be even better, wouldn't it?

Mr. Speaker, I would also like to call attention to the account of an article on the economics of strip mining, prepared by Prof. William H. Miernyk, benedum professor of economics at West Virginia University:

#### THE ECONOMICS OF STRIP MINING (By William H. Miernyk)

MORGANTOWN, W. VA.—Abolishing surface mining actually would stimulate economic development in West Virginia, according to Dr. WILLIAM H. MIERNYK, Benedum professor of economics at West Virginia University.

"This is a case where management of the environment should stimulate long-run economic development, if the basic premise upon which the Appalachian Development Highway System has been built is valid," he observed in a paper presented to the Southern Economic Assn.

"The continued expansion of strip mining in West Virginia could easily offset the developmental impact of the Appalachian highway system," observed Dr. Miernyk, who also is director of the WVU Regional Research Institute.

West Virginia's abundant resources of underground coal permit a choice to be made, he explained, because electric utilities can be attracted to coal sites without the environmental damage resulting from surface mining.

If this damage is prevented, the Appalachian highway system promises to attract many footloose economic activities related to outdoor recreation, which the highways will make accessible to metropolitan residents, Dr. Miernyk commented.

He said abolishing surface mining by shifting production to underground mines also would result in an overall net gain of 558 jobs in West Virginia by 1975—including 2,086 in primary employment, 1,323 jobs in construction and 978 in durable manufacturing because of their necessity in deep mining.

These gains in other sectors would overcome the loss of 2,772 jobs in mining and 749 in trades and services, according to Dr. Miernyk's analysis, which utilized the computerized input-output model of West Virginia's economy that he developed.

The net gain of 558 new jobs "is significant since defenders of surface mining have made widely publicized estimates of the large-scale job losses that they claim would result from the abolition of surface coal mining," he said.

Abolishing surface mining would result in a substantial increase in capital spending in West Virginia—more than \$146 million—because underground mines require more capital equipment that is manufactured in the state, Dr. Miernyk observed.

"The economic effects of a shift from surface to deep mining in West Virginia would be beneficial," he said. "Several industries—notably construction, stone and clay producers, and non-electrical machinery—would benefit . . ."

"More important, however, the shift would internalize a substantial part of the social costs of mining coal."

[From Coal Age, June 1971]

CRASH CAMPAIGN: TELEVISION COMMERCIALS HELP DEFEAT SURFACE MINE ABOLITION PUSH IN WEST VIRGINIA

(By Roy Alexander, president The Alexander Co., New York Public Relations Firm)

Just after Christmas 1970, West Virginia's Secretary of State, John D. (Jay) Rockefeller IV announced a campaign to ban the surface mining of coal "completely and forever" throughout the Mountain State.

Key West Virginia lawmakers pledged their support when the legislature convened in late January, 1971. The state's most influential politicians jumped on the popular ecological bandwagon.

Influential newspapers—most notably, *The Charleston Gazette*—backed Jay Rockefeller completely. Letters poured in praising Rockefeller.

By early February, the juggernaut was rolling.

The future for surface mining in West Virginia looked bleak.

Yet 2 months later, the tide had turned. The Rockefeller forces found it hard to get legislative support. People started writing legislators asking them to vote against surface mine abolition. Protesting throngs marched on the state capitol. Pro-industry letters inundated newspapers. Citizen groups rose up to defend surface mining as necessary to bread and board. Rockefeller back-pedaled, calling for a "gradual phase out" instead of complete abolition.

When the legislature adjourned in March, 1971, it had passed a bill limiting surface mining growth in non-mining counties. And it imposed strict reclamation rules (which the industry agreed to).

But the massive abolition movement had been soundly defeated.

What happened? The cutting edge was a series of television commercials. These commercials were rushed into production. They were on the air via eight West Virginia stations by early February. They influenced legislators directly and via voter-to-legislator impressions.

"In terms of sheer effectiveness—swaying undecideds, making out-and-out opponents think twice, getting our argument across—the commercials turned the tide in our favor," says O. V. (Dick) Vande Linde, executive director of the West Virginia Surface Mine Association.

How did this rush job come about?

#### THE CRISIS MEETING

West Virginia Surface Mine Association, when formed in 1966, pledged itself to strong and enforceable reclamation laws and self-policing of members to enforce reclamation standards. And with more than 50% of its budget devoted to reclamation research, the WVSMA was making orderly progress.

The association, however, was not equipped to take on enraged public opinion fostered by the Rockefeller campaign. The association started 1971 with no public relations or advertising budget. When Rockefeller lobbed his bombshell, WVSMA's Vande Linde sounded the tocsin.

"We need a special assessment to fight this abolition movement," Vande Linde told members. "And we need it now."

But he was working with a small base. Only 25% of the state's surface mine operators are WVSMA members. A total of \$50,000 over the association's regular budget was raised. This extremely modest budget would allow scattered newspaper advertising. But higher-priced television commercials—calling for production costs plus time costs—did not appear possible.

About that time Oak Leaf Coal Co. joined the association, and things began to change. In January, Robert D. Esseks, president of Sherwood Diversified Services—parent firm to Oak Leaf—attended a public relations action committee meeting held by WVSMA. Esseks immediately saw the need for dollar-stretching of association funds.

"Sherwood operates a commercial film division," he told the group. "We volunteer to produce television commercials and donate them to the association. With production costs out of the way, the Surface Mine Association could afford to buy TV time throughout the state."

The association committee—led by vigorous and vocal support of Don Streletzky of

Bethlehem Steel and Hazlett Cochran of Consolidation Coal—was all systems go.

"We certainly appreciate it," association president Gil Frederick told Esseks.

The beleaguered industry was beginning to fight back.

#### MAKING THE COMMERCIALS

Oak Leaf Coal immediately engaged the services of a television film crew headed by John Nicholas. And Esseks assigned Sherwood's public relations firm—The Alexander Co.—to handle advance work for the film crew and manage the details.

That was Saturday.

On the following Monday, The Alexander Co.'s Bob Arnold arrived in West Virginia to advance the job. Using leads from Vande Linde, he talked to approximately 50 people throughout the state—seeking suitable candidates for filming.

"By this time, our strategy was clear," Arnold said. "We didn't want self-seeking industry members standing up before the camera pushing their viewpoint. We wanted a cross-section of people talking how the abolition of surface mining would affect their lifestyle and livelihood. And that's what we got."

Many volunteered. "My only problem was paring down the number of willing participants," Arnold relates.

By late Friday night, Arnold had set the film crew's itinerary. He had 19 persons ready for camera. Included among them were: a welder, two truck drivers, a service station owner, a restaurant owner, grocery store clerk, machine shop owner.

Helicopters from Hummingbird Air Service had been donated by Phil Nutter, also a surface mine operator and association member.

On Saturday morning the film crew went out in three helicopters. The four-man crew (cameraman, sound man, director, and assistant) set up equipment, conducted an interview and then moved to another location in 20 to 30 min. The crew put 12 interviews on film that day.

Sunday, nature intervened. Snow. Helicopters were grounded.

To salvage the day, Vande Linde phoned Mrs. William Strange, president of a state-wide miners' wives protest group.

"Send them over to my house," she said. "I'll get people over here to be filmed."

When film crew director John Nicholas rang Mrs. Strange's bell, at least 100 eager souls were waiting to talk about surface mining. By day-end, 19 subjects were in the can.

#### CLOSING THE RING

On Monday (January 18) the film crew flew back to New York with raw film footage. Sherwood's editorial and optical houses started editing and finishing. Within a week, Sherwood's Esseks was presenting a reel of finished commercial tapes to the association public relations committee. WVSMA president Gil Frederick gave the final green light.

Eight different commercials started appearing on West Virginia television the first week in February—less than three weeks after Oak Leaf had joined the association.

Citizens would turn on television sets and hear:

Jack Burdette. "This thing makes me mad. They want to take my job away because I'm polluting. Heck, you can't raise a conversation in these hills let alone a crop."

Tipple operator J. L. Perkins. "I've never followed politics much before. But when people start talking about taking my job away, it's a serious matter. I'm going to follow politics very seriously now."

Gus Glavaris, Logan restaurant owner. "Almost everyone who eats in my restaurant is supported directly or indirectly by surface mining. Logan, W. Va., would wilt and die without the industry."

Further, material did double duty. Fahlgren & Associates, WVSMA's advertising agency, developed newspaper ads from the commercial material. Radio commercials were cut out of the TV sound tracks.

Reaction to commercials was swift. Government officials received irate letters. Miners protest groups converged en masse on Charleston to buttonhole legislators. As pressure increased, a legislator approached Vande Linde.

"We aren't going to pass an abolition bill," he said. "Your commercials are stirring people up too much."

He urged Vande Linde to halt the advertising campaign.

The campaign's success befuddled opponents. Some leveled wild charges. A letter in a Charleston newspaper questioned the ethics of the ad campaign. It suggested the industry—represented by a "big man in a big car, smoking a big cigar"—paid persons to appear on commercials.

"Far from it," says Esseks. "If we had paid anybody, the commercials wouldn't have been as good. We approached the commercials in documentary style. Honesty and believability is the secret of successful viewpoint advertising."

#### PLANNING FOR FUTURE

What did it cost? Sherwood spent about \$40,000 in fielding the crew, handling the advance work, and editing and finishing the commercials. The association spent another \$40,000 in broadcast time and print space.

"For our part, we feel the funds were a good investment," Esseks said. "When a company happens to have a facility that can help its industry in a crisis—as we did with our film division—it should step forward and be counted."

Of course, winning a battle isn't winning the war—as WVSMA officials readily admit. Plans for next year are already underway.

"We know we've got a fight on our hands in 1972," Vande Linde said. "This time we want to start earlier and be better prepared. But this year, it was certainly vital to lay the facts on the public via television commercials. Since we couldn't have done without volunteer help, we certainly give major credit to Oak Leaf Coal Co. and Sherwood this time around."

#### TV COMMERCIALS AND STRIP MINING

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

Mr. HECHLER of West Virginia. Mr. Speaker, I have made reference to the large number of television commercials which have suddenly covered the West Virginia air waves. It is fascinating to contemplate what is back of all this great expenditure of money, and the following articles help interpret this massive public relations campaign:

ROY ALEXANDER PUTS P.R. TOUCH TO STRIP MINING

(By Michael Gerrard)

NEW YORK.—"All my life I've been selling one thing or another," Roy Alexander says on the jacket of his book, a handbook for salesmen.

Now, from his desk atop a Manhattan office building, between Fifth and Madison Avenues, Alexander is selling surface mining in West Virginia.

A 24-minute color film, a pair of slide shows, a slick booklet called "The Greening of West Virginia"—these are the fruits of four months' work by Alexander and his staff for the West Virginia Surface Mining and Reclamation Assn. (WVSMRA). The ini-

tial job is done, but Alexander will stay on call so long as strip mining is a political issue in the state.

Meanwhile, Alexander's small, handpicked staff is distributing a film for the WVSMRA's organization in Kentucky, and is producing literature for the image-wounded West Virginia Coal Assn.

The Alexander Co., as it's called, is new to the coal business. A public relations firm, it specializes in work for associations; in the nine years since its founding, the company has at one time or another had about 35 clients, including Sales & Marketing Executives-International, a professional society for which Alexander edits the semi-monthly "Marketing Times."

A year ago, Alexander was hired to represent New York's Sherwood Diversified Services Inc., whose Oak Leaf Coal Division conducts surface and auger mining in Mingo County, W. Va.

Sherwood lost \$4.2 million last year, but the contract proved profitable for Alexander. When the strip mine abolition movement reached fever pitch with the January, 1971, session of the state legislature, Sherwood volunteered its film division to produce a series of television spots defending the industry. Alexander was an adviser to Sherwood during the campaign, which aimed to convince legislators that abolition would ruin the state's economy.

West Virginia surface miners survived that battle, and not long afterwards Alexander became formally attached to the WVSMRA, signing a contract for a film, a brochure, and two virtually identical slide shows, one each for northern and southern West Virginia.

Comments by basketball star Jerry West were added to the film, and it was first aired the last week in October on six West Virginia television stations, including WCHS. The WVSMRA paid up to \$900 for half-hour slots on each of the stations. Alexander predicts that the film, slides, and brochure will be widely distributed over the next two or three years. They all draw on much the same material.

The slide shows, which were previewed for the Gazette in Alexander's New York office, will raise a few eyebrows in West Virginia.

The first slides depict reclaimed strip mines. One of them, for example, pictures a young man lazing on a chair, his hat shielding his eyes. The narrator reads, "Green reflecting pools. Where a man can catch bluegills. Or just plain relax on a summer day . . ." The brochure includes the same photo, and adds to the caption, "Preston County surface miner turned ex-mine into hunting and fishing club." But not only isn't this a candid photograph—it's not even a picture of a Preston County (or any other) hunter or fisherman. The young man posing in the chair is actually Dan Gerkin, a WVSMRA employe.

The next slide, which is also in the booklet, shows two boys at a lake on reclaimed land; the narrator reads, ". . . and let the small fry do the fishing." The location is Compton's Farm, in Harrison County, a model former surface mine that's a favorite stop in WVSMRA tours. Mine association officials have conceded that Compton's Farm is far from typical of reclamation jobs in the state, and that the fish are stocked. Yet the farm appears at least four times in the brochure and five times in the slide show—though most viewers wouldn't know they're seeing the same site over and over again.

The following slide continues the narration, "while older brothers drive the cows in from pasture." This picture, too, was taken at Compton's Farm. The fellow with the cows—in the brochure he's called a "bucolic youth"—was an Alexander Co. employe.

Later the narrator, discussing the possible uses of stripped land, says, "This shopping center at Bridgeport was built on former surface mine land." Next slide: "This Harrison

County motel stands on a former coal mine." Those who don't know that Bridgeport is in Harrison County wouldn't realize that the two pictures were taken at the same development.

Elsewhere in the slide show, over a picture of shimmering clear water, the narrator explains, "Thus, even during the active mining, surface miners protect the environment. Clear pure water must be preserved in the Mountain State. Coal men appreciate the esthetic need of preserving the state's natural heritage." This would seem to imply that the clear water in the picture is on a former strip mine. Private copies of the script, however, reveal that this isn't the case—though viewers aren't informed.

"The research for the movie and slide show was quite educational," Alexander told a visitor recently. "Our aim throughout was pretty much to tell it the way it is." Indeed, the presentations admit that reclamation does take time, and they picture the infamous "orphan bank" (a euphemism for strip mines abandoned without any reclamation) at Orgas, Boone County, to show what can happen when coal operators aren't conscientious. Which is the more typical—Orgas or Compton's Farm—isn't explored.

The shows' narrator himself has a rugged country voice, the sort that's been heard lately in commercials for beefburgers and pickup trucks. Alexander said the voice doesn't belong to a West Virginian. A North Carolinian, now working in New York, was paid to do the job.

The film has the added touch of country music to set the mood. Alexander wanted to use John Denver's "Take Me Home, Country Roads." The company which publishes Denver's songs was reluctant, however, to associate him with strip mining, and the price quoted to Alexander to use the song proved prohibitive. Two singers were finally recorded for the film—one from New Jersey, the other, North Carolina.

North Carolina, the source of all this talent, is also where, near Asheville 46 years ago, Roy Alexander was born. The road from a Great Smoky Mountain boyhood led to New York City in 1962 when the Alexander Co. was founded, and its president, who had worked as everything from theater barker to magazine salesman, began doing his own hiring. That road was such an exemplary "only in America" tale that business writer Auren Uris devoted a chapter to Alexander in a book of success stories.

Alexander's own book, "Direct Salesman's Handbook," was published by Prentice-Hall in 1968. Among his other credits are many articles for business periodicals, a faculty post in public relations at the New School for Social Research here, and a penthouse apartment near fashionable Washington Square Park, just north of Greenwich Village.

The company's headquarters are in the heart of midtown Manhattan. The Empire State Building, Grand Central Station, Rockefeller Center, Madison Square Garden, the United Nations—all are only a few blocks away. Walking from the Times Square subway station at Broadway to the Alexander Co., while dodging speeding taxis and aggressive panhandlers, a pedestrian passes by the Belasco Theater, where "Oh! Calcutta!" is now playing; the New York Yacht Club; the fluttering flags of the Avenue of the Americas; and unemployed college graduates selling belts and balloons on Fifth Avenue.

Six people now work for Alexander. Three are West Virginians—Robert Arnold of Fairmount, Joseph Papp of South Charleston, and Granville Sheets of Charleston, all of them members of WVU's class of 1970. Arnold was recommended to Alexander by WVU university relations director Harry Ernst. Alexander and Ernst have been friends since the early Fifties, when they were both editors of the "Daily Northwestern" at Northwestern University in Evanston, Ill. "Alexan-

der was clearly one of the brightest journalism students at Northwestern," Ernst recalled recently.

Once Arnold permanently joined the Alexander staff, shortly after his graduation, he recommended Papp and then Sheets when vacancies developed.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. KASTENMEIER (at the request of Mr. Boggs), for today, on account of illness in the family.

Mr. CURLIN (at the request of Mr. Boggs), for today, on account of official business.

Mr. McKEVITT (at the request of Mr. ANDERSON of Illinois), for today, on account of official business.

Mr. KYROS, for December 16, to adjournment, on account of illness.

Mr. GAYDOS (at the request of Mr. Boggs), for today, on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HECHLER of West Virginia, for 5 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. POWELL) and to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 5 minutes, today.

Mr. KEITH, for 10 minutes, today.

Mr. KEMP, for 15 minutes, today.

Mr. VANDER JAGT, for 15 minutes, today.

Mr. SCHWENDEL, for 5 minutes, today.

(The following Members (at the request of Mr. DAVIS of South Carolina) and to revise and extend their remarks and include extraneous matter:)

Mr. WILLIAM D. FORD, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. HOWARD, for 10 minutes, today.

Mr. JAMES V. STANTON, for 10 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. LINK, to have his remarks earlier today under the 1-minute rule follow immediately after the remarks of the gentleman from Iowa (Mr. SMITH).

Mr. RYAN to extend his remarks following the vote on the motion to table his motion to instruct conferees, today.

Mr. POAGE and to include a speech by Mr. PURCELL.

(The following Members (at the request of Mr. POWELL) and to include extraneous matter:)

Mr. HALPERN in three instances.

Mr. FREY.

Mr. DERWINSKI.

Mr. WINN in two instances.

Mr. ESCH.

Mr. THOMPSON of Georgia in two instances.

Mr. STEIGER of Arizona.

Mr. WYMAN in two instances.



Mr. McDONALD of Michigan.  
 Mr. BRAY in two instances.  
 Mr. HOSMER in two instances.  
 Mr. BROWN of Ohio in four instances.  
 Mr. BYRNES of Wisconsin in three instances.  
 Mr. HARVEY.  
 Mr. O'KONSKI in five instances.  
 Mr. LENT.  
 Mr. FORSYTHE.  
 Mr. SCHWENGEL.  
 Mr. TERRY.  
 Mr. DON H. CLAUSEN in two instances.  
 Mr. MICHEL in six instances.  
 Mr. GROSS.

(The following Members (at the request of Mr. DAVIS of South Carolina) and to include extraneous material:)

Mr. WILLIAM D. FORD.  
 Mr. HAMILTON in seven instances.  
 Mr. GALIFIANAKIS in two instances.  
 Mr. GONZALEZ in two instances.  
 Mr. RARICK.  
 Mr. KASTENMEIER.  
 Mr. ROGERS in five instances.  
 Mr. PUCINSKI in six instances.  
 Mr. CELLER.  
 Mrs. HICKS of Massachusetts in three instances.  
 Mr. RYAN in five instances.  
 Mr. MILLER of California in five instances.  
 Mr. RODINO in two instances.  
 Mr. DANIELS of New Jersey in four instances.

Mrs. HANSEN of Washington.  
 Mr. BOGGS in two instances.  
 Mr. SHIPLEY in two instances.  
 Mr. BINGHAM in five instances.  
 Mr. ROE in two instances.  
 Mr. KLUCZYNSKI in two instances.  
 Mr. METCALFE in two instances.  
 Mr. FRASER in five instances.  
 Mr. HOWARD.  
 Mr. DINGELL.  
 Mr. WALDIE in six instances.  
 Mr. BEGICH in five instances.  
 Mr. BYRNE of Pennsylvania.  
 Mr. SYMINGTON.  
 Mr. ROY.  
 Mr. VAN DEERLIN in two instances.  
 Mr. HEBERT.  
 Mr. MONAGAN in five instances.  
 Mr. LONG of Maryland in five instances.  
 Mr. HUNGATE in two instances.  
 Mr. EDWARDS of California in five instances.  
 Mr. JAMES V. STANTON in two instances.  
 Mr. O'NEILL in two instances.  
 Mr. MOORHEAD in two instances.  
 Mr. RANGEL in two instances.  
 Mr. PURCELL in two instances.

#### ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

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

H.R. 6065. An act to amend section 903(c) (2) of the Social Security Act, and for other purposes;

H.R. 10367. An act to provide for the settle-

ment of certain land claims of Alaska Natives, and for other purposes;

H.R. 11731. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes; and

H.R. 11932. 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.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

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

#### ADJOURNMENT

Mr. BOGGS, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 34 minutes p.m.), the House adjourned until tomorrow, Friday, December 17, 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:

1370. A letter from the Administrator, Small Business Administration, transmitting a draft of proposed legislation to amend the Small Business Investment Act of 1958, and for other purposes; to the Committee on Banking and Currency.

#### RECEIVED FROM THE COMPTROLLER GENERAL

1371. A letter from the Comptroller General of the United States, transmitting a report on improvements needed in establishing requirements for, and uses of, medical professional personnel in the military services, Department of Defense; to the Committee on Government Operations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HOLIFIELD: Committee on Government Operations. Report on effectiveness and efficiency of Department of Transportation programs, relating to automobile and school-bus safety (Rept. No. 92-756). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. Report on air traffic control facilities and equipment requirements to meet the needs of the 1970's (Rept. No. 92-757). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. Report on the efficiency and effectiveness of Renegotiation Board operations; (Rept. No. 92-758). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. Report on discontinuance of monthly press briefings by the Bureau of Labor Statistics, Department of Labor (Rept. No. 92-759). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Govern-

ment Operations. Report on Vietnam and the hidden U.S. subsidy; (Rept. No. 92-760). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 12366. A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost-meal projects, nutrition training and education projects, opportunity for social contacts, and for other purposes; to the Committee on Education and Labor.

By Mr. WILLIAM D. FORD (for himself, Mr. DINGELL, Mrs. GRIFFITHS, Mr. NEDZI, and Mr. O'HARA):

H.R. 12367. A bill to assist local educational agencies to provide quality education programs in elementary and secondary schools; to the Committee on Education and Labor.

By Mr. MATHIS of Georgia:

H.R. 12368. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. MOLLOHAN:

H.R. 12369. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

H.R. 12370. A bill to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, and for other purposes; to the Committee on Ways and Means.

By Mr. PEPER:

H.R. 12371. A bill to amend the Food Stamp Act of 1964 to provide food stamps to certain narcotics addicts and certain organizations and institutions conducting drug treatment and rehabilitation programs for narcotics addicts, and to authorize certain narcotics addicts to purchase meals with food stamps; to the Committee on Agriculture.

By Mr. RAILSBACK:

H.R. 12372. A bill to amend the Social Security Act to require employers to make an approved basic health care plan available to their employees, to provide a family health insurance plan for low-income families not covered by an employer's basic health care plan, to facilitate provision of health services to beneficiaries of the family health insurance plan by health maintenance organizations, by prohibiting State law interference with such organizations, providing such services, and for other purposes; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 12373. 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, control multinational corporations, and for other purposes; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 12374. A bill to amend the Internal Revenue Code of 1954 to impose an excise tax on fuels containing sulfur and on certain emissions of sulfur oxides; to the Committee on Ways and Means.

By Mr. GUDE:

H.R. 12375. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

By Mr. LINK:

H.R. 12376. A bill to authorize the Secretary of the Army to convey certain lands originally acquired for the Garrison Dam and Reservoir project in the State of North Dakota to the Mountrail County Park Commission, Mountrail County, N. Dak.; to the Committee on Public Works.

By Mr. PURCELL:

H.R. 12377. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for

other purposes; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 12378. A bill to amend the Postal Reorganization Act of 1970, title 39, United States Code, to eliminate certain restrictions on the rights of officers and employees of the Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HELSTOSKI (for himself and Mr. RANGEL):

H. Res. 754. Resolution expressing the sense of the House of Representatives rela-

tive to the crisis in South Asia; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 4 of rule XXII,

291. The Speaker presented a memorial of the Legislature of the State of California, relative to administrative procedures in programs designed for the improvement of streets and highways in urban areas, which was referred to the Committee on Public Works.

## EXTENSIONS OF REMARKS

### NEW METHODS OF BUILDING AND USING HIGHWAYS GREATLY INCREASE THEIR VALUE AND USEFULNESS

#### HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, December 16, 1971

Mr. RANDOLPH. Mr. President, the freedom, efficiency, and economy provided by motor vehicles have made them an important part of life in America. Cars, buses, and trucks, along with our excellent highway systems, have facilitated the growth of our country to an unparalleled degree. This reliance on motor vehicles is becoming increasingly apparent in other parts of the world as their value is recognized.

Our use of motor vehicles has increased with our population growth and the complexity of our society. At the same time, we are learning how to build better highways and how they can be made to serve better the people who depend on them. I have long been an ardent advocate of making highways an integral part of community life instead of a separate entity.

Mr. President, there is considerable evidence that the planning and use of highways has become a highly involved process and that it has been highly successful. We now know ways to obtain the maximum use of existing highways, and we know how to make highways best serve communities.

Our skill in these areas is told in two articles recently published in the Los Angeles Times. They describe a new electronic monitoring system that has been installed on a part of the Los Angeles freeway system and of the design of roads to serve a new town in England.

I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows.

[From the Los Angeles Times, Nov. 14, 1971]  
"EYE-IN-SKY" GUARDING THREE-FREEWAY LOOP—TV-EQUIPPED COPTERS SEARCH FOR TROUBLE DURING RUSH HOURS

(By Ray Herbert)

Motorists traveling the busy Santa Monica-Harbor-San Diego Freeway triangle have someone watching over them.

An "eye in the sky" television-equipped helicopter is flying the commuter rush hours, looking for trouble on the crowded freeway loop.

Delicate sensors embedded in the freeways are ready to signal an alarm if a mishap occurs. Help would be on the way in seconds.

And a computer has been programmed to keep traffic off a normally jammed stretch of the freeway loop—or let it on if the lanes are clear.

Other sophisticated equipment and devices are being used to determine if space-age technology can make the freeways safer and help traffic move faster.

Still more devices—from changeable warning message signs to tiny roadside broadcasting transmitters—will be added to the unusual surveillance and control system within the next few months.

The project is being developed at a cost of \$8 million as the first step toward automating the Los Angeles region's freeways.

It began operating on the 42-mile, three-freeway loop a few days ago and may be extended to the entire 500-mile-plus Los Angeles urban freeway network.

#### MAY INCLUDE SATELLITE

Eventually, in its most sophisticated form, it could include a satellite monitoring all Los Angeles freeways and advising motorists of traffic conditions.

For now, research laboratories have produced an assortment of new surveillance, warning and informational equipment for the Los Angeles freeway project.

It is said to be the most comprehensive program of its type ever undertaken.

Some of the new ideas have been tried individually in other cities. Houston, for example, has used closed circuit television to monitor traffic. Changeable message signs, on a limited scale and for limited purposes, are used on the New Jersey turnpike.

Other new surveillance devices, such as the freeway sensors which send electronic impulses to a control room computer, are having their first full-scale test here.

Old standbys are part of the project, as well, including equipment as familiar as the neighborhood garage tow truck. There are also roving service patrol vehicles.

Many drivers on the Santa Monica-Harbor-San Diego Freeway triangle already are benefiting from the surveillance system's first phase.

A woman whose car broke down the other day and was helped by the service patrol put it this way:

"I expected a ticket from an officer and a towing charge. To have it free was almost beyond belief. . . . No one wants to be stranded on a freeway. It's very nerve-racking."

Her car disabled, her problem had become an "incident" on the Santa Monica Freeway.

Sensors in the freeway detected it as traffic slowed down and stopped.

The problem was computer-analyzed—and help dispatched—when it showed up as a flashing red light on a panel layout of the freeway loop in the surveillance project's control center several miles away.

Later, another light flashed in the control

room operated by the State Division of Highways' new Freeway Operation Department and this series of events occurred:

4:52 p.m.—System detects incident on northbound San Diego Freeway at Inglewood Ave.

4:53 p.m.—Helicopter dispatched.

5:02 p.m.—Helicopter on scene, televising four-car collision in number three lane.

5:03 p.m.—Control center notifies California Highway Patrol ground units.

5:08 p.m.—From television pictures, control room team determines that two vehicles are moveable, two are not. CHP notified two trucks are needed.

5:28 p.m.—From television picture, resumed after helicopter returns from another mission, control center determines that freeway lanes are clear. Disabled vehicles are on roadside shoulder.

#### BRAINS OF THE PROJECT

The surveillance system's control center is located at Vermont Ave. and 6th St. and serves as the brains of the project.

The sensors are its nerves and the helicopters, flashing closed circuit television pictures of rush hour traffic back to the control point, are its eyes.

Visual and oral aides for freeway motorists include a loudspeaker attached to the helicopters. It is used, for example, to warn drivers, walking around their stranded cars, to get off the freeway.

Other help is extended through service patrols, emergency freeway cleanup crews, computer-controlled on-ramps and additional devices.

In the planning stage for several years, the surveillance and control system is essentially an attempt to provide harried freeway motorists with as much information and assistance as possible.

The idea is to get them out of traffic jams, hazardous situations and other motoring problems—or help them steer clear of them.

Given information and help, their frustrations will be eased, safety will be improved and the freeways will function better, say highway researchers for the Freeway Operation Department.

This is a new approach for California's freeway builders and especially for those in the Los Angeles region where the planned network, when completed, would put no person more than four miles from a freeway.

Until recently, many of the freeway researchers' counterparts in other departments—highway planners and engineers, for example—cared more about constructing new freeways than improving those already built.

The Freeway Operation Department selected the 42-mile triangle (the short leg of the Santa Monica Freeway west of the San Diego Freeway is also included) for the project because it is representative of the entire Los Angeles metropolitan network.

#### A COMPLETE SYSTEM

Because it forms a loop, it is a complete system. A heavily traveled air corridor passes over it, posing a problem for the surveillance