

It's hard because the government never gets anywhere—the bureaucracy uses the word "concurrence" all the time because a guy can't stand to be responsible for his own ideas—he wants to spread the blame and say it was John's idea and Joe's idea. I hate that.

When people start out here they start at the bottom. Forget the college degree, they have to work their way up. Of course it's true that the bottom at which men start and the bottom at which women start is not the same bottom . . . but by the time a woman has come up and gets picked for a better job, it's because she's good at the job, not because she is a woman.

A lot of women never get there. Partly, it's that a lot of women aren't interested in making a career, and slough off. You will notice that there are no women in top management positions at the state department. It's a built-in thing there. But also, women are limited, kept down by men in high policy positions, and they will themselves into submission by subjugating themselves to these people.

Many women put themselves into a surreptitiously supplicating position. Women should be able to take the credit or blame for their own ideas, then they could get ahead.

WYOMING WOES

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. RONCALIO. Mr. Speaker, I have just returned from a weekend in Cheyenne and Laramie, Wyo., where I found growing grief and sorrow stemming from the decision of the National Railroad Passenger Corporation to eliminate passenger service along the Union Pacific in Southern Wyoming.

Indignation and public wrath over the Union Pacific role in this matter is comparable to the general indignation in the Nation over the Calley trial. The Union Pacific is already the wealthiest railroad in the country, Mr. Speaker, and I would think that the least it could do would be to continue the railroad passenger service until 1973 across Wyoming and from Denver over the short line to Portland, at no net cost to Railpax.

Under Railpax, the Union Pacific can

look forward to the saving of at least \$20 million a year in what it now calls avoidable passenger losses.

I submit, Mr. Speaker, that this Denver-Portland operation could not possibly have more than \$3 million loss annually for the Union Pacific, a drop-in-the-bucket loss compared to its immense profits. I not only urge the Railroad Passenger Corporation to do what is possible to persuade the Union Pacific to continue its Denver-Portland train at least three times a week through Cheyenne, I believe it should also return a through train to Los Angeles from Omaha by utilizing its trackage east of Cheyenne and across the State of Wyoming into Ogden.

If this is not done, I can report to you that there are very responsible and conservative elements within Wyoming that will be encouraging legislation to increase taxation on all natural resources owned by that land grant railroad of whatsoever nature in such a way to correct the historic inequities that this most recent action has brought about.

HOUSE OF REPRESENTATIVES—Tuesday, April 6, 1971

The House met at 12 o'clock noon.

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

God is light and in Him is no darkness at all. If we walk in the light, as He is in the light, we have fellowship one with another.—I John 1: 5, 7.

Eternal God, our Father, whose ways are truth and love, we begin the morning of this day with Thee in prayer. Cleanse our hearts and clarify our minds that as we make our way through Holy Week we may come to know who we really are and by Thy grace to so amend our ways that we may walk more faithfully according to Thy will for us. Grant that we may live through these hectic days with peace and good will, without faltering and without falling, because we are with Thee.

We pray Thee so to rule the hearts of all our leaders in State and Nation that law and order, justice and peace may everywhere prevail to the honor of Thy holy name, through Jesus Christ our Lord. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 257. Concurrent resolution providing for an adjournment of the House from April 7, 1971, until April 19, 1971.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 484. An act to authorize and direct the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forests, in Montana, and for other purposes; and

S. 581. An act to amend the Export-Import Bank Act of 1945, as amended, to allow for greater expansion of the export trade of the United States, to exclude Bank receipts and disbursements from the budget of the U.S. Government, to extend for three years the period within which the bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves and against full reserves, insurance and guarantees, to authorize the bank to issue for purchase by any purchaser its obligations maturing subsequent to June 30, 1976, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 90-321, appointed Mr. BROCK as a member, on the part of the Senate, of the National Commission on Consumer Finance.

COMMUNICATION FROM MR. DERWINSKI

The SPEAKER laid before the House the following communication from Mr. DERWINSKI:

WASHINGTON, D.C.,
April 5, 1971.

HON. CARL ALBERT,
Speaker of the House,
Washington, D.C.

DEAR MR. SPEAKER: The U.S. Group to the Interparliamentary Union will attend the 59th Conference scheduled to be held this

year in Caracas, Venezuela, the week of April 11.

Our Delegation desires to depart the United States on Saturday, April 10, for Caracas and we will return immediately upon the closing of the Conference on April 18.

The Members of the Delegation from the House are: Representatives Edward J. Derwinski (Ill.), John Jarman (Okla.), W. R. Poage (Texas), Alexander Pirnie (N.Y.), John S. Monagan (Conn.), Hale Boggs (La.), Lee Hamilton (Ind.), Robert McClory (Ill.), and F. Bradford Morse (Mass.).

May I ask you to do me the courtesy of announcing the names of these delegates so that they may appear in the "Congressional Record." There will also be six delegates from the Senate attending the Conference.

Sincerely yours,

EDWARD J. DERWINSKI.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. UDALL. 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. 46]

Abourezk	Delaney	Hansen, Idaho
Alexander	Derwinski	Harrington
Anderson, Ill.	Diggs	Hébert
Annunzio	Dwyer	Hicks, Mass.
Baring	Eckhart	Jones, Ala.
Barrett	Edwards, La.	Jones, N.C.
Biaggi	Erlenborn	Jones, Tenn.
Blackburn	Esch	Kluczynski
Blanton	Flynt	Koch
Brasco	Fountain	Leggett
Carney	Frenzel	Long, La.
Celler	Gallagher	Long, Md.
Clancy	Gettys	McCulure
Clark	Gray	McCulloch
Clay	Green, Pa.	McEwen
Collins, Ill.	Grover	McKay
Colmer	Haley	Macdonald,
Corman	Halpern	Mass.
Coughlin	Hanna	Mann

Matsunaga	Pucinski	Shipley
Meeds	Purcell	Sikes
Metcalfe	Railsback	Skubitz
Murphy, Ill.	Rangel	Staggers
Murphy, N.Y.	Reid, N.Y.	Steele
O'Hara	Roe	Symington
O'Neill	Rostenkowski	Teague, Calif.
Pickle	Roy	Thompson, N.J.
Preyer, N.C.	Scheuer	Wyatt
Pryor, Ark.	Seiberling	Yatron

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

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed a bill and a joint resolution of the House of the following titles:

On March 30, 1971:

H.J. Res. 468. Joint resolution making certain further continuing appropriations for the fiscal year 1971, and for other purposes.

On April 1, 1971:

H.R. 5432. An act to provide an extension of the interest equalization tax, and for other purposes.

J. EDGAR HOOVER

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

Mr. FISHER. Mr. Speaker, the Attorney General is to be commended for his rejection of criticism directed at America's No. 1 G-man—J. Edgar Hoover.

This criticism has come from a variety of sources, based—I am sure—upon a variety of motivations. Some critics mean well but I fear they are woefully misinformed. Regardless of what good faith attitude they may entertain, what we all know is that the major source of criticism comes from or is inspired by the New Left, the subversives, the enemies of law enforcement, the campus militants, and the lunatic fringe.

As David Lawrence, the noted columnist, put it:

The Federal Bureau of Investigation is perhaps the most effective agency related to law enforcement in the world today. It is at the same time the victim of more barbs of hate and criticism from the so-called "liberal" group than any other part of the government.

In these times of crime, subversion and disorder it is imperative that Mr. Hoover be kept on the job. The great voice of America calls for it. The Nation can ill afford to dispense with his guidance and leadership during these critical times.

THE COMMUNIST PARTY LINE: GET J. EDGAR HOOVER

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

Mr. WAGGONER. Mr. Speaker, there

is one man in this Nation who must be public enemy No. 1 in Moscow and Peking. He is J. Edgar Hoover, head of the Federal Bureau of Investigation.

No man in this Nation has fought them with the dedication of this man. No man in Washington can take the pride this man can in running, for 47 years, an agency that has until recently been above all criticism, corruption, or suspicion. In recent years, the hounds of the liberal left have been baying for his resignation and the cries have now reached a crescendo.

The front cover of Life magazine this week carries a caricature of Mr. Hoover and inside a liberal-slanted attack on the FBI, which culminates in their twisted conclusion: Hoover must resign.

I am told, and I hope with great authority, that Mr. Hoover has the support of the Attorney General and the President of the United States. If this is true and, again, I believe it is, we have nothing to fear from the mud-slinging, irrational attacks from the liberal left.

Without any qualification whatsoever, I support J. Edgar Hoover. I have told him so on a number of occasions and I am proud to repeat it publicly today.

SENIORITY RIGHTS SHOULD BE OBSERVED IN WIRETAPPING

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

Mr. BURLESON of Texas. Mr. Speaker, the majority leader spoke yesterday with reference to wiretapping of the telephones of Members of Congress by the FBI and called in "sorrow" for the resignation of J. Edgar Hoover.

Mr. Speaker, I rise in chagrin, not in sorrow. I had some constituents in my office yesterday and they asked me if my wires were tapped. I looked all around, and I just could not in good conscience tell them that they were. I wish I could have given them some reason that my telephone was tapped because this is something they expected. I was embarrassed that they might think my conversations were not worth listening to.

Now, I know that those of you in important positions here in the Congress could have your telephones tapped, but, Mr. Speaker, I claim some seniority. I never before have tried to use seniority, but it seems to me that as long as I have been here, for almost a quarter of a century, I could get my lines tapped on this basis.

Where I live I am a neighbor to several Senators and a House Member or two. Now, what will my wife say when we have company and the question comes up as to whether or not our telephone is tapped or the room bugged? If my phone is not tapped or the place bugged, I am just not as important as my neighbors. I realize you don't have to prove anything—just so you believe you are being snooped on. In this case when an opinion on any subject is asked, you can give a knowing wink and respond with something like, "well I believe that first we should separate the basket from the

grenadier." This will suggest you are under surveillance and thereby an important person, not free to express yourself at the place and time.

Without this status symbol, it seems one's prestige must suffer.

The majority leader says many Member's telephones here at the Capitol are tapped. It is rank discrimination against those few of us who have not yet found reason to believe we are not included in this distinguished group.

COL. ORAN K. HENDERSON

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

Mr. HILLIS. Mr. Speaker, Lt. William Calley's case is one that has caused a furor throughout this Nation.

Mr. Speaker, there will be other cases to follow.

Let us call on all Americans to judge fairly. Let us not allow publicity and undue fanfare to destroy reputations.

One man who will soon face charges in regard to the Mylai incident is Col. Oran K. Henderson.

Colonel Henderson has an illustrious military career that dates back to 1939. Let us not allow the reputation of this fine man to be destroyed. He has served his country and served it well.

Let reason and sound facts be the order of the day when this man faces his peers.

Let us all remember that the Colonel Henderson who faces charges of "cover-up" in the Mylai incident is the same Colonel Henderson, who as a first lieutenant, was seriously wounded in the European theater of operations in 1944.

This is the same Colonel Henderson who was a platoon leader and operations officer in the Pacific theater of war.

Let us remember that this is the same Colonel Henderson, who in February of 1951, was a captain and commanding officer of a rifle company in Korea and later became aide-de-camp to Gen. James Van Fleet.

This is the same Colonel Henderson who has served several tours of duty in Vietnam since 1964.

This is the same Colonel Henderson who has received the Combat Infantry Badge three times, five silver stars, five bronze stars, and four Purple Hearts. He has also been awarded the Legion of Merit, the Joint Services Commendation Medal, the Army Medal—with cluster; the Vietnamese Cross of Gallantry, and the Vietnamese Medal of Merit.

In 1939, Colonel Henderson as a private began a career of helping to keep the United States a nation of free peoples. Now, in this year of 1971, the American people should not forget Colonel Henderson.

TO PERMIT THE OFFERING OF PRAYERS IN PUBLIC BUILDINGS

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

Mr. WYLIE. Mr. Speaker, on Thursday I placed at the Speaker's desk a petition to discharge the Committee on the Judiciary from further consideration of House Joint Resolution 191, a joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayers in public buildings. This discharge petition will afford the Members an opportunity to bring to the floor this amendment assuring the privilege of nondemonstrational prayers in public places. The language of my joint resolution first gained broad public support in the 89th Congress when introduced by the distinguished Senator from Illinois, the late Everett M. Dirksen. Since that time many distinguished colleagues in both bodies have introduced or cosponsored this or similar constitutional amendments.

Unfortunately, this resolution has never been brought to a vote on the floor of this House, even though every public opinion indicator shows that it has been continually supported by an overwhelming percentage of the American people. As evidence of this support I have in my office at this moment over 100,000 names on petitions.

This Nation was founded and built by deeply religious men who believed and proclaimed that our unique experiment in self-government was founded on the cornerstone of religious faith and related moral tenets. The time has come for this House to act and restore as a constitutional right, the historical right and tradition of our people to participate, if they so choose, in nondenominational prayer in publicly financed institutions.

Distinguished colleagues, this petition is before the House. I need 214 more signatures and humbly solicit your support.

WHO WANTS TO DESTROY J. EDGAR HOOVER

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

Mr. DEVINE. Mr. Speaker, could it be more than coincidence that character assassination emerged simultaneously, against a most respected public servant from a diversity of sources.

Suddenly, a number of newspapers, periodicals and magazines, plus certain liberal handwringers, discover terrible things about J. Edgar Hoover, one of the most highly respected public officials in the history of our Nation. What a shameful reward for dedicated, loyal service.

Yesterday, the majority leader, Mr. Boggs of Louisiana, on the floor of this House, made what I consider an outrageous charge that:

The FBI taps the telephones of Members of this body and of Members of the Senate.

I challenge Mr. Boggs to prove this scurrilous charge. If he thinks he has proof of any wiretapping of any Member by the FBI, he has a duty to reveal it publicly and at once. If not, he owes a public apology to the Director, Mr. Hoover, as well as the entire FBI and the Nation.

Character assassination is not a new technique, and it is disgraceful to destroy the confidence of the public in order to create, manufacture or conjure a political issue.

There is no man more opposed to a national police force than J. Edgar Hoover, and Mr. Boggs does a great disservice to the Bureau and its most able Director when he says:

The FBI adopts the tactics of the Soviet Union and Hitler's gestapo.

Mr. Hoover should not even consider resigning under these circumstances, and Mr. Boggs has a responsibility to either put up or shut up.

DEFENDS FBI CHIEF

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

Mr. KING. Mr. Speaker, I would like to call to the attention of my colleagues one of the most tragic 60 seconds ever in the history of this distinguished House—a minute that was not only tragic, but totally unnecessary, unbecoming and un-factual, a minute which has done tremendous damage to one of America's greatest public servants and institutions.

I have reference to the 1-minute speech of the esteemed House Majority Leader HALE BOGGS last Monday demanding the resignation of Mr. J. Edgar Hoover as Director of the FBI.

Mr. Speaker, Mr. Boggs' charges are serious. They must not go unanswered. Far too much is at stake.

Just what proof does Mr. Boggs give?

First of all, he asserts that the FBI taps telephones of Members of this House and the Senate. Mr. Hoover and the Attorney General have specifically denied this charge, stating that the FBI has never tapped telephones of Members of Congress.

What proof does the majority leader have? Let him set forth in specific detail the facts on which his charge was made. I note that he has told the press that he has "proof positive" of FBI tapping. I think that not only this House, but all citizens of the Nation, are eager for our distinguished colleague to step up and lay on the table just what data he has.

He then goes on to assert that the FBI has adopted "the tactics of the Soviet Union and Hitler's Gestapo."

As a close observer of the FBI over the years, and as a former prosecuting attorney who worked closely with the FBI, I can state categorically that these comments are 100 percent wrong. The FBI is not utilizing the tactics of the Gestapo and the Soviet secret police. Wild and irresponsible accusations such as these only undermine confidence in the FBI and our institutions of free government.

A newspaper had characterized Mr. Boggs' comments as "the harshest criticism of Hoover ever heard in the House."

I am extremely sorry. I am confident that Mr. Hoover can ably defend himself. But, I also feel that the majority leader

owes to this body the facts—specific and detailed—on which he endeavors to sully the remarkable achievements of a man and an institution which have probably done more to protect the freedoms we possess than any other man and institution within the memory of any Member of this House.

The next move is up to our able colleague from Louisiana.

UNSUBSTANTIATED CHARGES MADE ON TAPPING TELEPHONES OF MEMBERS

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

Mr. CEDERBERG. Mr. Speaker, we have been hearing a lot of unsubstantiated charges about the telephones of Members of Congress being tapped by the FBI. Now I know that this makes for a wonderful press—you get a lot of ink around the country.

The subcommittee on which I serve is charged with the responsibility for all of the appropriations for the FBI. While the rules of the House do not permit any discussion until the hearings have been printed, I would suggest that you can all rest rather comfortably and I suggest when the hearings are printed, which will probably be in May or early June, that you read the hearings that we have conducted with the Director of the FBI on his request for appropriations. You will find them quite enlightening.

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

Mr. CEDERBERG. I am glad to yield to the gentleman.

Mr. CAREY of New York. Mr. Speaker, I just want to suggest that in light of recent events, you make certain that all of the records of the hearings be secure in a very, very well guarded place by someone qualified and trustworthy so they will not be stolen before they are released.

Mr. CEDERBERG. Let me say that the gentleman from New York, the chairman of the subcommittee (Mr. ROONEY), who is from the gentleman's State, will take care of everything quite well.

Mr. CAREY of New York. Then the records of the subcommittee are secure.

THE PRIVATE CALENDAR

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

Mr. BOLAND. Mr. Speaker, as this is the first day of the call of the Private Calendar where we have had business, I would like to insert some information at this point in the RECORD setting forth some of the history behind, as well as describe the workings of, the Private Calendar. This information contains statements which have been endorsed by both sides of the aisle with reference to the Private Calendar.

Mr. Speaker, I would like to take this opportunity to set forth some of the history behind, as well as describe the workings of, the Private Calendar. I hope

this might be of some value to the Members of this House, especially our newer colleagues.

Of the five House calendars, the Private Calendar is the one to which all private bills are referred. Private bills deal with specific individuals, corporations, institutions, and so forth, as distinguished from public bills, which deal with classes only.

Of the 108 laws approved by the First Congress, only five were private laws. But, their number quickly grew as the wars of the new Republic produced veterans and veterans' widows seeking pensions and as more citizens came to have private claims and demands against the Federal Government. The 49th Congress—1885-87—the first Congress for which complete workload and output data is available—passed 1,031 private laws, as compared with 434 public laws. At the turn of the century, the 56th Congress—1899-1901—passed 1,498 private laws and 443 public laws—a better than 3-to-1 ratio.

Private bills were referred to the Committee of the Whole House as far back as 1820, and a calendar of private bills was established in 1839. These bills were initially brought before the House by special orders, but the 62d Congress—1911-13—changed this procedure by its rule XXIV, clause 6, which provided for the consideration of the Private Calendar in lieu of special orders. This rule was amended in 1932 and then adopted in its present form on March 27, 1935.

A determined effort to reduce the private bill workload of the Congress was made in the Legislative Reorganization Act of 1946. Section 131 of that act banned the introduction or the consideration of four types of private bills: first, those authorizing the payment of money for pensions; second, for personal or property damages which suit may be brought under the Federal tort claims procedure; third, those authorizing the construction of a bridge across a navigable stream; or, fourth, those authorizing the correction of a military or naval record.

This ban afforded some temporary relief but was soon offset by the rising postwar and cold war flood of private immigration bills. The 82d Congress—1951-53—passed 1,023 private laws, as compared with 594 public laws. The 88th Congress—1963-65—passed 360 private laws and 666 public laws.

Under rule XXIV, clause 6, the Private Calendar is called the first and third Tuesdays of each month. The consideration of Private Calendar bills on the first Tuesday is mandatory unless dispensed with by two-thirds vote. On the third Tuesday, however, recognition for consideration of the Private Calendar is within the discretion of the Speaker and does not take precedence over other privileged business in the House.

On the first Tuesday of each month, after disposition of business on the Speaker's table for reference only, the Speaker directs the call of the Private Calendar. If a bill called is objected to by two or more Members, it is automatically recommitted to the committee re-

porting it. No reservation of objection is entertained. Bills unobjected to are considered in the House as in Committee of the Whole.

On the third Tuesday of each month the same procedure is followed with the exception that omnibus bills embodying bills previously rejected have preference and are in order regardless of objection.

Such omnibus bills are read by paragraph, and no amendments are entertained except to strike out or reduce amounts or provide limitations. Matter so stricken out shall not again be included in an omnibus bill during the session. Debate is limited to motions allowable under the rule and does not admit motions to strike out the last word or reservation of objections. The rules prohibit the Speaker from recognizing Members for statements or for requests for unanimous consent for debate. Omnibus bills so passed are thereupon resolved into their component bills, which are engrossed separately and disposed of as if passed severally.

Private Calendar bills unfinished on one Tuesday go over to the next Tuesday on which such bills are in order and are considered before the call of bills subsequently on the calendar. Omnibus bills follow the same procedure and go over to the next Tuesday on which that class of business is again in order. When the previous question is ordered on a Private Calendar bill, the bill comes up for disposition on the next legislative day.

Mr. Speaker, I would like also to describe to the newer Members the official objectors system the House has established to deal with our great volume of private bills.

The majority leader and the minority leader each appoint three Members to serve as Private Calendar objectors during a Congress. The objectors have the responsibility of carefully studying all bills which are placed on the Private Calendar. When the Private Calendar is called the objectors are on the floor ready to object to any private bill which they feel is objectionable for any reason. Seated near them to provide technical assistance are the majority and minority legislative clerks.

Should any Member have a doubt or question about a particular private bill, he can get assistance from the objectors, their clerks, or from the Member who introduced the bill. The great volume of private bills and the desire to have an opportunity to study them carefully before they are called on the Private Calendar has caused the six objectors to agree upon certain ground rules. Those rules limit consideration of bills placed on the Private Calendar only shortly before the calendar is called. The agreement is as follows:

Reaffirming the policy initially adopted on June 3, 1958, the members of the Majority and Minority Private Calendar Objectors Committee have today agreed that during the 92d Congress they will consider only those bills which have been on the Private Calendar for a period of 7 calendar days, excluding the day the bills are reported and the day the Private Calendar is called.

It is agreed that the majority and minority legislative clerks will not submit to the objectors any bills which do not meet this requirement.

The policy shall be strictly observed except during the closing days of each session when House rules are suspended.

MAJORITY OBJECTORS

EDWARD P. BOLAND, of Massachusetts.
JOHN W. DAVIS, of Georgia.
JAMES V. STANTON, of Ohio.

MINORITY OBJECTORS

GARRY BROWN, of Michigan.
JOHN DELLENBACK, of Oregon.
JOHN ROUSSELOT, of California.

PRIVATE CALENDAR

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

CLINTON M. HOOSE

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

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

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

There was no objection.

JOHN W. WATSON, A MINOR

The Clerk called the bill (H.R. 1891) for the relief of John W. Watson, a minor.

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

H.R. 1891

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, not withstanding the limitations of section 2733 (b) (1) of title 10 of the United States Code, or any other statute of limitations, laches, or lapse of time, the Secretary of the Army is authorized, in accordance with the otherwise applicable provisions of section 2733 of title 10 of the United States Code, to consider, settle, and, if found meritorious, to pay a claim filed by or on behalf of John W. Watson, a minor, within one year of the date of approval of this Act, against the United States for the injury of said John W. Watson and his parents for permanent brain damage with epileptic manifestations suffered by said John W. Watson while under the care of United States Army medical personnel in Germany in or about December 1952, and for special educational and medical expenses necessitated as a result of such brain damage, and for compensation for lost earning power resulting from said injury, and for being completely deprived of the opportunity to live a normal life.

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

PHILIP C. RILEY AND DONALD F. LANE

The Clerk called the bill (H.R. 2011) for the relief of Philip C. Riley and Donald F. Lane.

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

H.R. 2011

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on such terms as it deems just, the United States Postal Service is hereby authorized to compromise, release, or discharge in whole or in part the liability of Phillip C. Riley and Donald F. Lane, clerks at the Wakefield, Massachusetts post office, to the United States for the loss resulting from the burglary at the Wakefield post office on the night of June 19, and 20, 1968.

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

MARION OWEN

The Clerk called the bill (H.R. 2047) for the relief of Marion Owen.

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

H.R. 2047

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on such terms as he deems just, the Postmaster General is hereby authorized to compromise, release or discharge in whole or in part, the liability of Marion Owen, postmaster of the post office at East Saint Louis, Illinois, to the United States for the loss resulting from the burglary at the Lansdowne Station of the East Saint Louis Post Office on April 1, 1967.

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

MRS. ROSE THOMAS

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

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

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

There was no objection.

COMDR. ALBERT G. BERRY

The Clerk called the bill (H.R. 2132) for the relief of Comdr. Albert G. Berry, Jr.

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

H.R. 2132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Commander Albert G. Berry, Junior, United States Naval Reserve, retired, of Coronado, California, the sum certified to him by the Comptroller General of the United States pursuant to section 2 of this Act. The payment of such sum to the said Commander Albert G. Berry, Junior, shall be in full settlement of all of his claims against the United States for loss of active duty pay and allowances during the period beginning February 25, 1941, and ending January 31, 1947, arising from failure to credit him (for longevity purposes) with service as a mid-

shipman at the United States Naval Academy.

Sec. 2. The Comptroller General of the United States shall, within ninety days after the date of enactment of this Act, certify to the Secretary of the Treasury the difference between the amount of active duty pay and allowances received by the said Commander Albert G. Berry, Junior, from the United States during the period specified in the first section of this Act and the amount of such pay and allowances to which he would have been entitled during such period had he correctly been credited (for longevity purposes) with his service as a midshipman at the United States Naval Academy.

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

DAVID Z. GLASSMAN

The Clerk called the bill (H.R. 2400) for the relief of David Z. Glassman.

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

H.R. 2400

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated the sum of \$178.80 to David Z. Glassman of Brooklyn, New York, in full settlement of his claims against the Government for excess social security contributions due to the fact that he was employed by two employers and made contributions to both the social security fund and to the Railroad Retirement Fund and his claim for refund was not filed in time due to misleading information received from the Railroad Retirement Board which led him to believe that the contributions withheld in this manner were correct. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

ROSE MINUTILLO

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

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

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

There was no objection.

PAUL ANTHONY KELLY

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

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

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

ROBERT L. STEVENSON

The Clerk called the bill (H.R. 4327) for the relief of Robert L. Stevenson.

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

H.R. 4327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on such terms as he deems just, the Postmaster General is hereby authorized to compromise, release, or discharge in whole or in part, the liability of Robert L. Stevenson, a postal carrier of Shawnee Mission, Kansas, to the United States, for the loss resulting from the robbery on November 4, 1968, of a postal truck assigned to him.

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

CORBIE F. COCHRAN, JR.

The Clerk called the bill (H.R. 5419) for the relief of Corbie F. Cochran, Jr.

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

H.R. 5419

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 1310 of the Supplemental Appropriation Act, 1952, as amended (5 U.S.C. 3101), footnote, the advancement in grade of Corbie F. Cochran, Junior, an employee of the Department of the Army, Fort Eustis, Virginia, from GS-6 to GS-9, effective April 29, 1964, shall be deemed to have been in conformity with law, such advancement in contravention of said section 1310, having been made as a result of administrative error without fault or knowledge of its illegality on the employee's part.

Sec. 2. (a) That the said Corbie F. Cochran, Junior, is relieved of any liability to the United States arising out of the advancement described in section 1 of this Act. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount for which liability is relieved by this subsection.

(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Corbie F. Cochran, Junior, an amount equal to the aggregate of the amounts paid by him or withheld from amounts otherwise due him in partial liquidation of his liability to the United States referred to in subsection (a) of this section. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

THE AMERICAN JOURNAL OF NURSING

The Clerk called the bill (H.R. 5422) for the relief of the American Journal of Nursing.

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

H.R. 5422

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle and adjust the claim of the American Journal of Nursing, New York, New York, for an advertisement placed in its August 1966 issue of the American Journal of Nursing by the Department of Health, Education, and Welfare, and to allow in full and final settlement of such claim the sum of \$238.50. Such amount shall be payable from the appropriation "Patient Care and Special Health Services, Health Services and Mental Health Administration, Prior Years".

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

LINDA ORTEGA

The Clerk called the bill (H.R. 2036) for the relief of Miss Linda Ortega.

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

H.R. 2036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Miss Linda Ortega, of Lake Arrowhead, California, the sum of \$578.40 in full settlement of all her claims against the United States arising out of the actions of the United States Air Force in failing to provide her with the medical care (in connection with the delivery of her child) to which she was entitled as a recently discharged member of the military service.

With the following committee amendment:

Page 1, after line 11, and add the following: "No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

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

ESTATE OF CHARLES ZONARS, DECEASED

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

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

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

There was no objection.

WILLIAM E. CARROLL

The Clerk called the bill (H.R. 2835) for the relief of William E. Carroll.

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

H.R. 2835

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on such terms as he deems just, the Postmaster General is hereby authorized to compromise, release, or discharge in whole or in part, the liability of William E. Carroll, former Superintendent of the Milford, Connecticut, Post Office, to the United States for the loss resulting from the burglary at the parcel post station of the Milford, Connecticut, Post Office on or about April 4, 1968.

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

ESTATE OF CAPT. JOHN N. LAYCOCK, U.S. NAVY, RETIRED

The Clerk called the bill (H.R. 3094) for the relief of the estate of Capt. John N. Laycock, U.S. Navy, retired.

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

H.R. 3094

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Captain John N. Laycock, United States Navy (retired), formerly of Derry, New Hampshire, the sum of \$170,000, which shall be considered a payment in consideration of a transfer by the estate of Captain John N. Laycock, United States Navy (retired) of property consisting of all substantial rights to a patent within the meaning of section 1235 of the Internal Revenue Code of 1954, in full settlement for the usage by the United States during and subsequent to World War II of certain pontoon equipment patented by him (United States Numbered 2,480,144), and for losses incurred by the said Captain John N. Laycock as a result of the United States having made such pontoon equipment, and the patent thereto, available to other nations contrary to the license agreement entered into between the United States and the said Captain John N. Laycock: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

With the following committee amendment:

Page 1, line 7, strike "\$170,000" and insert "\$96,000".

The committee amendment was agreed to.

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

SGT. JOHN E. BOURGEOIS

The Clerk called the bill (H.R. 3748) for the relief of Sgt. John E. Bourgeois.

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

H.R. 3748

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Sergeant John E. Bourgeois, United States Marine Corps, retired, of Pineville, Louisiana, is relieved of liability to the United States in the amount of \$251.45, representing overpayments of pay and allowances paid to him through no fault of his own by the United States Marine Corps while he was on active duty. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sergeant John E. Bourgeois, United States Marine Corps, retired, of Pineville, Louisiana, an amount equal to the aggregate of any amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

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

With the following committee amendment:

Page 2, line 10, strike "in excess of 10 per centum thereof."

The committee amendment was agreed to.

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

MRS. FERNANDE M. ALLEN

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

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

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

There was no objection.

ROBERT F. FRANKLIN

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

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

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

There was no objection.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call

of the Private Calendar be dispensed with.

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

There was no objection.

ADJOURNMENT FOR EASTER HOLIDAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the concurrent resolution (H. Con. Res. 257) providing for an adjournment of the House from April 7, 1971, until April 19, 1971, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendments as follows:

Page 1, line 5, after "1971" insert: ", and that when the Senate adjourns on Wednesday, April 7, 1971, it stands adjourned until 10 a.m., Wednesday, April 14, 1971".

Amend the title so as to read: "Concurrent resolution providing for an adjournment of the House from April 7, 1971, until April 19, 1971, and the Senate from April 7, 1971, until April 14, 1971."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

NATIONAL COLLEGIATE PRESS DAY

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 278) authorizing the President to declare the last Saturday in April of each year as "National Collegiate Press Day."

The Clerk read the title of the joint resolution.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I do so only to ask the gentleman, since I understand that this is the first of some three similar resolutions, whether any of these resolutions requires the expenditure of Federal funds.

Mr. EDWARDS of California. No. The answer is in the negative.

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

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 278

Whereas the National Council of College Publications Advisers is the only national professional association of advisers to all college and university student publications; and

Whereas the many members of this council represent the major force in the United States attempting to insure by responsible guidance the growth of student publications

as a medium for the education of future citizens of a free American society; and

Whereas the intention of the council is to bring together student and professional journalists in panels, workshops, and discussion sessions in order to provide lines of communication to build an aware, responsible, and effective student press: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation each year designating the last Saturday in April as "National Collegiate Press Day", and calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

AMENDMENTS OFFERED BY MR. EDWARDS OF CALIFORNIA

Mr. EDWARDS of California. Mr. Speaker, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. EDWARDS of California:

On pages 1 and 2 strike out all "whereas" clauses.

On page 2, line 4, strike out the phrase "each year".

On page 2, line 5, after the word "April" insert "of 1971".

The amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "Authorizing the President to declare the last Saturday in April of 1971 as 'National Collegiate Press Day'".

A motion to reconsider was laid on the table.

SCHOOL BUS SAFETY WEEK

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 372) authorizing the President to proclaim the period April 19 through April 24, 1971, as "School Bus Safety Week."

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 372

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the period April 19 through April 24, 1971, as "School Bus Safety Week", and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ACTIVE 20-30 WEEK

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 329) authorizing the President to proclaim the period of Feb-

ruary 6 through February 12, 1972 as "Active 20-30 Week."

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 329

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the period February 6 through February 12, 1972, as "Active 20-30 Week", and calling upon the people of the United States to observe such week with appropriate ceremonies and activities which will recognize Active 20-30 International on the occasion of its 50th anniversary, particularly with respect to its contributions in the fields of community service and child welfare work.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks on the joint resolutions just passed.

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

There was no objection.

EDUCATION REVENUE SHARING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-83)

The SPEAKER laid before the House the following message from the President of the United States; which was read, and referred to the Committee on Education and Labor and ordered to be printed:

To the Congress of the United States:

A very substantial part of what American government does is directed to the future and to the creation of a suitable legacy for generations to come. In this sense, government reflects a central purpose of the basic family unit and seeks to serve that purpose: as we move to condition the future, we move also to prepare our children to take their place in that future. In this task, all levels of government recognize the Nation's responsibility for educating its youth.

Primary responsibility, or course, rests with State and local governments, as it should. The Federal Government can help provide resources to meet rising needs, but State and local education authorities must make the hard decisions about how to apply these resources in ways that best serve the educational needs of our children. To enable State and local authorities to do this more effectively, I am proposing today a new system of special revenue sharing as a means of providing Federal financial assistance for elementary and secondary education.

This message is the last of six special revenue sharing proposals which I have put forward over the past two months. Combined with the administration's \$5 billion general revenue sharing plan and welfare reform proposals, special revenue sharing—as a new and more flexible approach to Federal aid—would fundamentally reform the fiscal roles and relationships of American federalism. The other five special revenue sharing proposals have been in the areas of urban community development, rural community development, transportation, manpower training and law enforcement assistance.

The plan I am putting forward today for education revenue sharing brings together more than 30 Federal aid categories and deals with one of the Nation's most complex systems for providing public services. There are 46 million students presently enrolled in public schools in America, with more than five and a half million more in non-public schools. There are more than 117,000 schools and nearly 18,000 public school districts, each with its own unique conditions and each with its own problems.

Federal expenditures for elementary and secondary schooling over the past decade are projected to increase from \$0.9 billion in fiscal year 1961 to \$5.5 billion in fiscal year 1972. Yet there are serious problems with the way in which this aid is provided.

THE PRESENT SYSTEM

Under the present piecemeal system of Federal aid, education grants are available to local schools under 38 separate authorizations for "instruction," 37 separate authorizations for low-income students, and 22 separate authorizations for reading instruction. The confusion is so great that some school districts have had to hire separate staffs charged solely with cutting through the maze of applications, guidelines, regulations and reporting requirements which are an intrinsic part of the present grant system.

There are other problems:

—The time, energy and imagination needed to bring educational reform is frequently drained off into what is an essentially non-productive effort to qualify for Government grants. Yet, at the same time, rigid qualifications for grants frequently stifle creative initiative. In the end, a system which ought to promote innovation instead discourages it. And because Federal programs are resistant to change, we see money being spent on programs which may have outlived their usefulness, or that simply are ineffective, while funds for new ideas cannot be obtained.

—Educational planning is made difficult because of the fragmentation of grants. Under the present system, a community must make a series of separate applications to a series of Federal officials. There is no assurance that every proposal will be funded, or that any proposal will be funded. Consequently, the present fragmented procedures virtually eliminate any possibility of preparing a comprehensive, coordinated program.

—There is little accountability under the present system; if a program fails it is difficult to assess responsibility. Although it is the common response to

blame Washington if something does not function according to design, such an exercise is usually futile given the cumbersome nature of the Federal bureaucracy.

—There is little flexibility in the present system. Individual grants are often too narrowly defined and designed to achieve the things Washington wants, while at the same time allowing little latitude to meet individual community needs.

—There has been little useful evaluation of how Federal aid programs under the present system help children learn more effectively, or of how they provide the children with equal educational opportunities. The diversity of the country and the large number and great variety of Federal aid programs have made it impossible for those at the Federal level to measure the success or failure of their efforts, and so we resort to judging effectiveness by how much we spend rather than by how much we accomplish.

My proposal for special revenue sharing for education is designed to overcome these problems by substituting a basic new approach to providing Federal assistance. To help formulate this proposal, the Office of Education held ten regional hearings to discuss the specifications for Education Revenue Sharing, and my proposal has benefitted from the views of educators and those interested in education all across the Nation.

EDUCATION REVENUE SHARING

Education Revenue Sharing would revitalize the relationship between the Federal Government and State and local governments. It would stimulate creativity and new initiatives at State and local levels. My proposal would establish a new instrument of Federal assistance which would bring together more than thirty major Office of Education programs representing approximately \$2.8 billion in grants in the 1972 budget, and provide for an increase of \$200 million in total funding in the first year.

These funds would provide support for educational activities in broad areas where there are strong national interests in strengthening school programs. The national priority areas included are compensatory education for the disadvantaged, education of children afflicted by handicapping conditions, vocational education, assistance to schools in areas affected by Federal activities, and the provision of supporting services.

This new Federal aid instrument would have the following important features:

AUTOMATIC DISTRIBUTION OF FUNDS

Funds would be distributed automatically on the basis of a statutory formula which takes account of the total school age population in each State, the number of students from low-income families, and the number of students whose parents work or live on Federal property. No State would receive less money under Education Revenue Sharing than it receives under the present grant system. In addition, authority for advance funding would be requested to facilitate careful planning free from the vagaries of the present practice of delayed appropriations.

NO FEDERAL APPROVAL OF STATE PLANS

States would no longer be required to submit exhaustive plans for extensive Federal review or Federal approval, but would simply develop and publish a plan in line with State and local needs so as to permit all concerned citizens to become involved with the allocation of these Federal resources. States would also appoint an advisory council broadly representative of the public and the education community, in order to further insure that all interests are heard. This new system would substitute genuine citizen participation for routine bureaucratic sign-off.

BROAD DEFINITION OF PURPOSES

The areas of Federal assistance would be broadly defined in keeping with national interests.

—The provision of equal educational opportunities to all of our children is a key national priority. As I pointed out a year ago, the most glaring shortcoming in American education today is the lag in essential learning skills among large numbers of children of poor families. The largest Federal program in education—Title I of the Elementary and Secondary Education Act—was designed to meet the special educational needs of these children. The Education Revenue Sharing Act would provide that over one-half of the \$3.0 billion proposed for the first year be used for providing compensatory education for disadvantaged children. These funds would be passed through directly to local school districts which enroll large concentrations of these children.

—The specific needs of handicapped children are and would continue to be a matter of concern to the Federal Government. When time is so critical to the training and social development of these youngsters, any delay in the funding of their education can have irreparable consequences. Nevertheless, in the present circumstances, delay is common. I propose to change this. Funds would be allocated directly to the States and the procedures for obtaining these funds would be simplified.

—For many years, the Federal Government has provided assistance for training in industry, agriculture and the crafts in our Nation's schools. This training is vital to the Nation's economy. But the needs in these areas are constantly changing. Vocational education of tomorrow may bear little resemblance to today's form, but its task will be the same: to demonstrate to American youth the worth and dignity of work, and to help them to obtain the specific skills that other forms of education cannot supply. As with my proposal for Manpower Revenue Sharing, States and local educational authorities would be authorized to determine how best to use Federal funds for vocational education in order to meet the needs of particular communities and individual workers.

—An ongoing responsibility of local public schools is to provide education for Federally connected children. The Federal Government rightly provides aid to help meet the financial burden of children who live on Federal property—hence property which provides no taxes

for education. To offset the loss of local school taxes, Education Revenue Sharing would provide a direct pass-through to local school districts enrolling such children. For those students whose parents only work on Federal property, and live on locally taxable land, funds would also be provided. In this case, however, the funds would be distributed to the States which would determine the degree of financial need created by those circumstances and allocate funds accordingly.

—The Federal Government currently offers an array of programs designed to purchase specific educational materials or services. These programs range from the provision of textbooks and other library resources to the support of guidance and counseling services. Education Revenue Sharing would continue this aid but would pull together programs from at least fourteen separate statutory provisions into one flexible allocation under which States can decide how best to meet local education needs.

GREATER FLEXIBILITY

Under this proposal for Education Revenue Sharing, States and local school districts would be given far greater flexibility than is presently the case in deciding how funds should be spent in serving the national priority areas. In addition to the broader definition of national purpose, States would have the authority to transfer up to thirty percent of funds—except those which are passed through directly to local schools—from one purpose to another. This would enhance flexibility in the application of funds for education, and permit the States to make substantial adjustment in their educational plans as their educational needs require.

OTHER FEATURES

As with my previous special revenue sharing proposals, Education Revenue Sharing would preserve all existing safeguards against infringements of civil rights by assuring that these funds would be subject to Title VI of the Civil Rights Act of 1964.

Non-public schools bear a significant share of the cost and effort of providing education for our children today. Federal aid to education should take this fully into account. This proposal would do that by considerably broadening the authority for extending aid to students in non-public schools. Non-public school students would be counted in the reckoning of population for purposes of allocation, and all forms of educational services would be available to them.

As an important precondition to the receipt of Federal funds for education of the disadvantaged, I propose a requirement for States to certify that services provided in all schools within a given school district from State and local funds must be fully comparable. This is a considerable improvement over the present law. It would assure that Federal funds for compensatory education programs would actually be spent on services beyond those provided for all children, and thus for the first time would truly guarantee that these funds would be used to help equalize learning opportunity for the disadvantaged.

THE FEDERAL ROLE IN EDUCATION

The proposal I am putting forward today reflects what this administration considers to be the appropriate Federal role in elementary and secondary education. This Federal role is threefold: (1) the allocation of financial resources on a broad and continuing basis to help States and local school districts meet their responsibilities, (2) the provision of national leadership to help reform and renew our schools to improve performance, and (3) the concentration of resources to meet urgent national problems during the period when they are most intense.

Education Revenue Sharing would strengthen the first by providing a new and expanded system of Federal aid to our schools. It should be noted in this connection that my proposals for general revenue sharing and welfare reform would also both provide and free additional fiscal resources which States and localities could devote to the rising costs of education. At the present time, State and local governments spend forty percent of their revenues for education. Under general revenue sharing, which would distribute a fixed portion of the Federal tax base to the States and localities to use as they determine, education would most certainly be a major beneficiary. These funds would total \$5 billion in the first full year of operation. Similarly, the administration's proposals to reform the Nation's failing welfare system would free the States of a significant portion of fast-growing welfare costs at the same time that it would provide a better and more stable home environment for millions of children.

To strengthen the Federal leadership role in reforming and renewing our Nation's schools, I proposed a year ago the creation of a National Institute of Education to bring to education the intensity and quality of research and experimentation which the Federal Government has, for example, devoted to agricultural and medical research. The National Institute of Education would serve as a focal point for identifying educational problems, developing new ways to alleviate these problems, and helping school systems to put the results of educational research and experimentation into practice.

As an example of the concentration of Federal resources to meet urgent national problems during a period of intense need, I proposed in May 1970 an Emergency School Aid Act to provide \$1.5 billion over a two-year period to help meet the special problems of desegregating our Nation's schools. Progress in school desegregation has been accelerating. The Emergency School Aid Act would help local communities expedite and adjust to this change, while maintaining and improving the quality of education in affected schools.

Taken together, the National Institute, the Emergency School Aid Act and Education Revenue Sharing represent a bold new approach to fulfilling the Federal role in education and to meeting the educational needs of the 1970's.

CONCLUSION

The education of our children transcends partisan politics. No one benefits from failures in our system of education, and no one can fail to benefit from improvements in the means by which education in America is given all the assistance proper at the Federal level. The effort to provide that proper assistance, the effort to encourage reform where reform is needed, and the effort to extend to all American children the advantage of equal educational opportunity have all been a concern of this administration as, indeed, they have been of other administrations. These efforts continue.

I believe we must recognize that the Federal Government cannot substitute its good intentions for the local understanding of local problems, for local energy in attacking these problems, and for local initiatives in improving the quality of education in America. We must also recognize that State and local authorities need Federal resources if they are to meet their obligations and if they are to use the peculiar advantages of State and local knowledge, responsibility, and authority to their fullest potential. Education Revenue Sharing accommodates the Federal role in national education to both these realities, and it lays the foundation for a new and more productive Federal-State relationship in this area of vital national concern, just as the previous revenue sharing proposals have afforded similar possibilities in their areas of specific concern.

I consider each of these proposals vitally important in and of itself. But in the aggregate, the importance of revenue sharing is greater than the sum of the parts which comprise this series of legislative proposals. For we are seeking nothing less than a new definition of the relationship between Federal Government and State and local governments—one which answers the needs of the present and anticipates the needs of the future.

RICHARD NIXON.

THE WHITE HOUSE, April 6, 1971.

EDUCATION REVENUE SHARING

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

Mr. GERALD R. FORD. Mr. Speaker, no effort is more vital to improving the quality of life in America than improving the quality of education in America.

For this reason, I look upon education revenue sharing as the most important of the special revenue-sharing proposals sent to the Congress by the President.

The education revenue-sharing message received by the Congress today should be scanned most carefully by every Member, since it is aimed at remedying the most glaring deficiencies in our present system of Federal aid to schools.

I see education revenue sharing as the answer to two of the greatest weaknesses in the present system—inability to plan and lack of flexibility.

Local school officials presently are at a tremendous disadvantage in budgeting from one year to the next. They can never

be certain how much Federal aid they will receive. They are also handicapped in undertaking innovative programs. Washington requires that they abide by certain rules in order to obtain Federal funds.

Education revenue sharing would hurdle these barriers to proper local administration of schools.

There would be no fragmentation of Federal grants, no rigid assignment of funds. Instead there would be an assured Federal contribution toward the overall quality of local education, with flexibility for local planners.

I had anticipated a formidable obstacle to education revenue sharing in connection with aid to nonpublic schools. But I find reassurance in the President's pledge that "nonpublic school students would be counted in the reckoning of population for purposes of allocation, and all forms of educational services would be available to them." Where State law prevents nonpublic school participation, the Secretary of Health, Education, and Welfare "shall arrange for such children to receive similar services on an equitable basis and shall pay the cost thereof out of the State's allotment." I find this completely satisfactory.

OFFICE OF EDUCATION AND RELATED AGENCIES APPROPRIATIONS, 1972

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7016) making appropriations for the Office of Education and related agencies, for the fiscal year ending June 30, 1972, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate continue not to exceed 2 hours, the time to be equally divided and controlled by the gentleman from Illinois (Mr. MICHEL) and myself.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7016, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Pennsylvania (Mr. FLOOD) will be recognized for 1 hour, and the gentleman from Illinois (Mr. MICHEL) will be recognized for 1 hour.

The Chair recognizes the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, we are again bringing to the House a separate appropriation bill for education programs. We do this with the idea—and indeed the sincere hope—that if both Houses of Congress act with reasonable speed on this bill the appropriations for

education will be enacted well before the beginning of the 1972 fiscal year on July 1.

We believe that this will be very, very helpful to school and college officials all over the United States who are making plans now for next fall, not to mention the students themselves, particularly those who are depending on some form of federally assisted grant or loan to help them attend college.

Last year, Mr. Chairman, this body passed the education appropriation bill on April 14. This year we are coming to you on April 7, just a week ahead of last year's schedule. Believe me, Mr. Chairman, this is in the nature of a minor miracle, knowing the procedure here as we do.

We wanted to be sure that the bill passed the House before the Easter recess, which begins on this Thursday.

Of course, the main thing that most Members will want to know is how does the amount in this bill compare with the budget request and how does it compare with last year's appropriation. Well, it is not hard to compare this bill with last year's appropriation. As the tables in the report show—and you have a copy of the report and I direct your attention to page 2 thereof—we are recommending a total increase of \$251,388,000 over the 1971 appropriation.

On the other hand, as we mention in the report, it is quite difficult to make a valid comparison between the amount in this bill and the budget request. On its face there appears to be a total reduction of \$298,835,000 below the budget request. Of course, that is as phony as a \$3 bill. As a matter of fact—this apparent—apparent reduction, is quite misleading. The fact of the matter is that for all the appropriation items except higher education, this bill comes within a hair of being \$300 million over the budget request.

I know the mail the Members have been receiving. I have received it, too. I know to what items the mail refers. This increase of \$300 million includes elementary and secondary education, vocational education not to mention impacted area aid. Did you ever hear of that before? It also includes education for the handicapped and—hear this—library assistance and so on, so on, and so on. We will place in the RECORD a long list, as long as your arm, of the items where increases have been made by your committee.

Now, these increases are more than offset by the very large reduction from the budget request for higher education. I will tell you why.

You know the position of this committee on behalf of higher education. We have consistently supported increased appropriations for higher education.

Now, I want you to hear this: The higher education budget request was based on new legislative proposals—I repeat, for the purpose of emphasis, on new legislative proposals which are now under consideration by the Committee on Education and Labor. Before me is the distinguished gentleman from Kentucky, the chairman of that committee (Mr. PERKINS). But heaven only knows, including the gentleman from Kentucky, when those proposals will be enacted and

what Congress will do with them—Congress, not just the House of Representatives—in the process.

Mr. Chairman, we feel—and this is a tradition of the Appropriations Committee since its inception—that the only responsible course for the Appropriations Committee to follow is to continue to fund higher education programs for another year under the existing law. The Contingent Extension of Expiring Appropriations which was included in Public Law 91-230, which was enacted last year, permits us to do this.

Now, this accounts for the apparent large reduction from the budget request for higher education. That is all it is. There is not any more.

Now, the budget proposed an increase over 1971 of almost \$850 million for higher education. Mr. Chairman, your committee recommends \$250 million of this proposed increase over 1971.

Now, let me tell you why. The reduction of about \$600 million from the budget is largely related to programs which are based on proposed legislation.

There "ain't" no law.

I would like to emphasize this. In the report we state clearly that this action of this committee should not under any circumstances be considered a disallowance. This is a deferral, nothing else. This is not a disallowance, period.

Of course, this is all very technical, and it is very complicated, believe me. We have been holding hearings since the middle of February on this bill, and we know how complicated it is.

Now, you cannot sit in some room in the Congressional Hotel, or in the recesses of this great building, and, full-blown from the sea, step out of a seashell overnight with some yellow sheet, and expect to understand the details of this bill.

Now, if you have any questions about this I suggest you read the section of the report—and I will give it to you—dealing with higher education. Read this quite carefully before you get carried away by certain knights in shining armor tomorrow—oh, we have been through this before. This goes on like Tennyson's brook, year after year after year.

What is a billion dollars? Well, in Las Vegas that is a bundle.

The discussion of the committee's recommendations for higher education is on pages 6 to 8 of the report.

Mr. Chairman, without taking up too much time I would like to touch briefly on some other high points in this bill.

For the appropriation entitled Elementary and Secondary Education, we have added \$5 million over the budget request for school library resources \$20 million for educational equipment, and \$2 million for bilingual education. Let me assure you that there is one subject that this subcommittee has embraced now, and will continue to, and that is the long-neglected matter of bilingual education.

For school assistance in federally affected areas, affectionately known here as impacted area aid, we provide a total of \$577 million. This is an increase—an increase—of \$137 million over the budget request, and \$25,932,000 over the 1971 appropriation for impacted aid.

The bill includes language similar to that in the 1971 appropriation act which will assure that school districts which have a large number of so-called "A" children receive special treatment in the allocation of those funds. "A" children are those whose parents both live and work on Federal property—mainly military bases.

Now, for education for the handicapped, the bill includes \$115 million, which is \$5 million over the budget request and \$10 million over the 1971 appropriations. One-half of that increase over the budget is specifically earmarked for the education of deaf-blind children of whom there are quite a few as a result of the terrible 1964-65 rubella epidemic. We now have a vaccine for rubella which we hope will prevent a repetition of that terrible epidemic, but we must do what we can for the children who are handicapped as a result of it.

We have gone out of our way to emphasize vocational education in this bill—and we have added \$89,130,000 over the budget request for vocational education. That is \$63,846,000 more than the 1971 appropriation. The total amount is over \$558,000,000 for the fiscal year 1972.

Besides increasing the total, we have earmarked funds for the various categorical vocational education grant programs, including consumer and homemaking education, programs for the handicapped, work study, cooperative education, innovation, curriculum development, and research.

Now, for some inexplicable reason, the budget proposed a cutback in funds for public libraries and educational broadcasting facilities. Now that is hard to believe. So your committee found it necessary to add another \$42,709,000 over the budget request for these programs—

public libraries, educational broadcasting facilities. It is amazing that we had to do that, but we did.

As I have already stated, the situation with regard to higher education is quite complicated, but I think I should mention here that we have included in the bill \$293,000,000 for NDEA student loans.

That is an increase of \$15 million over last year's appropriation and an increase of \$288 million over the budget request.

We have also included \$5,040,000 for the land-grant colleges under the Bankhead-Jones Act. The administration proposed to cut off the Bankhead funds altogether, but we prefer a gradual phase-out in line with what we did in this item last year.

Mr. Chairman, besides the programs administered by the Office of Education, the bill also includes funds for support of the American Printing House for the Blind, in Louisville Ky., and the National Technical Institute for the Deaf, a very promising new institution at Rochester, N.Y., the Model Secondary School for the Deaf, Gallaudet College, one of our favorite schools, and a well renowned institution, Howard University, that we have been so proud of and have helped for so many years on this committee. The bill also includes \$35,000,000 for the Corporation for Public Broadcasting, an increase of \$12,000,000 over the 1971 appropriation. We have made no significant changes in the amounts requested in the budget for these organizations.

Mr. Chairman, my "spies" tell me that there will be attempts made to amend this bill and to add large amounts for programs which the committee has already increased over the budget request. Well, it is a great way to get your name in the newspaper. I remember playing a show once, a great show. I was good,

too. At the end of the prolog this police sergeant came running back to the press who were all there, and the sergeant said to the press, "Be sure you spell the name right." Curtain.

So I understand back-home newspapers. Be sure you spell the name right.

I sincerely hope, and I am very confident, that such attempts will not be successful. I must deplore the efforts of certain of those who wish to use education—this bill—as a vehicle for a political confrontation between the President and the Congress. Who in this House has confronted the President and licked him more than I? Name somebody.

I would remind the Members, Mr. Chairman, the last time a large package amendment for education appropriations was adopted by this House, the appropriation bill did not become law until March of the following year. It produced chaos in the entire educational spectrum from the elementary grades to the great universities. It was a mess. March of the next year. Do you remember?

The committee has added a substantial amount over the budget request and all the 1971 budget appropriations. I have told the Members we have a long laundry list of educational grants and aid programs. I have already mentioned many. I will include a table at the end of my remarks which shows, item by item, the amounts in the bill compared with the 1971 appropriation and the 1972 budget request.

Mr. Chairman, I do not think we need apologize to anyone for this bill—not to anyone—for what it will do for elementary and secondary education for our schoolchildren, and for our college and university students. They are the ones who will suffer if we allow this bill, education appropriations, to become a mere political football.

THE 1972 EDUCATION APPROPRIATION BILL (H.R. 7016)
COMPARISON OF APPROPRIATIONS COMMITTEE RECOMMENDATIONS WITH 1972 BUDGET REQUEST AND 1971 APPROPRIATIONS

Appropriation and activity	1971 comparable appropriation	1972 budget estimate	1972 committee recommendation	Change from budget request	Change from 1971 appropriation
Elementary and secondary education:					
1. Aid to school districts:					
(a) Educationally deprived children (ESEA I).....	\$1,500,000,000	\$1,500,000,000	\$1,500,000,000		
(b) Supplementary services (ESEA III):					
(1) State plan programs.....	123,713,000	123,713,000	123,713,000		
(2) Special programs and projects.....	19,680,000	19,680,000	19,680,000		
Subtotal.....	143,393,000	143,393,000	143,393,000		
(c) Library resources (ESEA II).....	80,000,000	80,000,000	85,000,000	+\$5,000,000	+\$5,000,000
(d) Equipment and minor remodeling (NDEA III).....	50,000,000		20,000,000	+20,000,000	-30,000,000
Subtotal.....	1,773,393,000	1,723,393,000	1,748,393,000	+25,000,000	-25,000,000
2. Dropout prevention (ESEA, Sec. 807).....	10,000,000	10,000,000	10,000,000		
3. Bilingual education (ESEA VII).....	25,000,000	25,000,000	27,000,000	+2,000,000	+2,000,000
4. Strengthening State departments of education (ESEA V-A).....	29,750,000	33,000,000	33,000,000		+3,250,000
5. Follow Through: (Economic Opportunity Act 1964, sec. 222):					
(a) Operations.....	67,981,000	58,700,000	(1)	(-58,700,000)	(-67,981,000)
(b) Program direction.....	(1,019,000)	(1,300,000)	(1)	(-1,300,000)	(-1,019,000)
Subtotal.....	(69,000,000)	(60,000,000)	(1)	(-60,000,000)	(-69,000,000)
6. Planning and evaluation (General Educational Provision Act, sec. 402).....	8,825,000	3,825,000	3,825,000		-5,000,000
Total.....	1,846,968,000	1,795,218,000	1,822,218,000	+27,000,000	-24,750,000
School assistance in federally affected areas:					
1. Maintenance and operations (Public Law 874).....	536,068,000	425,000,000	562,000,000	+137,000,000	+25,932,000
2. Construction (Public Law 815):					
(a) Program.....	13,900,000	14,300,000	14,300,000		+400,000
(Obligations).....	(27,424,000)	(24,300,000)	(24,300,000)		(-3,124,000)
(b) Administration.....	689,000	700,000	700,000		+11,000
Subtotal.....	14,589,000	15,000,000	15,000,000		+411,000
Total.....	550,657,000	440,000,000	577,000,000	+137,000,000	+26,343,000

¹ Not considered due to lack of authorization.

THE 1972 EDUCATION APPROPRIATION BILL (H.R. 7016)—Continued

COMPARISON OF APPROPRIATIONS COMMITTEE RECOMMENDATIONS WITH 1972 BUDGET REQUEST AND 1971 APPROPRIATIONS—Continued

Appropriation and activity	1971 comparable appropriation	1972 budget estimate	1972 committee recommendation	Change from budget request	Change from 1971 appropriation
Emergency school assistance:					
1. Special education personnel and programs.....	\$57,500,000				-\$57,500,000
2. Community participation programs.....	7,500,000				-7,500,000
3. Equipment and minor remodeling.....	7,900,000				-7,900,000
4. Federal administration and technical assistance.....	1,953,000				-1,953,000
Total.....	74,853,000				-74,853,000
Education for the handicapped:					
1. State grant programs (EHA, pt. B).....	34,000,000	\$35,000,000	\$37,500,000	+\$2,500,000	+3,500,000
2. Early childhood projects (EHA, pt. C, sec. 623).....	7,000,000	7,500,000	7,500,000		+500,000
3. Teacher education and recruitment:					
(a) Teacher education (EHA, pt. D).....	32,600,000	34,645,000	34,645,000		+2,045,000
(b) Recruitment and information (EHA, pt. D, sec. 633).....	500,000	500,000	500,000		
Subtotal.....	33,100,000	35,145,000	35,145,000		+2,045,000
4. Research and innovation:					
(a) Research and demonstration (EHA, pt. E).....	15,300,000	15,755,000	15,755,000		+455,000
(b) Regional resource centers (EHA, pt. C, sec. 621).....	3,550,000	3,550,000	3,550,000		
(c) Deaf-blind centers (EHA, pt. C, sec. 622).....	4,500,000	5,000,000	7,500,000	+2,500,000	+3,000,000
(d) Media services and captioned films (EHA, pt. F).....	6,000,000	6,000,000	6,000,000		
(e) Specific learning disabilities (EHA, pt. G).....	1,000,000	1,500,000	1,500,000		+500,000
Subtotal.....	30,350,000	31,805,000	34,305,000	+2,500,000	+3,955,000
5. Planning and evaluation (General Educational Provision Act, sec. 402).....	550,000	550,000	550,000		
Total.....	105,000,000	110,000,000	115,000,000	+5,000,000	+10,000,000
Vocational and adult education:					
1. Grants to States for vocational education:					
(a) Basic vocational education programs (VEA, pt. B).....	315,632,000	377,012,000	377,012,000		+61,380,000
(b) Programs for students with special needs (VEA, sec. 102(b)).....	20,000,000		20,000,000	+20,000,000	
(c) Consumer and homemaking education (VEA, pt. F).....	21,250,000		21,250,000	+21,250,000	
(d) Work-study (VEA, pt. H).....	5,500,000		6,000,000	+6,000,000	+500,000
(e) Cooperative education (VEA, pt. G).....	18,500,000		19,500,000	+19,500,000	+1,000,000
(f) State advisory councils (VEA, pt. A, sec. 104).....	2,380,000		2,380,000	+2,380,000	
Subtotal.....	383,262,000	377,012,000	446,142,000	+69,130,000	+62,880,000
2. Vocational research:					
(a) Grants to States for innovation (VEA, pt. D).....	16,000,000		16,000,000	+16,000,000	
(b) Curriculum development (VEA, pt. I).....	4,000,000		4,000,000	+4,000,000	
(c) Research:					
(1) Grants to States (VEA, pt. C).....	35,034,000		18,000,000	+18,000,000	-17,034,000
(2) Special projects (CRA).....		36,000,000	18,000,000	-18,000,000	+18,000,000
Subtotal.....	35,034,000	36,000,000	36,000,000		
Subtotal.....	55,034,000	36,000,000	56,000,000	+20,000,000	+966,000
3. Adult education: (Adult Education Act)					
(a) Grants to States.....	45,000,000	45,000,000	45,000,000		
(b) Special projects and teacher education.....	10,000,000	10,000,000	10,000,000		
Subtotal.....	55,000,000	55,000,000	55,000,000		
4. Planning and evaluation (General Educational Provision Act).....	900,000	900,000	900,000		
Total.....	494,196,000	468,912,000	558,042,000	+89,130,000	+63,846,000
Higher education:					
1. Student assistance:					
(a) Grants and work-study programs (HEA 1965, title IV).....	327,700,000	971,300,000	528,000,000	-443,300,000	+200,300,000
(b) Subsidized insured loans (HEA 1965, title IV):					
(1) Interest on basic NDEA-type loans.....		65,000,000		-65,000,000	
(Amount of new loans subsidized).....		(800,000,000)		(-800,000,000)	
(2) Interest on special NDEA-type cost-of-education loans.....		20,000,000		-20,000,000	
(Amount of new loans subsidized).....		(250,000,000)		(-250,000,000)	
(3) Purchases of loan paper (including advances).....		400,000,000		-400,000,000	
(4) Proceeds of sales of loan paper.....		(-400,000,000)		(+400,000,000)	
(5) Interest on insured student loans.....	143,200,000	160,000,000	196,600,000	+36,600,000	+53,400,000
(Amount of new loans subsidized).....	(1,000,000,000)	(-)	(1,160,000,000)	(+1,160,000,000)	(+160,000,000)
(6) Reserve fund advances.....	(2,000,000)	(2,234,000)	(2,234,000)		(+234,000)
(7) Program administration.....	4,600,000	6,800,000	6,800,000		+2,200,000
(c) Direct loans (NDEA II).....	243,000,000	5,000,000	293,000,000	+288,000,000	+50,000,000
Subtotal.....	718,500,000	1,628,100,000	1,024,400,000	-603,700,000	+305,900,000
2. Special programs for the disadvantaged: (HEA 1965, title IV)					
(1) Talent search.....	5,000,000	5,000,000	5,000,000		
(2) Upward bound.....	30,035,000	30,100,000	30,100,000		+65,000
(Administration).....	(1,535,000)	(1,600,000)	(1,600,000)		(+65,000)
(3) Special services in college.....	15,000,000	15,000,000	15,000,000		
Subtotal.....	50,035,000	50,100,000	50,100,000		+65,000
3. Institutional assistance:					
(a) Strengthening developing institutions (HEA III).....	33,850,000	38,850,000	38,850,000		+5,000,000
(b) Construction:					
(1) Subsidized loans (HEFA III).....	21,000,000	29,010,000	29,010,000		+8,010,000
(Obligations).....	(21,894,000)	(39,993,000)	(39,993,000)		(+18,099,000)
(Amount of new loans subsidized).....	(520,000,000)	(520,000,000)	(520,000,000)		
(2) Grants (HEFA I and II).....	43,000,000				-43,000,000
(3) State administration and planning (HEFA I).....	6,000,000	3,000,000	3,000,000		-3,000,000
(4) Federal administration.....	2,424,000	2,397,000	2,397,000		-27,000
(c) Language training and area studies (NDEA VI; Fulbright-Hays Act).....	8,000,000	15,300,000	15,300,000		+7,300,000
(d) University community services (HEA I).....	9,500,000	9,500,000	9,500,000		
(e) Aid to land-grant colleges (Bankhead Jones Act).....	10,080,000		5,040,000	+5,040,000	-5,040,000
(f) Undergraduate instructional equipment (HEA VI).....	7,000,000				-7,000,000
Subtotal, institutional assistance.....	140,854,000	98,057,000	103,097,000	+5,040,000	-37,757,000

Appropriation and activity	1971 comparable appropriation	1972 budget estimate	1972 committee recommendation	Change from budget request	Change from 1971 appropriation
4. College personnel development:					
(a) College teacher fellowships (NDEA IV)	\$47,350,000	\$26,910,000	\$26,910,000		-\$20,440,000
(b) Training programs (EPDA, pt. E)	10,000,000	10,044,000	10,044,000		+44,000
Subtotal	57,350,000	36,954,000	36,954,000		-20,396,000
5. Planning and evaluation (General Educational Provision Act, sec. 402)	900,000	900,000	900,000		
Total, higher education	967,639,000	1,814,111,000	1,215,451,000	-\$598,660,000	+247,812,000
Education professions development:					
1. Personnel training and development (EPDA, pts. B, D, and F; sec. 504)	67,900,000	59,700,000	59,000,700		-8,200,000
2. Special programs serving schools in low-income areas:					
(a) Teacher Corps (EPDA, pt. B-1)	30,800,000	37,435,000	37,435,000		+6,635,000
(b) Career opportunities and urban/rural school programs (EPDA, pt. D)	35,100,000	36,665,000	36,665,000		+1,565,000
Subtotal	65,900,000	74,100,000	74,100,000		+8,200,000
3. Planning and evaluation (General Education Act, sec. 402; EPDA, sec. 503)	2,000,000	2,000,000	2,000,000		
Total	135,800,000	135,800,000	135,800,000		
Libraries and educational communications:					
1. Public libraries:					
(a) Services (LSCA I, III)	40,709,000	18,000,000	40,709,000	+22,709,000	
(b) Construction (LSCA II)	7,092,500		8,000,000	+8,000,000	+907,500
Subtotal	47,801,500	18,000,000	48,709,000	+30,709,000	+907,500
2. College library resources (HEA II-A)	15,325,000	5,000,000	10,000,000	+5,000,000	-5,325,000
3. Librarian training (HEA II-B)	3,900,000	2,000,000	2,000,000		-1,900,000
4. Educational broadcasting facilities title III, pt. IV, Communications Act of 1934	11,000,000	4,000,000	11,000,000	+7,000,000	
5. Planning and evaluation (General Educational Provision Act, sec. 402)	400,000	400,000	400,000		
Total	78,426,500	29,400,000	72,109,000	+42,709,000	-6,317,500
Research and development (Cooperative Research Act, except as indicated):					
1. Educational research and development:					
(a) Educational research	11,959,000	7,500,000			
(b) Development	3,041,000	9,000,000			
Sesame Street	(2,000,000)	(5,000,000)	(5,000,000)		(+3,000,000)
(c) Institutional support (laboratories and centers)	33,406,000	34,000,000			
(d) Libraries and educational technology	2,171,000	3,000,000			
(e) Nutrition and health	2,000,000	500,000	2,000,000	+1,500,000	
(f) Drug abuse education (Drug Abuse Education Act of 1970)	6,000,000	6,000,000	8,000,000	+2,000,000	+2,000,000
(g) Environmental education (Environmental Education Act)	2,000,000	2,000,000			
Subtotal	60,577,000	62,000,000			
2. Experimental schools	12,000,000	15,000,000			
3. National achievement study	4,500,000	6,000,000			
4. Demonstrations	2,250,000	2,250,000			
5. Evaluations	4,000,000	4,000,000			
6. Dissemination (General Education Provision Act, sec. 412)	8,500,000	8,500,000			
7. Training	3,250,000	4,000,000			
8. Statistics	3,000,000	3,250,000			
Total	98,077,000	105,000,000	105,000,000		+6,923,000
Educational activities overseas (special foreign currency program) (Public Law 480)	3,000,000	3,000,000	3,000,000		
Salaries and expenses	44,800,000	48,979,000	47,700,000	-1,279,000	+2,900,000
Student loan insurance fund (HEA IV-B)	18,000,000				-18,000,000
Higher education facilities loan fund (HEFA III):					
1. Loans to higher education institutions:					
(Obligations)	(35,000,000)	(.....)	(.....)	(.....)	(-35,000,000)
2. Participation sales insufficiencies:					
(Obligations)	2,952,000	2,961,000	2,961,000		+9,000
(Obligations)	(30,150,000)	(33,003,000)	(33,003,000)		(+2,853,000)
Total	2,952,000	2,961,000	2,961,000		+9,000
Total, Office of Education	4,420,368,500	4,953,381,000	4,654,281,000	-299,100,000	+233,912,500
SPECIAL INSTITUTIONS					
American Printing House for the Blind	1,517,000	1,580,000	1,580,000		+63,000
National Technical Institute:					
1. Academic program	3,608,000	4,119,000	4,119,000		+511,000
2. Construction	21,836,000				-21,836,000
Subtotal	25,444,000	4,119,000	4,119,000		-21,325,000
Model Secondary School for the Deaf:					
1. Academic program	2,202,000	2,502,000	2,502,000		+300,000
2. Construction	250,000	14,958,000	14,958,000		+14,708,000
Subtotal	2,452,000	17,460,000	17,460,000		+15,008,000
Gallaudet College:					
1. Academic program	5,818,000	6,866,000	7,131,000	+\$265,000	+1,313,000
2. Construction	1,400,000	4,394,000	4,394,000		+2,994,000
Subtotal	7,218,000	11,260,000	11,525,000	+265,000	+4,307,000
Howard University:					
1. Academic program	24,570,000	30,321,000	30,321,000		+5,751,000
2. Construction	1,000,000	2,490,000	2,490,000		+1,490,000
3. Freedmen's Hospital	11,851,000	12,732,000	12,732,000		881,000
Subtotal	37,421,000	45,543,000	45,543,000		+8,122,000
Total, Special Institutions	74,052,000	79,962,000	80,227,000	+265,000	+6,175,000
Total, HEW items	4,494,420,500	5,033,343,000	4,734,508,000	-298,835,000	+240,087,500
Corporation for Public Broadcasting	23,000,000	35,000,000	35,000,000		+12,000,000
Grand total	4,517,420,500	5,068,343,000	4,769,508,000	-298,835,000	+252,087,000

Not distributed

The CHAIRMAN. The gentleman from Pennsylvania consumed 23 minutes.

The Chair recognizes the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, our distinguished chairman, the gentleman from Pennsylvania (Mr. FLOOD), has very well covered the bill in specific items. I would surely want to join with him in saying I am glad that we were able to conclude our hearings again this year at an early date and bring this education appropriation bill to you as the first major appropriation bill of the session. If the other body will kindly oblige, by moving ahead promptly there is no good reason why we cannot pass this bill, get together with the Senate in a conference to iron out our differences and have the measure enacted into law before the beginning of the new fiscal year July 1.

In preparing this bill we labored under several handicaps, not the least of which was the fact that there are a number of significant legislative proposals that the administration has pending before the authorizing committee, and as much as some of us would like to move in the same direction the administration would like to move, we are foreclosed from legislating on appropriation bills.

The new Commissioner of Education, Dr. Sidney Marland, made a fine presentation before our committee and set forth three major education goals:

First and foremost, we want to continue to promote equal education opportunities for all children. As the Commissioner said:

All barriers must be eliminated—those due to socio-economic status, location, sex, racial and ethnic discrimination, physical and mental handicaps and other disadvantages.

Our second major goal is to encourage changes to improve the educational system, and third to improve the management of our program hopefully to increase the efficiency and effectiveness of the limited resources available.

Mr. Chairman, you are aware of how critical I have been in the past of the growth of the U.S. Office of Education and more particularly the request for increased personnel.

In this budget the request for administrative funds has been held to only 1 percent of total program support. I would have to say that this is quite low when one considers the number and variety of programs with which the Office of Education has to deal on a daily basis. We have on the books over 100 programs affecting some 19,000 local school districts, 3,500 colleges and universities, including branches, 3,600 postsecondary vocational schools, almost 22,000 lending institutions, and countless other agencies and organizations.

The overall request of the administration of \$6.1 billion represents about 8 percent of the total national expenditures for education, and as the Commissioner said in his testimony he intends "To use this 8 percent as a level to achieve our three major goals."

If the legislative proposals being advanced by the administration were en-

acted into law, we would see 77 percent of the Office of Education's total budget going toward aiding the disadvantaged. The largest of the programs in this category is of course for educationally deprived under title 1 of the Elementary and Secondary Education Act would be maintained at the current level of \$1.5 billion. Almost 8 million children are now being served with emphasis being placed on the elementary level in low-income areas.

If the emergency school assistance proposition is enacted into law, there would be an additional billion dollars spent in this area.

Continuing with elementary and secondary education, we have \$143,393,000 for supplementary services title 3, the same amount as in the bill last year.

For library resources, title 2, we have an increase of \$5 million in our bill bringing the total to \$85 million.

For equipment and minor remodeling, title 3, NDEA, \$20 million in the bill. For dropout prevention, title 8, ESEA, we have provided \$10 million.

For bilingual education, title 7, ESEA, we increased the budget \$2 million and carried \$27 million in the bill.

For strengthening State Departments of Education, title 5A, ESEA, we have another significant increase over last year, bringing the figure to \$33 million.

The follow-through program, which was carried in the budget at \$60 million, expires on June 30, and because we cannot appropriate for that which is not authorized, this item was left out of the bill.

The planning and evaluation item was reduced by \$5 million from the budget from last year's level, and we carry it in this year's bill, \$3,825,000.

Now for the so-called impacted school aid, we are carrying \$577 million, an increase of \$137 million over the budget, and an increase of just a shade under \$26 million over the appropriation for 1971.

The \$562 million is for payments to school districts under Public Law 874. The other \$15 million is for assistance for school construction under Public Law 815.

The language in our bill continues the practice followed in last year's bill making special provision for payments for the education of children under section 3(a) for Public Law 874. These are children commonly referred to as "A" children, whose parents who both live and work on Federal property, mainly military bases which are not subject to local taxation. We are providing payments on account of these children to be made at 90 percent of full entitlement if they constitute less than 25 percent of the school district's total enrollment, and at 100 percent of full entitlement if they constitute 25 percent or more of total enrollment.

Now for those children whose parents who work, but do not live on Federal property, commonly known as "B" children, the bill provides that payments shall not exceed 68 percent of maximum entitlement.

I think it should be pointed out that this amount is more than adequate for this very sensitive area that touches no

less than 385 congressional districts around the country.

Personally I have been very critical of this particular program because it has gotten far afield of its original intent and purpose. And with all the criticism leveled at the program, I cannot for the life of me figure out why the legislative committee does not take the appropriate steps to remedy the inequities.

Nevertheless, knowing of most of the Members' interest in this item we have provided in this bill a 5-percent increase in dollars over last year even though the total number of students involved has been reduced by some 20,000.

Now there are going to be arguments made later in the day that we should add an additional \$138 million to not only begin making payments for the first time to districts where you have public housing units, but also to reverse the very, very minor corrections to the program that have been made via the appropriation process in the last two appropriation bills.

Now Mr. Chairman, we have another increase of \$5 million over the budget and a \$10 million increase over the appropriation for 1971 in the item education for the handicapped. The total figure is now \$115 million.

This includes \$37.5 million for State grant programs, an increase of \$2.5 million which will provide higher rates of payments per child for over 183,000 children, and allow initiation of new model programs.

We have \$7.5 million for early childhood projects and the increase over last year will provide for more an increased number of centers and put emphasis on developing training programs for preschool children. There is \$34.645 million for teacher education, and \$500,000 for recruitment and information. In research and innovation we have another increase, and we are now carrying \$33,805,000.

Now, if I might turn to vocational education, the budget presentation called for a grant consolidation with a figure of \$377 million which was slightly less in the aggregate than was appropriated for this purpose last year. The consensus in the subcommittee was for continuing the program pretty much as is with significant money increases.

As a matter of fact, we have a total increase for vocational and adult education of \$89,130,000 over the budget, and this is \$63,846,000 over the 1971 appropriation. In other words we are providing \$377 million for basic vocational education programs in the States and in addition we are providing \$20 million for students with special needs, \$21.2 million for consumer and homemaking education, \$6 million for work study, and \$19.5 million for cooperative education, and \$2.380 million for State advisory councils.

In vocational research we are still carrying \$16 million for grants to the State for innovation; \$4 million for curriculum development; \$18 million for research grants to the States; and \$18 million for research special projects. And finally \$55 million for adult education, and \$900,000 for planning and evaluation.

As I said, this gives us a total for

vocational and adult education of \$558,042,000.

For higher education the bill includes \$1,215,451, which is a reduction of \$598,660 from the budget request, and an increase of \$247,571,000 over the 1971 appropriation.

As we pointed out in our report on the bill, comparison here of your committee's recommendations with the budget request is difficult, because the request was based in part on the administration's proposal for revision of the authorized legislation.

The bill provides a total of \$1,024,400,000 for programs of student assistance in higher education, an increase of \$305,900,000 over the 1971 appropriation.

In this category, the bill includes \$116,400,000 for work-study grants for the 1971-72 school year which will provide grants to 430,000 students—the same as in the current year.

Already available for educational opportunity grants for 1971-72 is \$167,700,000, and for the following year \$165,300,000 is provided. This amount will allow 112,900 new grants to first-year college students in addition to renewal grants.

The bill also provides for the 1972-73 school year \$244,600,000 for work-study payments. This is an increase of \$57,200,000 over the amount available for the 1971-72 year and will give an additional 106,000 students work-study opportunities. An increase of \$100,000 is also included for cooperative education programs.

A total of \$196,600,000 is included for the continuation of the existing insured student loan program. This is an increase of \$36,600,000 over the budget request and will support a total new loan level of \$1,160,000,000 for fiscal year 1972.

Some \$293 million is provided for NDEA student loans, an increase of \$288 million over the budget request and \$50 million over the 1971 appropriation. This will provide for a total of 648,900 NDEA student loans, compared with the 1971 total of 560,400.

While the administration's budget recommended no funds for aid to land-grant colleges under the Bankhead-Jones Act the committee included \$5,040,000—half the 1971 appropriation.

For annual interest grants to subsidize loans for construction of higher education facilities, the bill includes \$29,010,000.

The Talent Search, Upward Bound, and college special services programs were funded at the levels requested in the budget, but our committee report makes special note of the need for increased attention to means of improving project evaluation and accountability in the Talent Search program.

I have been especially disturbed at some of the things I have found in this program. The goal of Talent Search is placement in postsecondary educational opportunities, but there appears to be a wide disparity in contract results and cost per student. I would refer those interested to our hearing record.

For education professions development, our bill includes the amount of the

budget request—\$135,800,000. Of this amount, \$37,435,000 is allocated for the Teacher Corps program, and will provide for an increase of 644 corps members.

Our committee increased funds for libraries and educational communications by \$42,709,000 over the budget request, making a total of \$72,109,000 available for fiscal year 1972.

Within the \$105 million allocated for research and development—the amount of the budget request—\$5 million will be committed to support "Sesame Street," \$2 million will go to nutrition and health, and \$8 million to drug abuse education.

For educational activities overseas the bill includes \$3 million, the amount of the budget request and the level of funding last year.

Some \$47,700,000 is provided for salaries and expenses. This is an increase of \$2,536,000 over the 1971 level and a reduction of \$1,279,000 from the budget request.

The bill also contains language permitting loans to be made from funds appropriated in prior years—the higher education facilities loan fund. In addition, \$2,961,000 is provided for payment of participation sales insufficiencies.

Included in the bill is \$1,580,000—the amount of the budget request—for the American Printing House for the Blind.

The National Technical Institute for the Deaf will receive an appropriation of \$4,119,000 under our committee bill.

The Model Secondary School for the Deaf would be funded at \$17,460,000, an increase of some \$15,028,000 over the 1971 level. Most of this increase will be for construction of facilities.

For Gallaudet College, the bill includes \$11,525,000, an increase over both the budget request and the 1971 appropriation. Again, construction of facilities will absorb much of the increase.

Howard University would be funded at \$45,543,000, the amount of the budget request.

The Corporation for Public Broadcasting would receive \$35 million, the amount of the budget request and an increase of \$12 million over the 1971 level.

Mr. Chairman, this will conclude my formal presentation and rather than go on to any greater length at this time, I would like to give way to my colleagues on the subcommittee who will have some special points to raise. Tomorrow when we read the bill for amendment, it is my understanding the gentleman from Maine (Mr. HATHAWAY), will offer a package of amendments with increases totaling \$728.6 million—practically three-quarters of a billion dollars. I would remind you again that in this bill your subcommittee has provided for significant increases of over \$100 million in excess of the budget. We are \$250 million over last year's level of spending and we think this is sufficient. I think I can predict with some measure of assurance that if this package is agreed to, we are going to be faced with another Presidential veto. Now there may be those of you who will take the position that politically you would like to see that come about, but I would remind you that you are certainly not doing the education community any good with this tac-

tic. If that happens, no one is going to know for a good long time what they are going to be able to spend out in the field and we may very well have some programs cut indiscriminately with an overall expenditure ceiling or a 2- or 3-percent cutting rider or some such thing. Most of you should recall what happened when this measure was vetoed before and I would hope we would not be going down that route again.

In conclusion, Mr. Chairman, this is a good bill. It ought to be supported and your subcommittee is unanimous in support of the dollar figure in this bill. I would hope, therefore, that you display a good measure of confidence in those of us who sat for months behind closed doors, hearing the testimony rather than give in to this outside pressure from the education lobby. Tomorrow we will have a good deal more to say in response to the specific increases which will be proposed and I do hope Members will stay on the floor and listen to the arguments both pro and con. I am confident that if you enter this Chamber with an open mind, you will give your committee a vote of confidence with an overwhelming rejection of the so-called Hathaway package.

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

Mr. MICHEL. I am happy to yield to the gentleman now.

Mr. KEITH. I thank the gentleman for yielding.

I want to compliment him on the excellent presentation he has been making as he reviewed the situation before the House.

I have been advised by some constituents who have an extraordinarily great interest in 874 that a point of order may be raised on this bill on the grounds that it constitutes legislation on an appropriation bill and that this point of order might be raised after the Hathaway amendment has been acted upon. Do you have any knowledge of the significance of that point of order and, if it were sustained, how it would affect the bill 874?

Mr. MICHEL. I am not sure what any Member may do and who will rise to make a point of order against any specific piece of language but, as I indicated in my earlier remarks, what language we have here currently is what will hopefully be carried forward. This will assure the "A" category districts with at least 25 percent or more students their 100-percent funding and the balance of the "A's" with 90 percent.

Mr. FLOOD. Mr. Chairman, will the gentleman yield to me?

Mr. MICHEL. I yield to the chairman.

Mr. FLOOD. I would like to say to the gentleman from Massachusetts, of course, we know this is not a new question. The committee is satisfied that there is no legislative language in this bill having to do with the impact aid program.

We have drawn the language very carefully. There are limitations with particular reference to the so-called impacted areas, but such limitations are in order on an appropriation bill.

Mr. KEITH. Mr. Chairman, if the gentleman will yield further, this you consider as a limitation on an appropriation bill?

The chairman feels a point of order would not then be sustained?

Mr. MICHEL. That is what the chairman has just said and I would have to concur. But, as I stated earlier, there are such things as Parliamentarians, and they do not always agree.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

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

Mr. SMITH of Iowa. I think the gentleman will agree in the event it were sustained it would mean that those children of parents that work on and are living on a base that go to an adjoining school district, that there would be less money paid for those children.

Mr. MICHEL. That is exactly correct and it is a very good point. I appreciate the gentleman from Iowa reminding us of that fact because it is more in direct response to the question of the gentleman from Massachusetts.

Mr. KEITH. Mr. Chairman, if the gentleman will yield further, that is exactly what my constituent feels with reference to the situation that confronts us in a town where we have, I believe, as much as 68 percent of our student body is from Federal installations of one sort or another.

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

Mr. MICHEL. I shall be glad to yield to the gentleman from North Carolina.

Mr. LENNON. Representing in my district what is even today, in spite of the reduction and hopeful freeze in the armed services, the largest base in America with respect to dependents, how does the committee arrive at the figure of 68 percent of the category of these students as an equitable percentage?

Mr. MICHEL. Over the last several years, we have said that the prime considerations ought to be given to the A's to be sure that we cover them 100 percent and 90 percent respectively, as has been outlined. Then the balance will be going to the B category.

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

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

Mr. LENNON. Let me illustrate what I mean. In one county in my district there are two school districts, and there are 17,582 students under category B. Most of those are sons and daughters of men serving in uniform. They live off the bases, or they would not be under category B, but a preponderant majority of them own trailers or mobile homes.

Under the Soldier and Sailor's Civil Relief Act of 1946 these are not subject to a personal property tax just as their automobiles are not subject. So here you have 17,500 children, in one county, which includes two school districts where there is no contribution made, either through the installation their fathers work on, the military bases, and no realty or ad valorem tax, and no personal property tax. So should not the Federal Government assume the total responsibility for these category B pupils who are in that particular situation, just like we do for those who live on and work on the bases?

Mr. MICHEL. I will say that the gentleman from North Carolina has an extraordinary problem that many of the other Members do not have to face.

Mr. LENNON. They do not have to face that.

Mr. MICHEL. So the problem is a critical one for the gentleman from North Carolina, but it seems to me that even though individuals are living in trailers, there ought to be a sufficient real estate tax assessed against the property on which the trailers are situated.

I am reminded that this very day an election is being held in my hometown to raise our tax base again to provide for some of our educational needs.

As I said before, I would hope this entire program would be reshaped and reformed to take care of those legitimately Federal impacted areas. And I would go further and confine that to military personnel. There is no good reason under the sun why civilian Federal employees such as those living in the Washington, D.C., suburbs ought to have their children's education subsidized any more than the average taxpayer.

Mr. LENNON. I have voted no when we expanded this to include the sons and daughters of Congressmen who are living in \$80,000 and \$90,000 homes in Maryland and Virginia.

Mr. MICHEL. And that is absolutely ridiculous.

Mr. LENNON. There is a new proposal to include low-cost housing, too, which is also ridiculous.

But to me it is a great inequity to say to the taxpayers of any local subdivision in this country that they should assume the entire burden for the education of those children whose parents pay nothing, either way, and something must be done about it.

Mr. MICHEL. The gentleman raises a very good point.

Mr. LENNON. I thank the gentleman for yielding.

Mr. MICHEL. Mr. Chairman, I reserve the balance of my time.

Mr. FLOOD. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado (Mr. EVANS).

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

The CHAIRMAN. The Chair will count.

Sixty-three Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 47]

Alexander	Colmer	Gray
Anderson, Ill.	Conable	Green, Pa.
Anderson,	Delaney	Grover
Tenn.	Dellums	Haley
Annunzio	Derwinski	Halpern
Ashley	Diggs	Hanna
Barrett	Dwyer	Hansen, Idaho
Biaggi	Eckhardt	Harrington
Blackburn	Edwards, Calif.	Hawkins
Bolling	Edwards, La.	Hays
Brasco	Eilberg	Hébert
Carey, N.Y.	Esch	Hicks, Mass.
Carney	Evins, Tenn.	Hosmer
Celler	Fish	Jones, Ala.
Chisholm	Flynt	Jones, Tenn.
Clancy	Frelinghuysen	Kluczynski
Clark	Fulton, Tenn.	Koch
Clay	Gallagher	Leggett
Collins, Ill.	Gibbons	Long, La.

Long, Md.	Murphy, N.Y.	Selberling
McClure	Nichols	Shipley
McCulloch	Pickle	Sikes
McEwen	Poage	Skubitz
McKay	Pryor, Ark.	Staggers
McKinney	Pucinski	Steele
Macdonald,	Purcell	Teague, Tex.
Mass.	Railsback	Terry
Mann	Rangel	Thompson, N.J.
Matsunaga	Rees	Tiernan
Meeds	Roe	Widnall
Metcalfe	Rosenthal	Wilson,
Mikva	Rostenkowski	Charles H.
Murphy, Ill.	Scheuer	Yatron

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 7016, and finding itself without a quorum, he had directed the roll to be called, when 336 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose the Chair had recognized the gentleman from Colorado (Mr. EVANS) for 5 minutes.

The Chair again recognizes the gentleman from Colorado (Mr. EVANS).

Mr. EVANS of Colorado. Mr. Chairman, I would like to add my comments to those of the gentleman from North Carolina (Mr. LENNON) when he was commenting on the position of one of the counties in his State and district, that is heavily dependent on category B impacted aid. The same thing is true in terms of some of the communities in my district where it is not uncommon to have school districts receive as much as 20 percent of their operational budget from category B funds.

With 20 percent of their operational budget coming from category B funds, it is annually almost an impossibility to plan your school year in advance, to know what you are going to have in terms of teachers, to be able to handle the number of students you have coming. Like my colleague, the gentleman from North Carolina (Mr. LENNON), most of the students are children of parents who serve in the U.S. Army or Air Force, and live in areas that do not have the capacity to fund their school costs solely through taxation for these school districts.

So again I commend the gentleman from North Carolina for his remarks, and join with him in urging the committee to keep this matter in mind, the matter of category B funds.

But I rise principally, Mr. Chairman, to refer to another matter.

First of all I would like to commend my colleague and good friend, the gentleman from Pennsylvania (Mr. FLOOD) for the expeditious work he and his subcommittee have done to bring this bill, the first general appropriation bill for fiscal year 1972, to the floor for consideration. I think this is a particularly singular achievement in view of the very real difficulties posed to him and his colleagues by the administration's request for major changes in educational programs, and funding not yet authorized by congressional legislation.

I would like to direct my remarks to

the expenditure of funds by the Office of Education under the Bankhead-Jones Act of 1935.

These funds are allocated to the States on a formula basis. And in this regard I would like to have the particular attention of the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. FLOOD), if I may.

I am talking, Mr. Chairman, about the Bankhead-Jones Act, and the funds allocated under this act. Those funds are allocated to the States on a formula basis, but in 16 States which have both—predominantly white—1862 land-grant colleges, and predominantly black—1890 land-grant colleges, it is the States themselves which decide on the division of funds between the two types of schools.

In Mississippi and in South Carolina the funds are divided about evenly, or equally, but in all other States with dual institutions where you have both white and black land-grant colleges, the allocation has historically been, and is presently heavily in favor of, and unfairly in favor of the predominantly white colleges and universities. Overall, approximately 72 percent of the funds are being given to the predominantly white schools, and only 28 percent is going to the predominantly black colleges.

Under these circumstances I would like to have my colleague, the gentleman from Pennsylvania (Mr. FLOOD), address himself to this aspect of the question:

Under these circumstances, what provisions or procedures does the Office of Education have and follow to assure that the distribution of Bankhead-Jones funds meets the requirement of title VI of the Civil Rights Act of 1964?

I would be glad to yield to the gentleman from Pennsylvania (Mr. FLOOD), to respond to that question.

Mr. FLOOD. If the gentleman would yield, as I am sure my friend, the gentleman from Colorado, (Mr. EVANS) knows, according to the tables that we have, which were prepared at our request, by the way, by HEW, the appropriations in the bill for the Office of Education will support the black colleges and the students in them, at the level of \$181,500,000 in fiscal year 1972. This is our proposal, \$181,500,000. This is an increase of about \$25 million over fiscal 1971 for these same programs.

There is, as you know, a slight reduction of \$660,000 in the amount that these colleges will receive under the Bankhead-Jones Act. This is more than offset by the increase of over \$3,000,000 in funds which these institutions will receive, as my friend knows, under the program of aid for developing institutions.

The figures I have just cited do not include Howard University—this is a predominantly black institution, one of our favorites in this committee. This bill includes a total of \$30,321,000 for operating costs for Howard University, which is an increase of \$5,751,000 over the 1971 appropriation.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. EVANS of Colorado. Mr. Chairman, may I have 2 additional minutes?

Mr. FLOOD. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. EVANS of Colorado. I have two questions, Mr. Chairman.

In connection with the question of distributing these Bankhead-Jones funds in the past, it is a question of whether or not title VI of the civil rights act applies to the determination by the State agencies as to the manner they have split it between white and black colleges.

Mr. FLOOD. You see, in a situation where there is no black school—what are you going to do about it? That is about where you are.

Mr. EVANS of Colorado. As I understand it, title VI must be followed.

Mr. FLOOD. Under title VI?

Mr. Chairman, we can only assume that the Bankhead-Jones money will be treated the same way under the Civil Rights Act as all other grant programs under that law.

Mr. EVANS of Colorado. Mr. Chairman, I have one more question.

The administration itself is phasing out Bankhead-Jones money and intends to replace it with funds under title III of the Higher Education Act.

Mr. FLOOD. That is correct, as far as the Bankhead-Jones funds are concerned.

Mr. EVANS of Colorado. My question is this.

Since Bankhead-Jones money could be spent in supporting the educational institution itself in salaries and operation expenses and since title III does not allow its funds to be so used, I am concerned, and I hope the Committee is concerned, about expenditures in the future to support the operational functions of these black land-grant colleges.

Mr. FLOOD. Of course, as my friend knows, there is also a permanent appropriation of \$2,600,000 under the Bankhead-Jones Act.

There is at the present time no other legislative authorization for formula grants in support of operating expenses of higher education institutions.

If there is a law required, then of course we can try to get such legislation enacted. I agree with you, I would like to see it done, but based on need, and that is what is lacking in the Bankhead-Jones formula. But there is still a basic permanent grant under the Bankhead-Jones Act, in addition to the annual appropriations of \$5,040,000 for land-grant colleges which is included in the bill as reported by the Committee.

Mr. EVANS of Colorado. I wish to advise the chairman and the committee that at the appropriate time I will offer an amendment as to the Bankhead-Jones Act.

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Chairman, in his message to the Congress received today from the President, he said:

The education of our children transcends partisan politics.

Let me emphasize that our subcommittee on appropriations in reporting to you today this bill has worked above partisan politics. We have had an almost

unanimous consensus as we have gone through in making this report. I give great credit to the gentleman from Pennsylvania (Mr. FLOOD) for his fairness and his leadership in bringing this bill to you, which is responsible and adequate for the Federal Government's part in financing education needs in 1972.

Mr. Chairman, for nearly a month the Appropriations Subcommittee for Labor, Health, Education and Welfare, on which I serve, heard 141 witnesses. Their testimony fills almost 2,500 pages with statements and answers to our questions. The importance of these education programs to our Nation and the fact that they amount to approximately \$5 billion this year certainly justify these extensive hearings.

During the present school year, our Nation is spending in excess of \$75 billion for education. This represents 7.4 percent of our 1970 gross national product, and it is higher than the percentage spent for national defense. Federal funds in this bill and other appropriations measures account for 11 percent of the total national expenditure for elementary and secondary education and 20 percent of the total expenditures for higher education.

This is a lot of money, and adequate financing methods are becoming harder and harder to find. Twenty-eight States, including my own State of Kansas, have initiated studies into the alternatives available for additional funding for their public schools. The revenue figures tell us why: While the Federal Government spends about 6.9 percent of its revenues for public schools, the States spend 41 percent of their revenues and locally 52 percent is spent for education.

For the second year in a row, our subcommittee has separated this education measure from the appropriations for labor, health and welfare programs, which will come later. It is important that our schools and colleges know well in advance how much money will be available for individual programs, so that they can more effectively plan for the coming school year. The 1972 fiscal year begins July 1, and with House action this week, it is hoped that final action can be taken on this bill well before that date.

I should note that even though the House passed the fiscal 1971 appropriation for education last April 14, final action was not taken until August 18. To compound this delay, the Office of Education did not allocate the fiscal 1971 funds until last November. We should make very clear that in acting early on this bill, it is the intent of the House that final action and the allocation of funds be accomplished by the start of the 1972 fiscal year.

As reported from our committee, this bill includes \$4.7 billion for the U.S. Office of Education and an additional \$115 million for related agencies, such as the Corporation for Public Broadcasting, the American Printing House for the Blind and the National Technical Institute for the Deaf. The education appropriation represents an increase of \$226 million over last year's figure and \$101 million over the budget request for those programs which have been authorized. I

well realize that more funds could be used for education, and many of us would like to see the Federal Government involved to a greater extent, but considering all of the priorities for spending the Federal dollar, I feel, our committee has recommended a good bill and one that can be defended and justified.

The bill included \$1.8 billion for elementary and secondary education, most of which is for educationally deprived children. Library resources for schools will receive \$85 million, an increase of \$5 million, as we begin to implement the President's right-to-read program. Funds are also provided for dropout prevention, bilingual education for children who cannot speak English, and equipment and minor remodeling.

For the impacted area aid program, the committee recommends \$577 million, an increase of \$137 million over the budget and \$26 million over last year.

This appropriation for impacted aid will fund 100 percent of the costs of educating pupils whose parents live and work on Federal property, and thus pay no local taxes, in school districts where such pupils account for more than 25 percent of total enrollment. In districts where these students account for less than 25 percent of enrollment, 90 percent of entitlement would be provided.

For children whose parents work but do not live on Federal property, and thus pay some local taxes, the bill provides 68 percent of the maximum entitlement under the law. Affected school districts will benefit directly from this increase, since the budget request would have furnished only 42 percent of full entitlement for these children.

In an area of growing importance, the committee recommends an appropriation of \$558 million for vocational and adult education. This is an increase of \$64 million over the 1971 appropriation, and it reverses a reduction in this item which was proposed in the budget.

The committee also separated several individual programs under this heading, such as consumer and homemaking education, the work-study program, and programs for students with special needs.

States have been increasing expenditures for vocational education by about \$250 million each year and are maintaining an overall matching ratio of about \$5 of State and local expenditures to each \$1 of Federal money.

In adding these funds for vocational and adult programs, we are recognizing the fact that present school curriculum does not meet the needs of the large proportion of our population who do not go on to higher education. We must find ways to combine work experience with classroom training at the secondary school level. In this way we can help our high schools take a more active role in preparing students for actual employment and helping them get jobs.

The bill includes \$115 million for education for the Handicapped, an increase of \$10 million over last year and \$5 million over the budget request. We have approximately 1.8 million handicapped children in our country today, only 40 percent of whom are being assisted by appropriate educational services.

The committee faced the problem of a lack of the necessary authorizing legislation for several of the higher education budget requests. Even after these items are removed from the bill, the \$1.2 billion recommended represents an increase of \$247 million over the 1971 appropriation.

As pointed out in the committee report, we were faced with two alternatives: To include no funds in the bill for higher education pending the passage of extensive revisions which have been proposed by the administration; or to include adequate funds to continue existing programs. The latter course was chosen, and I believe wisely so. The committee will be happy to hear further requests

based on the new legislation as finally enacted.

These are but a few of the highlights of the committee's recommendations. The bill is as large and complex as our education system itself. The funds are badly needed, both to stimulate programs in needed areas, and to relieve somewhat the burden of rising education costs now being borne by property taxpayers, parents, and students. The house is acting promptly on this appropriation, and it is hoped the Senate will do the same.

Let me just add to the colloquy had a few moments ago between the gentleman from Colorado and the chairman as to the aid to black colleges and the importance of this issue as considered by our subcommittee. In the year 1970 there was appropriated for aid to black colleges \$96,205,000. For 1972 this bill has \$173,470,000. That is \$173 million as compared with \$96 million. It is almost a doubling in the 2-year period of Federal aid and support for the black institutions of higher learning, which indicates the interest and concern of this subcommittee in connection with this important matter of education.

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

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

Mr. MICHEL. Mr. Chairman, I would hope the gentleman will include at this point in his remarks the comprehensive table that he may or may not have that would pretty well spell this out in detail. He made a very cursory review of what we have done, but there has been a considerable amount. Particularly for the sake of the record and so it will be available in tomorrow's RECORD, I would suggest the gentleman put in that table.

Mr. SHRIVER. Mr. Chairman, I include the chart which shows the complete funding that I have previously referred to:

OFFICE OF EDUCATION, AID TO BLACK COLLEGES

	Year appropriated			Academic year of impact			
	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972	1969-70	1970-71	1971-72	1972-73
Higher education appropriation:							
Educational opportunity grants.....	\$16,874,000	\$17,105,000	\$17,000,000		\$16,874,000	\$17,105,000	\$17,000,000
College work-study.....	9,824,880	21,499,500	33,207,000		18,894,880	23,497,000	22,140,000
Direct national defense student loans.....	11,218,000	13,950,000	18,890,000	\$11,218,000	13,950,000	18,890,000	18,890,000
Subsidized insurance loans (loan volume) ¹	26,029,000	31,000,000	35,960,000	26,029,000	31,000,000	35,960,000	38,130,000
Cooperative education.....	750,000	800,000	850,000		750,000	800,000	850,000
Upward bound.....	4,744,000	5,700,000	5,985,000		4,744,000	5,700,000	5,985,000
Special services.....	2,182,000	3,300,000	3,450,000		2,182,000	3,300,000	3,450,000
Talent search.....	510,000	600,000	600,000		510,000	600,000	600,000
Facility loans (direct).....				\$525,000	\$20,000,000		
Facility loans (loan level).....	4,167,000	30,000,000	30,000,000	4,167,000	30,000,000	30,000,000	\$30,000,000
University community services.....	254,000	260,000	275,000	254,000	260,000	275,000	\$275,000
Land grant programs.....	1,431,000	1,506,000	846,000	1,431,000	1,506,000	846,000	\$187,000
HEA-VE institutes.....	955,000	1,461,000	1,650,000		955,000	1,461,000	1,650,000
HEA-VE fellowships.....	205,000	232,000	273,000		205,000	232,000	273,000
College teacher fellowships.....	138,000	190,000	157,000		138,000	190,000	157,000
Developing institutions.....	17,014,000	20,945,000	24,227,000		17,014,000	20,945,000	24,227,000
Subtotal higher education: Using loan level.....	96,295,880	148,548,500	173,470,000		158,982,880	159,801,000	163,914,000
Other appropriations:							
Education professions development:							
State grants.....	425,000	425,000	200,000		425,000	425,000	200,000
Teacher development in desegregating schools.....	9,466,000	4,900,000	4,900,000		9,466,000	4,900,000	4,900,000
Teacher Corps.....	811,000	1,500,000	1,500,000	811,000	1,500,000	1,500,000	\$1,500,000
College library resources.....	300,000	1,350,000	1,350,000		300,000	1,350,000	1,350,000
Librarian training.....	105,000	122,000	80,000		105,000	122,000	80,000
Subtotal other appropriation.....	11,107,000	8,297,000	8,030,000		11,796,000	8,297,000	8,030,000
Total, Office of Education.....	107,402,880	156,845,500	181,500,000		170,778,880	168,098,000	171,944,000³

¹ Estimated amount of loans to students attending black colleges.

² This amount to be supported by fiscal year 1973 appropriation. It is included here for comparability purposes.

³ These are funds recovered from prior year loans to other institutions.

Mr. FLOOD. Mr. Chairman, I yield 1 minute to the gentleman from Maryland.

Mr. MITCHELL. Mr. Chairman, I will be very brief. I simply wish to call to the attention of Members of the House the same two pernicious amendments in the legislation that we have had in the past 2 years, sections 309 and 310, both of which have appeared with regularity when we have considered the matter of education and funding of education.

I am concerned not so much about the effect of these amendments as I am convinced that their purpose is only to confuse. I think these two sections, sections 309 and 310, hold out false promises to those who continue to defy the law of this land and to undercut those who seek to comply. It seems to me that if these amendments are allowed to stay in this bill, we are once again establishing a climate in which some Governors of Southern States will become emboldened to stand in the doorway of the progress in this country.

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the gentlewoman from Illinois (Mrs. REID).

Mrs. REID of Illinois. Mr. Chairman, as a member of the Subcommittee on Labor-HEW appropriations, I first want to express my appreciation to our chairman, the gentleman from Pennsylvania (Mr. FLOOD) and to the ranking minority member, the gentleman from Illinois (Mr. MICHEL) and other members of the committee for their hard and diligent work and cooperation on this legislation.

The bill before us today—H.R. 7016—carries funds totaling approximately \$4.7 billion to cover all the activities directly connected with and administered by the U.S. Office of Education. It is an increase of \$251.3 million over the 1971 appropriation, and a net total of \$101 million over the President's request for authorized programs. The committee has made reductions for those proposals for funding new student aid programs which have not as yet been authorized—and these will most likely be included later in a supplemental bill. I do feel our committee has done a commendable job in meeting its responsibility by reporting the bill to the House early in this session, and by giving priority to adequate funding for those programs which have proven to be most effective and worthwhile—such as library services and construction, vocational, and adult education, education for the handicapped, educational communications, and others. While we have tried to adhere as closely as possible to the President's budget recommendations, we do realize the great needs in education and have given very careful consideration to all items—making increases in those areas where we felt the requested amount was not adequate. However, it is essential that we show some restraints. In deciding our priorities, significant, and overriding points must be weighed. Education is one of the Nation's largest domestic businesses and like all businesses, it has been hit hard by the effects of inflation. As we see the education dollar producing fewer results because of continually rising costs, it is essential that Congress do its part to insure a budget that at the very least will

not stimulate more increased costs in this area.

It has been pointed out that the committee is continuing the practice initiated last year of reporting out a separate appropriation bill for education in the hope that the legislation will be enacted early so that school districts, State departments of education, colleges, and others who are involved in our Nation's educational system will be able to make more orderly plans for the next school year. I certainly support these efforts. The dedicated and hardworking men and women who finance and administer the schools of every level, public and private, in classroom and library, in laboratory and shop, have stressed the importance of early and accurate funding information so that they can do a better job in the public interest of carrying on their labors. In a very real sense, early consideration of this bill is a benefit which hopefully will repay dividends of accomplishment and economy and which will increase the efficiencies of our educational operations.

The major items in the bill have been covered thoroughly by other members, but there are several matters of particular interest on which I would like to comment briefly.

The committee has approved the full amount of the budget request of \$1.5 billion for grants for the educationally deprived under title I of the Elementary and Secondary Education Act—the same amount which was appropriated in fiscal year 1971. I was impressed by the testimony presented to the committee about efforts of the Office of Education to tighten up the administration of the title I program so that the funds will be used more effectively for improving the educational achievement of disadvantaged children, which is the purpose the Congress intended this program to serve. I hope the economies and improvements achieved thereby will more than offset rising costs. Turning to another area, I think that most of us are aware of the importance of good books and library services in the educational process. In order to further encourage the emphasis on improvement of reading skills which was initiated by the Office of Education last year, the committee has added \$5 million over the budget request for school library sources. We also restored the appropriation for public library services to the 1971 level of \$40.7 million and added \$8 million for library construction grants.

Another item in which there is much interest is the appropriation for vocational and adult education. I have long thought that the high unemployment rate of young people in this country and the fact that we are spending hundreds of millions of dollars for manpower training programs through the Department of Labor indicates that the present education curriculum does not meet the needs of a large proportion of our school age population. About 45 percent of the secondary school population will go on to some form of higher education. This leaves a large number whom the schools should be preparing to go out into a vocational field—and there is certainly a great need for more skilled technicians. I also agree with the Advisory Council

on Vocational Education and others who feel that efforts should be made to find ways to combine work experience with classroom training at the secondary school level, and with those who urge that high schools adopt an active role in finding employment for students. Taking these matters into consideration, the committee approved the full amount of the budget request for basic vocational educational grants to the States, an increase of \$61.3 million over the 1971 level. In addition, the committee restored funds for several categorical grant programs such as the \$21.2 million appropriation for consumer and homemaking education, which is so important in today's world.

While the hearings revealed that we are coming to an end of our chronic teacher shortage, there are still shortages in such areas as vocational-technical education, special education, preschool education, bilingual education, and counseling and guidance personnel. There are also geographical shortages in many individual urban and rural school districts as well as serious problems of quality. In view of this the committee approved the full amount of the budget request of \$135.8 million for education professions development.

The use of broadcasting and television is playing an ever-increasing role in the educational process—and impressive testimony was presented about the expansion of educational broadcasting facilities. This is a cooperative venture between the Federal Government, the States, and the local communities. Although the present ratio is 3 to 1 of Federal dollars to local dollars, in fact, the way it works out in practice is that each Federal dollar in the program generates more than 11 non-Federal dollars that come in from State legislatures, from universities and colleges, from business, foundations, city and county commissions, and individual citizens. The committee recommends that \$11 million be appropriated for Federal matching grants in this program. This is the same amount provided in fiscal year 1971 and it is \$7 million over the budget requests. Although it will not be sufficient to fund the pending backlog of applications, it should assure continued progress in this field.

In order to continue research on education and develop new techniques, the committee has included \$106 million for research and development. Within this total \$5 million is to be allocated to the further development of "Sesame Street," the popular preschool television production; \$2 million to nutrition and health; and \$8 million to drug abuse education—which is a most important and needed function.

I believe that most of us will agree that all of the programs included in this Office of Education appropriation bill have very worthy goals and objectives. Furthermore, it is a well known fact that all of our schools—from the elementary level through higher education, need and could use more money—and it is hoped that some of the problems can be solved eventually through the President's revenue-sharing proposal. However, our re-

sources at the Federal level are not unlimited—and in my judgment, the bill which has been presented is a good compromise in that we have attempted to establish priorities and give adequate funding to those programs which have proved to be effective and worthwhile—and I am hopeful that the House will approve our recommendations.

Mr. FLOOD. Mr. Chairman, I yield 5 minutes to the gentleman from Maine (Mr. HATHAWAY).

Mr. HATHAWAY. Thank you, Mr. Chairman.

Mr. Chairman, the matter now before the House addresses itself to some of the most critical matters now facing our Nation. Some Members have suggested to me that the increase I seek for education over the committee bill is not justified in view of the fact that the committee has undertaken to restore some of the cuts proposed in the budget and in some instances has even increased amounts appropriated by the Congress last year.

In response to this I would first say that the increases for reduction proposed in the package amendment provide an extremely modest approach for solving the critical crisis confronting education programs from elementary school through college level.

Further, I would ask that you observe with me the committee report tabulations which show many cuts in vital areas from last year's appropriation totaling \$120.9 million.

Mr. Chairman, to defer the construction of a road or a bridge or a building

from one year to the next may cause great inconvenience to the public. It may be damaging to the economy of the region. It may result in higher costs for the construction of the facility when it is finally programed. Yet as damaging as a slowdown in these areas may be, the backlog of neglected items can be brought up to date in a concentrated effort.

But the loss of educational services in the early years of the life of a child can never be effectively recovered. We cannot erase our neglect and go back and supply the deficiencies in educational services that should have been supplied in that year in that person's life.

An estimated 36,300,000 public and nonpublic schoolchildren will enter the classrooms of our elementary schools this September. About 700,000 more than last September. The provisions of the Elementary and Secondary Education Act affect large numbers directly and most all of them indirectly. Yet under the budget proposal and under the bill as reported we must cut back services to children now participating in programs or to deny the provisions of services. Thus my bill would restore funding for title III of the National Defense Education Act to last year's level, provide modest increases for school libraries, textbooks and other instructional materials, add funds for the dropout program and additional funds for title I of the Elementary and Secondary Education Act which will be provided with capabilities of less services than we appropri-

ated for last year if the same level of funding is maintained.

Thus for elementary and secondary education the amendment provides less than a 10-percent increase over last year. This, indeed, is fiscally modest at a time when there is talk of the need for an expanded Federal budget simply for economic reasons.

Because of the crisis in funding education in our inner city schools the amendment calls for funding, for the first time, payment to school districts on account of children attending its schools but who live in low-rent public housing projects. The authorization for these payments is a result of the passage of Public Law 91-230 and furnishes an immediate way of providing substantial help to extremely hard-pressed elementary and secondary schools.

In time, the amendment is a modest increase in what I consider the most important investment we can make in the future of this Nation—an investment in our children.

While I have supplied details over the past several days on the education programs which will receive increased Federal funds as a result of the amendment that I propose to offer on April 7 during the reading of the Office of Education and related agencies appropriations bill for fiscal year 1972 in order to provide in precise detail the amounts for each program as they are affected by my amendment I submit for the CONGRESSIONAL RECORD at this point the following data:

TABLES SHOWING EFFECT OF HATHAWAY AMENDMENT TO H.R. 7016

	1971 comparable appropriation (in millions)	Committee recommen- dation	Amount of increase in package	Page		1971 comparable appropriation (in millions)	Committee recommen- dation	Amount of increase in package	Page
Elementary and secondary education:					Institute assistance:				
ESEA I.....	\$1,500.0	\$1,500.0	+\$150.0	1	HEA III.....	\$33.85	\$38.85	+\$52.0	14
ESEA II.....	80.0	85.0	+5.0	2	Grants (HEFA I).....	43.0		+94.0	13
ESEA III.....	143.393	143.393	+15.0	3	HEA I.....	9.5	9.5	+6.5	16
NDEA III.....	50.0	20.0	+30.0	8	Aid to land-grant colleges.....	10.08	5.04	+7.08	15
ESEA VIII (dropout).....	10.0	10.0	+1.0	5	HEA VI.....	7.0		+7.0	20
ESEA V-A.....	29.75	33.0	+7.0	4	College personnel development:				
School assistance in federally affected areas Public Law 874.....					NPDA IV.....	47.35	26.91	+8.4	9
Public housing (part C).....	536.068	562.0	+106.316	6	EPDA (part E).....	10.0	10.044	+1.0	9A
Education for the handicapped.....	105.0	115.0	+5.0	7	Education professions development:				
Vocational and adult education.....	494.196	558.042	+84.0	10	personnel training and development.....	67.9	59.7	+8.0	15A
Adult education.....	(55.0)	(55.0)	+(35.0)	12	Libraries and Education Committee:				
State advisory councils.....	2.38	2.38	+1.82	11	LSCA I, III.....	40.709	40.709	+13.0	21
Higher education:					LSCA II.....	7.0925	8.0	+2.0	22
Student assistance grants and work study.....	327.7	¹ (116.4) (411.6)	+30.0	19	College library resources:				
Special programs for the disadvantaged, Upward bound, etc.....	50.035	50.1	+5.0	19	HEA II-A.....	15.325	10.0	+9.3	17
					HEA II-B.....	3.9	2.0	+2.0	18
					Research and development.....	98.077	105.0	+3.5	23
					Total.....		728.916		

¹ The total appropriation of \$528.0 is designed for the first time to cover 18 months. \$116.4 is in the nature of a supplement to the fiscal year 1971 appropriation of \$327.7. Only \$411.6 will be available for the 1972-73 academic year.

Mr. FLOOD. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa (Mr. SMITH).

Mr. SMITH of Iowa. Mr. Chairman, I listened attentively to the remarks of the gentleman from Maine (Mr. HATHAWAY) and to some extent I am reminded of the number of years that many of us have tried to figure out better farm programs. Almost every farmer in America can figure out a farm program that fits his farm and he does not understand why the national program cannot be exactly that way.

Well, Mr. Chairman, we are writing a bill here today for all the United States

of America, and with any bill someone can say it would be better if it gave greater emphasis to some one area or if there were more funds appropriated and in which I am interested. But, after all, we do have the responsibility to try to come up with a balanced bill. That is what we have tried to do here.

Mr. Chairman, I am one of those who have supported higher funds for education and who has voted to override vetoes. But I do realize, whether we like it or not, the President of the United States has something to say about this. In other words, it requires a two-thirds vote to override his veto.

Mr. Chairman, it is my firm opinion based upon past experience that we cannot increase this bill by the sum of \$728 million and avoid a Presidential veto. I do not believe it can be done. I do not have any inside pipeline to the White House, but based upon past experience, it is not possible to do so. So, what we want under the circumstances is to hold the profile and exposure as to the amount of funds involved a little bit low and then come up with the best balanced bill you can get.

Mr. Chairman, that is the approach we use in this bill. In my opinion if you want to be sure to do less for education

in the long run and delay the bill now pending before us, until probably next Christmas, like we did in fiscal 1970, then I would say the best way to do it would be to vote for a big package and thereby almost guarantee that there will be a veto that probably could not be overridden.

It is also probably appropriate to note also that the President only today submitted to the House his proposal on revenue sharing as it affects education.

Obviously, in submitting this proposal the same day on which we bring up the appropriations bill, the Administration did not really think that it would be in effect in time for the appropriations covered by this bill. Therefore, we have had to submit this bill on the basis of on-going programs without regard to the revenue-sharing proposal.

Mr. Chairman, this bill has been submitted and the appropriations made in accordance with the on-going author-

izations. In view of that, we have tried to orient these various appropriations under the many, many programs to bring about the balance that you can expect to get out of a \$4.5 billion bill.

In doing that, we have made a number of increases.

I will place in the RECORD some tables that show the exact programs that have been increased by a total of over \$634 million.

To be sure, Mr. Chairman, there have been some decreases. There had to be because some of the proposals were not authorized or came under the revenue-sharing proposal which was only submitted today.

Mr. Chairman, I think on balance the best way to help education is to ignore those who just want to play politics with whatever bill comes out. Even if we came out with a \$10 billion bill, there would be some people who would offer a substitute and who would want to appropriate more

money because they want people to think they are more for education than someone else.

However, Mr. Chairman, I think the best way to help education and to get results is to take the practical approach and that is by supporting this bill and with proper justification provide reasonable further increases in certain programs. I could name three or four at least which should be brought before the Senate when this bill goes over there and when we go to conference we will agree upon some kind of package that can get by a Presidential veto, or if it does not, it will have the support of enough Members so, if necessary, we could override the veto.

For those who seriously want to help provide for education instead of playing politics with education, that is a much more practical and better way to proceed with this bill.

(The material referred to follows:)

INCREASES IN THE 1972 EDUCATION APPROPRIATION BILL AS RECOMMENDED BY APPROPRIATION COMMITTEE

Appropriation and activity	1971 comparable appropriation	1972 budget estimate	Committee recommendation	Change from budget request
Elementary and secondary education:				
Aid to school districts:				
Library resources	\$80,000,000	\$80,000,000	\$85,000,000	+\$5,000,000
Equipment and minor remodeling	50,000,000		20,000,000	+20,000,000
Bilingual education (ESEA VII)	25,000,000	25,000,000	27,000,000	+2,000,000
Total	155,000,000	105,000,000	132,000,000	+27,000,000
School assistance in federally affected areas: Maintenance and operations (Public Law 874)	536,068,000	425,000,000	562,000,000	+137,000,000
Education for the handicapped:				
State grant programs (EHA, pt. B)	34,000,000	35,000,000	37,500,000	+2,500,000
Research and innovation: Deaf-blind centers (EHA, pt. C, sec. 622)	4,500,000	5,000,000	7,500,000	+2,500,000
Total	574,568,000	465,000,000	607,000,000	+142,000,000
Vocational and adult education:				
Grants to States for vocational education:				
Programs for students with special needs (VEA, sec. 102(b))	20,000,000		20,000,000	+20,000,000
Consumer and homemaking education (VEA, pt. F)	21,250,000		21,250,000	+21,250,000
Work-study (VEA, pt. H)	5,500,000		6,000,000	+5,000,000
Cooperative education (VEA, pt. G)	18,500,000		19,500,000	+19,500,000
State advisory councils (VEA, pt. A, sec. 104)	2,380,000		2,380,000	+2,380,000
Vocational research:				
Grants to States for innovation (VEA pt. D)	16,000,000		16,000,000	+16,000,000
Curriculum development (VEQ, pt. I)	4,000,000		4,000,000	+4,000,000
Total	87,630,000		89,130,000	+89,130,000
Higher education, student assistance:				
Subsidized insured loans: Interest on prior-year loans	143,200,000	160,000,000	196,600,000	+36,600,000
Direct loans (NDEA II)	243,000,000	5,000,000	293,000,000	+288,000,000
Institutional assistance: Aid to land-grant colleges (Bankhead-Jones Act)	10,080,000		5,040,000	+5,040,000
Total	396,280,000	165,000,000	494,640,000	+329,640,000
Libraries and educational communications:				
Public libraries:				
Services (LSCA I, III)	40,709,000	18,000,000	40,709,000	+22,709,000
Construction (LSCA II)	7,092,500		8,000,000	+8,000,000
College library resources (HEA II-A)	15,325,000	5,000,000	10,000,000	+5,000,000
Educational broadcasting facilities, title III, part IV, Communications Act of 1934	11,000,000	4,000,000	11,000,000	+7,000,000
Total	74,126,500	27,000,000	69,709,000	+42,709,000
Research and development (Cooperative Research Act, except when indicated): Educational research and development:				
Nutrition and health	2,000,000	500,000	2,000,000	+1,500,000
Drug abuse education (Drug Abuse Education Act of 1970)	6,000,000	6,000,000	8,000,000	+2,000,000
Total	8,000,000	6,500,000	10,000,000	+3,500,000
Gallaudet College academic program	5,808,000	6,866,000	7,131,000	+265,000
Grand total	1,301,422,500	775,366,000	1,409,610,000	+634,244,000

Increases over 1971 appropriations recommended in H.R. 7016 as reported from Committee on Appropriations	Increase
Elementary and secondary education:	
Library resources (ESEA II)	+\$5,000,000
Bilingual education (ESEA VII)	+2,000,000
Strengthening State departments of education (ESEA V-A)	+3,250,000

School assistance in federally affected areas	+26,343,000
Education for the handicapped	+10,000,000
Vocational and adult education	+63,846,000
Higher education:	
Grants and work-study programs (HEA 1965, title IV)	+200,300,000
Subsidized insured loans (HEA 1965, title IV): Interest on insured student loans	+53,400,000

Program administration	+2,200,000
Direct loans (NDEA II)	+50,000,000
Special programs for the disadvantaged (HEA 1965, title VI):	
Upward bound	+65,000
Strengthening developing institutions (HEA III)	+5,000,000
Construction: Subsidized loans (HEFA III)	+8,010,000
Language training and area studies (NDEA VI); Fulbright-Hays Act)	+7,300,000

Education professions development:	
Special programs serving schools in low-income areas (EPDA, Part B-1, Part D)-----	+8,200,000
Libraries and educational communications:	
Public libraries (LSCA I, II, III)-----	+907,500
Research and development--	+6,923,000
Salaries and expenses-----	+2,900,000

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. CONTE), a member of the subcommittee.

Mr. CONTE. Mr. Chairman, before I go into my prepared discussion, which I have here today on the bill, I want to advise my colleagues that on tomorrow when we get into the amendment stage of the bill I will offer an amendment to strike out sections 309 and 310, the so-called Whitten amendments, and I will be joined in that effort by the gentleman from Ohio (Mr. STOKES).

Mr. Chairman, earlier this year I was faced with a difficult decision. Having served on both the Treasury-Post Office and Foreign Operations Subcommittees of the Committee on Appropriations during my 12 years in Congress, I was offered a position on the distinguished Labor-HEW Subcommittee. In order to assume that position, it was necessary for me to relinquish my posts on the two other subcommittees.

My many years of working with the programs and personnel of the agencies under their jurisdiction provided me with a working knowledge of many of our country's most vital activities.

I shall miss my relationships with these subcommittees. Nonetheless, I am most gratified with my new position on the Labor-HEW Subcommittee, since it is intimately involved with so many of the programs that contribute to the lifeblood of this great Nation.

The first product of the subcommittee this year is the education appropriations bill. Some of my distinguished colleagues from the subcommittee have already explained the features of that bill in great depth. And I will not repeat their efforts here.

What I would like to do now is focus on some of the important issues that are embodied in this bill. Our educational system is a multifaceted one in which the important roles of all the various educational programs must be recognized and encouraged. This Nation must face up to the problem of rising educational costs without further delay.

For in the final analysis, the future of our society will depend upon the success of our efforts to prepare today's youth to meet the social, economic, and political problems of the next two decades. This preparation will be severely affected if it is obtained in overcrowded classrooms and underfunded programs. And it will be fatally affected, if we are forced to slam the school door shut in the face of an inquiring youngster. That is why the bill we are considering today is so crucial.

Not all will be satisfied with each of the budget items in the bill. I myself understand full well the need for constant and increasing support for the living pro-

grams that these cold budget figures represent. But I do feel the committee has come out with a reasonable figure. If we omit the \$400 million estimate for the purchase, under a proposed new legislative authorization which has not been enacted, of student loan notes for resale to a National Student Loan Association, then the committee recommendation of \$4.7 billion is a net increase of \$101 million over the administration's request.

I would like now to briefly touch upon one of the important programs that are covered by the bill.

Five hundred and fifty-eight million dollars is provided for vocational and adult education—an \$89 million increase over the budget request and \$63.8 million over last year's appropriation. I wholeheartedly concur with the committee's belief that vocational education programs must be improved and expanded to meet the needs of the ever-increasing numbers of young people whom the schools should be, but are not, preparing to enter the world of work. Having been the product of a vocational high school program, I can attest to the value and importance of such programs.

There are too many students in college who do not belong there and who do not realize that there is dignity and respect in the kind of work for which one can qualify as the result of vocational training. The present plight of college graduates who are trained for jobs that do not exist in today's tight labor market is the product in part of a neglect in fostering a vigorous vocational education program.

I do not emphasize this program to downgrade the importance of the others that the bill provides for. Certainly, the elementary and higher education programs, the library programs, the special programs for the disadvantaged are important. I have strongly supported these programs in the past and I will continue to do so in the future.

My only point is this. We must consider the educational needs of all parts of our school age population. As John Gardner expressed it, a society that scorns its plumbers and exalts its philosophers becomes a society where "neither the theories of the philosopher nor the pipes of the plumbers would hold any water."

This bill is a conscientious attempt to help our young people fill the diverse roles that our Nation needs if it is to maintain stability and strength in the coming years. I urge its support.

Thank you, Mr. Chairman.

Mr. FLOOD. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Initially, Mr. Chairman, I want to commend the Committee on Appropriations for again this year having an Office of Education appropriations bill before the House so early in the session. I believe the committee deserves the commendations of all Members of this body and of school administrators throughout America for the timeliness of this legislation.

In my judgment, however, there are numerous areas in the bill which are desperately in need of strengthening, and

it is for this reason that I will join with others in supporting amendments to increase funding for a number of programs.

Recently, I received a letter, Mr. Chairman, from the superintendent of instruction for Henderson, N.C. Superintendent Randall wrote:

Now that we have had an opportunity to do something worthwhile in our educational program, especially for the disadvantaged, it is going to be necessary to continue the improvements, and the present level of funding will not permit this. In our particular situation, it appears that an additional 20% to 25% will be required for us to maintain the present level of services under the Title I and Title II programs.

I chose to quote from this letter because in my judgment it pinpoints precisely the issues confronting us. There is well-documented and detailed evidence of substantial accomplishments throughout American education, because of Federal assistance. The issue is whether we are going to build on that record, or turn our backs on those who tell us that continued improvements are dependent upon increased funding.

In this battle to establish an appropriate level for Federal spending in education, we would be derelict in our responsibilities if we failed to heed the virtually unanimous voice of those who work on a daily basis with the programs we have established and the objectives we have set.

Almost all of the evidence gathered by the Committee on Education and Labor during the last few years supports the contention that Federal educational assistance has made a significant difference in American education—but that its full potential has not been realized due almost exclusively to a lack of adequate funding.

Within the last 6 months, the Committee on Education and Labor received detailed responses to a committee questionnaire from over 7,500 school superintendents who represent approximately 25 million students—or more than half the Nation's total elementary and secondary school enrollments. In my judgment, the findings of this study have a direct bearing on our debate. Consider the following:

Ninety-five percent of our respondents stated that title I funds are being directed toward the areas of greatest need.

The vast majority ranked insufficient funds as the primary cause for the documented disparity between the number of children receiving services and the number who should be.

Ninety-eight percent of all respondents indicated that title I has improved or greatly improved the quality of education in their districts.

Title II, the school library and text books program received almost as great a vote of confidence.

Ninety-five percent responded that Federal aid to education programs had contributed toward improving the quality of education in their school districts.

Ninety-eight percent reported that Federal assistance had contributed to improve student performance, with 49 percent indicating significant gains.

This extensive survey, Mr. Chairman,

demonstrates overwhelmingly that if problems exist in individual programs, they lie not with the concepts underlying Federal aid to education—but they lie still, as they have since the inception of these programs, with the inadequate level of funding. Taking into account these results, we are talking about the right concepts and the right assumptions—and the wrong levels of support.

Let me be more precise. It is proposed that we fund title I of the ESEA at last year's level of \$1.5 billion. Now we have evidence that says we must have two or three times as much in appropriations if we are to effectively carry out a program of compensatory education for all students who need it and qualify for it.

I wish that we were today going to vote on amendments to increase funding in these proportions, but as a practical matter we are not. We are talking about only a 10-percent increase for title I. Is that justified? Is that necessary?

Let me share with you results from our most recent survey. I would like to underscore that this information has been gathered within the last month. From Arkansas—

Exceptionally good programs have been seriously hurt by inadequate funding. I believe our School District is similar in its needs to the other schools in this area and that we cannot effectively meet the needs of our school districts at the present level of funding on all Titles of ESEA—89-10 of 1965. A 15% raise in funding would just about cover the added increase in costs since 1965.

From North Carolina—

There is a definite need for a 20 per cent increase in Title I funds. . . . In order to maintain our present level of operation, this increase is necessary to keep up with general inflation. If funds are not increased, services will have to be curtailed under Title I.

From California—

We will be forced to cut services and/or programs for disadvantaged children if funds for fiscal year 1972 remain at the same level as 1971. If funds are cut, the effect on our educational program for the disadvantaged will be catastrophic.

From Iowa—

As far as Title I, ESEA, is concerned, any time there is no increase of funds from one year to the next this is a loss of programs for us. The reason for this is that each year the cost of personnel and services increase. We feel it would take about a fourteen per cent increase in Title I funds for next year for us to maintain adequately what we have been trying to do for educationally deprived children.

From Massachusetts—

Very simply, if Title I funding next year is held to this year's level, it will result in either a decrease in the quality of the service or a reduction in the population served, two choices that are certainly less than ideal.

From Minnesota—

We find that to make our Title I program effective and on-going for the coming school year, we would need a 20% increase in funds, if we were to operate at the present level.

Mr. Chairman, I could go on and on with letters from every State of the Union—all of which say virtually the same thing—50 percent or more is needed to better do the job—but no less than a 10-percent increase is necessary if we

are to continue programs and service at existing levels. This is not only said of title I, but of all of the titles in the Elementary and Secondary Education Act.

In our studies, title II, ESEA, the library resources program, has been time and time again cited as having made great improvements in particularly the smaller school districts. The committee bill recognizes the value of this program and the necessity to increase appropriations beyond last year's level. But it fails to go far enough. The proposed \$5 million additional is necessary, in my judgment, if we are to maintain the program at previous levels.

So too the \$15 million increase proposed for title III is necessary to simply keep things going at an even keel.

With respect to vocational education, I share the view of the committee which, in its report, states:

Vocational Education programs should be improved and expended to meet the needs of a far larger group of young people.

I disagree that the committee increase over the President's budget and the level of funding last year will meet the needs of the far larger group referred to. State plans filed with the Office of Education show a total need of over \$775 million for all vocational education programs, whereas the committee bill would provide only \$502,142,000.

Let us do as is suggested in the committee report and move in a substantial way to meet the needs by agreeing with the proposed amendment to add on an additional \$50 million.

Mr. Chairman, I am deeply distressed by the recommendations in the field of higher education. Forty days of hearings last year and continued hearings this year in our committee have convinced me that we are indeed in a financial crisis in higher education. It is a crisis being experienced not only by colleges and universities, but by parents and students as well.

Let me just illustrate in one instance how far we are from meeting the needs in higher education. An administration-sponsored study suggests that at a time when Upward Bound was serving just 23,200 students, the number of students who would be eligible for and capable of benefiting from the program was estimated at approximately 250,000. The cost of the program then was \$30,900,000. If the program were expanded to include the 250,000 students capable of benefiting from it and eligible for it, the total cost to the Federal Government would be \$330 million. Compare this with the bill before us which suggests that \$30,100,000 be appropriated for Upward Bound for fiscal year 1972.

Again, I wish we were voting to increase it in the proportion that I have referred to. But we are not. But this suggests to me that we must at the very minimum increase these programs by \$5 million. A \$5 million add-on as is proposed is only a step in the direction of returning to the fiscal year 1971 level of student participation in Upward Bound, Talent Search, and programs for disadvantaged students.

Equally distressing is the failure again

to provide either direct grants or loans to assist in the construction of college academic facilities. My colleagues will recall the President's comment of last March:

Not nearly enough attention is being focused on the 2-year community colleges so important to the careers of so many young people.

In my view, Mr. Chairman, that statement holds true today inasmuch as the 2-year community college movement is desperately in need of funds to assist in the construction of facilities.

It is well documented that we should be spending over a billion dollars a year in loans and grants in the facilities program. This is in sharp contrast with the pending bill which in effect terminates the program of direct Federal loans and grants for construction.

The amendment which will provide for a very modest funding for both junior colleges and 4-year colleges, will continue the program at a totally inadequate level, but it is, nevertheless, action we must take in this time of crisis for all of higher education.

Turning to student assistance, I want first to compliment the committee for having restored and increased funding for the national defense student loan program. Nevertheless, I do not want to have the impression created that the \$293 million proposed appropriation will meet the needs. Thus, I should like to point out that institutions across the country have requested a total of \$389 million in student loan funds—almost \$100 million more than the amount which will be available.

I point this out, because I do not think we can take that much satisfaction in the fact that a direct appropriation for the student loan program is being provided. I am pleased and thankful that it is. But at the same time we must consider also that for the EOG program, the amount is far below what is needed. The same is true of the college work-study program. Institutions have shown a need for over \$645 million in work-study and EOG funds. The committee bill does not meet that demand. To be more precise, in the committee bill, only 430,000 students will be able to participate in work-study, the same number as participated in the program last year. No additional funds are provided for the EOG program for 1971-72, and it is proposed for 1972-73 that the appropriation be curtailed. In the face of increasing college costs, increasing wages which affect work-study, and inadequate support for student loans, it is mandatory that we at least provide for the extremely modest \$30 million increase proposed by the Hathaway amendment.

Finally, may I turn to the library programs, and again I want to congratulate the committee on having restored the programs to the approximate level of last year. Nevertheless, we are at a time when we can no longer tolerate the fact that 15 million people in this country have no library service at all. The approval of the amendment to increase funds for libraries will put us on the right track so that we can make a dent in eliminating the remaining deficit of volumes in our public libraries

Mr. ADDABBO. Mr. Chairman, I support the amendment to be offered by the gentleman from Maine (Mr. HATHAWAY) to add \$728.6 million to H.R. 7016, the Office of Education appropriation bill. This amendment will restore program funding to fiscal 1971 levels with an allowance for increased program costs and increased enrollment.

As a member of the House Appropriations Committee, I have consistently supported reasonable increases in education appropriations based on normal increases in the costs of education and the expansion in student enrollments. The Congress has in the past agreed with this approach, but unfortunately, the President has vetoed the last two education appropriation bills for fiscal 1970 and fiscal 1971, which required action to override. This year the administration again recommended an appropriation level below that of fiscal 1971 for elementary and secondary education programs.

The Appropriations Committee has increased that budget request to a level which still falls slightly below the amount appropriated last year. The committee bill recommends \$1.822 billion for elementary and secondary education compared to nearly \$1.847 last year. The amendment will increase that recommended level by \$208 million. Most of that increase would be used to finance cost increases in the title I program which provides Federal assistance for school districts with high percentages of disadvantaged children. This is the heart of the education bill and there is an urgent need to spend more dollars in this area.

In addition to the elementary and secondary education programs, the amendment would provide increases for programs in higher education, vocational and adult education, library construction, and impact aid to districts with large numbers of Federal employees and servicemen.

The 92d Congress has already taken a number of stands on issues which involved the reshaping of domestic priorities. During the past 3 years there has been a gradual increase in domestic programs as the national security portion of the budget consumes less of the total Federal revenues. Education has been the major area of the domestic program which the Congress seems most willing to assign a very high priority. Our actions during the last two debates on education appropriation measures indicates that this is an area where Congress favors additional investment of our financial resources.

Now it is time to reaffirm that congressional intent and to emphasize that priority by increasing the funding level for fiscal 1972. The amendment would add \$728.6 million to a bill which recommends a \$4.77 billion appropriation. The increase is justified if only to maintain existing levels and recognize increased costs.

I urge my colleagues to vote for the amendment and the bill to record their desire to assign a high priority to education programs.

Mr. FRASER. Mr. Chairman, the Hathaway amendment proposes to add

\$10,000,000 to the committee's recommendation for the college library resources program, title II-A of the Higher Education Act, bringing the total for fiscal year 1972 to \$20,000,000.

This program has helped academic libraries build their collections to better serve the students and faculty of their institutions. But enrollments continue to grow and curriculum needs change. The library must expand and adapt to these new conditions. In addition, title II-A funds are crucially important to the development of libraries in new institutions of higher education. Community colleges and technical institutes are opening their doors at the rate of one a week, and the expense of starting an academic library from scratch is more than these small colleges could bear without financial assistance from the Federal Government.

The administration has said that one reason for reducing the appropriation request for this program is because it has had marginal effect. But a recent survey of college librarians showed that this was not the case in 90 percent of the institutions. Also, most librarians reported increased support from the college administration above and beyond what was necessary for matching funds.

The Office of Education has already received 1,800 applications totaling \$29,000,000 in basic and supplemental grants for fiscal year 1971 funds, and 500 applications for special purpose grants are anticipated. The amount requested will be about \$34,000,000. And to meet expressed needs of this magnitude, the bill before you provides only \$10 million.

In Minnesota, for example, only 22 out of the 44 eligible colleges are likely to receive grants. We must not allow this situation to occur again. By approving an increase in funds to \$20,000,000 we will not meet all the needs, but all will come closer to it than we have in the past.

The same kind of disparity in funding recommendations is found in the title II-B program for training in library and information science. The Office of Education expects 175 applications for \$15 million in grants to fund continuing education institutes. The present recommendation proposes only \$2 million to take care of both institutes and fellowships for graduate study.

The Nation's libraries—all types, including school, public, academic, research, and special—need 10,000 more professional librarians to provide good service to all their clients. Even the well-stocked library, housed in the most modern building, needs the expertise of trained librarians to lead the consumer to the information he desires. The deans of the 47 accredited library schools in the United States report that they need 692 master and 149 doctoral fellowship grants for the coming academic year. Cutbacks in these awards would seriously jeopardize schools of library science including the one at the University of Minnesota. Many awards are used to attract top-quality minority group members into the profession. Even \$4 million, as proposed by the Hathaway amendment, will be far from adequate to satisfy these demands for personnel,

but it may keep the program from dying out completely.

Although I have spoken about the library programs involving higher education, I am also most concerned about other education programs. I strongly support the amendment offered by the gentleman from Maine (Mr. HATHAWAY).

FINANCING HIGHER EDUCATION

Mr. BRADEMAS. Mr. Chairman, I rise in support of the amendment to be offered by my distinguished colleague from Maine (Mr. HATHAWAY) to H.R. 7016, the Office of Education appropriation bill. I believe that some very basic issues are raised by the proposed amendment and need to be considered here and now. We are talking about guaranteeing educational opportunity. Nowhere is the challenge greater than at the higher education level. In part it means providing every qualified student the wherewithal to pursue a postsecondary education. It also means strengthening our educational institutions so that they can do their job adequately.

This is no small challenge. The Carnegie Commission on Higher Education, which has rendered inestimable service to the higher education community and to the country, in its study "A Chance to Learn," proposed some higher education goals for 1976. The commission recommended that "economic barriers to college and university access be removed," and that "all students with the motivation and ability to gain access to and complete higher education should receive the financial aid to do so. . . ." The commission suggested that an effective program to achieve this goal would draw an additional 1 million college students by 1976. Of these, from a fourth to a third would be from ethnic minorities.

Mr. Chairman, I would like to suggest that limiting appropriations for educational opportunity grants and work-study grants to simply maintain last year's level is not the way to remove the financial barriers to low-income students. What do we say to these 1 million, prospective new students? What do we say to those disadvantaged students identified and encouraged under other federally supported programs like Talent Search, Upward Bound, and special services programs? Is equal educational opportunity to be a sham? I believe that the \$30 million increase for educational opportunity and work-study grants represents a modest effort to reach our educational goals. Maintaining last year's level is a step backward.

Hand in hand with any effort to make college more accessible must be a broad attempt to help our institutions to accommodate great increases in enrollment and to strengthen their present programs. Some of the increases in the proposed amendments are intended to do just that. One area in which our colleges and universities are in critical need of assistance is in the construction of facilities. The reported bill would continue the near vacuum of assistance in this area. We propose that \$99 million be appropriated for titles I and II of the Higher Education Facilities Act. This will enable some of our colleges to build

the undergraduate and graduate classrooms and laboratories they have been forced to postpone building because funds have been unavailable.

Other colleges are struggling simply to maintain their current level of operation. Many of these are new institutions feeling the pinch of inflation perhaps more acutely than others. It is these institutions we try to assist under title III of the Higher Education Act. The proposed amendment would increase title III appropriations by \$52 million.

Mr. Chairman, these are a few of the ways in which the package being considered today would put funds where they are most needed. I believe that we must stand up and be counted if we support equal educational opportunity in fact and not just in theory. I would encourage my colleagues to consider seriously the importance of this proposed amendment in working realistically toward the achievement of equal educational opportunities for all Americans. It is a goal we cannot afford to compromise.

Mr. FLOOD. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 7016, making appropriations for the Office of Education and related agencies, for the fiscal year ending June 30, 1972, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks and include extraneous matter on H.R. 7016.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5981, AUTHORIZING FEED GRAIN BASES IN LIEU OF SUGAR BEET PROPORTIONATE SHARES

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 356 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 356

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5981) to authorize the Secretary of Agriculture to establish feed grain bases, wheat domestic allotments, and upland cotton base acreage allotments for certain growers of sugar beets. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise

and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendment thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 5981, it shall be in order in the House to take from the Speaker's table the bill S. 795 and to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 5981 as passed by the House.

The SPEAKER. The gentleman from California (Mr. SISK), is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 356 provides an open rule with 2 hours of general debate for consideration of H.R. 5981 to authorize the Secretary of Agriculture to establish feed grain bases, wheat domestic allotments, and upland cotton base acreage allotments for certain growers of sugar beets. The resolution also provides that, after the passage of H.R. 5981, it shall be in order to take S. 795 from the Speaker's table and amend it with the House-passed language.

The purpose of H.R. 5981 is to authorize the Secretary of Agriculture to establish feed grain bases for certain growers of sugar beets.

There were sugar beet factories operating for several years at Chasta, Minn., West Jordan, Utah, and Hardin, Mont., which provided processing facilities for sugar beets grown in those areas. These factories ceased to operate in January, leaving the sugar beet growers without a market for their beets.

This legislation would preclude the Secretary from awarding any farm a feed grain base larger than the number of acres devoted to sugar beets in 1959-60 and there should be no dual benefits awarded to eligible farmers. The feed grain base acreage established would remain in effect for subsequent years which would mean that the State and national totals would be increased by the amount of the new bases.

If new feed grain bases are established for 60,000 acres formerly in sugarbeets, 12,000 acres would be set aside at a cost of approximately \$58 per acre per year.

Mr. Speaker, I might say that at the time the bill was under consideration before the Committee on Agriculture it was felt that the maximum amount it could cost would be approximately \$700,000. There are later figures, and I believe up-to-date figures will be given by the committee, which indicate the cost probably will be below \$200,000, and a very small number of farmers will be involved.

Mr. Speaker, I urge the adoption of House Resolution 356 in order that the House may consider H.R. 5981.

Mr. LATTA. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I need not say to the Members of this House that I support farm legislation. This afternoon I find myself in a position of having not only to oppose this legislation but also to oppose the rule.

I would like to announce to the House that the vote in the Rules Committee was

7 to 7. Then one Member withdrew his vote. By reason of this fact, this bill is being debated today. So this is not a piece of legislation that has overwhelming support in the Committee on Agriculture or in the Committee on Rules.

This bill, in my humble judgment, will set a very poor precedent, and it will keep a lot of scorn on our legitimate farm programs. Certainly everyone who is familiar with farm programs knows we have had a considerable amount of adverse publicity over the years because of misapplications in the program. Now if the House acts favorably on this piece of legislation we are going to get, and rightfully so, a lot more unwanted and adverse publicity. We shouldn't bring our legitimate programs into dispute.

What does this bill propose to do? It proposes to give a few Montana, Utah, and Minnesota beet producers feed grain base acres. In order to participate in the program they would then idle 20 percent of these base acres which would be paying them for not growing corn that they never grew in the first place.

How ridiculous can one become?

Why should we give a select few beet growers corn base acres at the same time legitimate—and I emphasize that "legitimate"—corn producers in this Nation are pleading for additional corn bases and they cannot obtain them?

I think this is unjust, unfair, and precedent shattering legislation. The mere fact that it only—and I put this in quotation marks—"only" is going to cost the taxpayers of this Nation \$700,000 a year is no reason for us to pass it.

I say to you this afternoon that we should not be debating such a bill. It never should have been reported by the great Committee on Agriculture nor given a rule by the Committee on Rules.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield to me?

Mr. LATTA. I am pleased to yield to the gentleman from Illinois.

Mr. FINDLEY. I recall when the gentleman from Ohio and I sat on the Committee on Agriculture several years back. I learned from that experience that he represents feed grain farmers in his State. Our States are quite similar. We have extensive corn acreage. If his experience is the same as mine, I know he has literally hundreds of farmers in his district who would like very much to have a bigger base for feed grain so that they can get more payments out of this program. I know of no way in which they can accomplish that, and it seems to me that this bill certainly discriminates very directly against the interests of those farmers in your district as well as farmers elsewhere who plant corn.

Mr. LATTA. I could not agree more with the gentleman that it does discriminate against every corn producer.

Let me say this and this was not revealed before the Committee on Rules, some of these beet producers who would come under the provisions of this bill, if it becomes law, now are producing corn. What does this mean? This means that this select few will get additional corn acres that other corn producers of the Nation are not entitled to. So I think this makes it doubly bad.

I think this House in its wisdom this

afternoon ought to vote down this rule and send it back to the Committee on Agriculture.

Mr. MAYNE. Will the gentleman yield to me?

Mr. LATTA. I am pleased to yield to the gentleman.

Mr. MAYNE. Is it not true that not only are these beet farmers in Utah and Montana not producing feed grains at this time, but also true that most of them have never in their entire lives been feed grain producers?

Yet, this bill would treat them as feed grain producers and invite them into the feed grain program.

Mr. LATTA. The gentleman is absolutely correct. The gentleman is a member of the Committee on Agriculture and appeared before the Committee on Rules in opposition to this rule.

I might ask the gentleman this question since he sits on this committee, why did they select the feed grains program for such an amendment?

The Senate in its "wisdom" included the wheat program in its legislation. Then, I might go further and ask the gentleman why they did not include the tobacco and cotton programs and make them available to these select few?

Mr. MAYNE. Mr. Speaker, if the gentleman will yield further, I think that the answer is very obvious, that they did not want to attract the opposition of the wheat producers and the cotton producers and producers of other commodities. As a matter of fact in the form originally drawn this bill would have invited the sugar beet growers under the protective umbrella of the wheat and cotton programs as well as the feed grains program. But they decided to remove those provisions, apparently, in order to attract support from the wheat and cotton areas of the country and the feed grain program is left saddled with the burden and the danger of this essentially private relief bill.

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

Mr. LATTA. Mr. Speaker, I yield myself 2 additional minutes.

Let me ask the gentleman this question: Did the committee consider the possibility of putting these acres into a land retirement program or something like that rather than putting them in the feed grain program?

Mr. MAYNE. I may be faulty in my recollection on that particular point. I do not have any distinct recollection on that. However, there was only one witness who appeared to testify before the Livestock and Grains Subcommittee and that was Dr. Carroll Brunthaver, the acting administrator of the program.

I did ask him if it would not be more appropriate to treat the problem of these sugar farmers in the context of the Sugar Act which does provide a very generous benefit and under which these sugar beet farmers have been operating for many, many years. As I recall, his reply was that the Department would have no objection to considering that route which would be more appropriate and they would have no objection to considering and cooperating in the drafting of an amendment to bring this under the

Sugar Act which already does allow payments in disaster situations. However, the proponents of this particular bill on which the rule is now being considered were so anxious to push it through in its present form of bringing it under the feed grains program, we were not able to explore that more logical and sensible vehicle for relief for the problem of the sugar farmers, which is the Sugar Act, rather than thrusting it upon the feed grains program.

Mr. SISK. Mr. Speaker will the gentleman yield?

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

Mr. SISK. I appreciate the gentleman yielding and I hope that the gentleman will yield to the gentleman from Iowa (Mr. MAYNE) to answer a question for me. I would say to my good friend from Iowa (Mr. MAYNE), is it not a fact that the Department, of course, supports this bill and it was the Department that suggested the striking out of "upland cotton" and "the domestic wheat allotments"? It was their recommendation. The bill does, if anyone of course looked at it which is pending before us today did cover those commodities, but the Department which favors and supports the legislation asked that these be stricken because of the problems they would have in the administration of it. Is that a correct statement?

Mr. MAYNE. I do not know, I would say to my good friend from California what the discussions were between the Department and the proponents of the bill which resulted in that deletion of the wheat and cotton programs.

Mr. SISK. The gentleman will agree, though, that Dr. Brunthaver specifically had an amendment in his hand to recommend striking this out at the time that he appeared before the committee, did he not?

Mr. MAYNE. He certainly approved and agreed with it. There is no doubt about that, and I would not wish to give any other impression. But I do say that the result is that my good friends who fight with great fervor for the protection of the cotton and wheat farmers of this country will leave the farmers in the feed grain sections of the country holding the bag.

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

Mr. LATTA. Mr. Speaker, I yield myself 2 additional minutes.

Mr. Chairman, if the gentleman from California (Mr. SISK), a member of the committee, would yield for a question, the gentleman mentioned the fact that the Department testified in support of this legislation. Now, I ask the gentleman whether or not the Department testified in support of the legislation as it passed the Senate when it included wheat and cotton?

Mr. SISK. The Department testified in support of the legislation, and recommended an amendment which the committee adopted with respect to striking wheat and domestic allotments of upland cotton. That was what I was trying to make clear to my good friend, the gentleman from Iowa (Mr. MAYNE).

This was done on the recommendation

of the Department of Agriculture, which supports this bill.

Mr. LATTA. I understand that, but the question was whether or not the gentleman knew whether the Department had supported the legislation as it passed the Senate with wheat and cotton in it.

Mr. SISK. I have no knowledge of the position of the Department in connection with the Senate-passed bill.

Mr. GROSS. Mr. Speaker, if the gentleman will yield, would the gentleman agree that it is possible for the Department to make a mistake?

Mr. LATTA. Oh, I think since I have been here, and since the gentleman has been here, that they have made a lot of mistakes, and I think this is one of them.

Mr. FINDLEY. Mr. Speaker, if the gentleman will yield, I was present during the testimony by the one witness, Dr. Brunthaver, and I believe that my colleagues who were present there at the same time will agree with me that his defense of the bill can hardly be called enthusiastic.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I want to commend the statement that the gentleman from Ohio (Mr. LATTA) has made, and that of my colleague, the gentleman from Iowa (Mr. GROSS). I do not believe we need to spend very much time on this rule. I think that we can very well dispense with prolonged debate, and simply knock this thing in the head by voting down the rule and going about our business.

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

Mr. SISK. Mr. Speaker, I would like to ask the gentleman from Ohio—since I have only one other speaker, and then I am going to move the previous question—whether the gentleman has further requests for time?

Mr. LATTA. In response to the inquiry of the gentleman from California, let me state that I do have one further request for time.

Mr. SISK. I thank the gentleman.

Mr. LATTA. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, it is with somewhat mixed emotions that I rise in opposition to the rule on this bill.

For even its most ardent supporters simply must recognize the humor in this proposal, which defies all precedents by offering farmers a subsidy not to grow a crop which they have never grown before.

This situation is so downright laughable, Mr. Speaker, that I have prepared an amendment to provide similar relief to our Washington Senators, who have likewise never grown corn at RFK Stadium. Despite yesterday's excellent beginning, I suspect Mr. Short is still looking for all the financial help he can get. And, I submit that my amendment is just as logical as this bill.

Now let's be very clear that our opposition to this bill is not based on a conviction that these sugar beet farmers are not in need of assistance. Possibly a legitimate way can be found to help them.

I would hope so. But this bill is not the way.

It will only further distort our already discredited farm program.

It has been an interesting study of house procedure to witness the way this bill's supporters have sheepishly waived about whether or not to go through with this ill-starred scheme. Indeed there are indications that some of its key supporters are now seriously considering abandoning it. Unfortunately all of its supporters have not yet seen the light.

And so, Mr. Speaker, it is up to us, here and now, to have done with this senseless, special interest bill.

Our time before the recess is all too short to properly consider a massive education bill, involving \$4.7 billion, affecting millions of schoolchildren around the Nation, to take up time with this ridiculous measure.

I urge all of my colleagues to vote down the rule on this real deadbeat bill. Let us return to the serious business at hand.

Mr. LATTI. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Speaker, before the vote occurs on the rule, I would like to call the attention of the Members to the line at the top of page 3 of the committee report. It might be that some Members, after reading that, would assume that some grave hardship would fall upon the sugar beet producers of the past in Montana because of the failure of this legislation.

The actual truth is that there is not a thing in the world that keeps these sugar beet growers from growing corn today or tomorrow. We do not have to pass this bill to enable them to plant corn. They can plant corn on every square inch of their land that was planted to sugar beets in past years.

The argument has been made that they have put down their fertilizer and, therefore, they have a hardship because they cannot get the advantage of the fertilization of the soil. But they can plant corn on it and go ahead and raise a crop on every square inch of this fertilized land.

I think it would be unfortunate if any Members would assume that there is any grave hardship to be borne by former producers of sugar beets by the failure of this bill. The facts simply do not bear that out.

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

Mr. FINDLEY. I am glad to yield to the gentleman.

Mr. LATTI. Let me say to the gentleman from Illinois that he is bringing up a very valid argument against this bill. We have many farmers in Ohio who are now raising corn who do not participate in this program. These farmers in these couple of States affected by this bill, as the gentleman has indicated, can grow corn or any other crop they wish to grow without going into the program.

Mr. Speaker, I wish to commend the gentleman for bringing this fact to our attention.

Mr. FINDLEY. I would like to point out that the futures prices of corn is

rather good compared with previous years and these farmers, if they wish, should go ahead and plant corn and leave us alone.

Mr. LATTI. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Speaker, while I agree with the request for a "no" vote on the rule that has been made by the gentleman from Massachusetts (Mr. CONTE), I cannot join with him in any spirit of levity or humor about the effect of the bill, H.R. 5981, because this is a matter of dead seriousness to the feed-grain farmers of this country.

Precisely the sort of thing which Representatives from feed-grain sections warned about in the subcommittee is taking place now. This bill is so unwise and unreasonable that it is being used to ridicule a very important and vitally necessary program, the feed-grain program.

In the States of Utah and Montana, which are the principal beneficiaries of this bill, there is a total of only 186,000 feed-grain base acres out of a total national feed-grain base of 113,400,000 acres.

In my State of Iowa alone, there are more than 13½ million feed-grain base acres. This program has been built up through the years for the benefit of the consumer as well as the feed-grain producers of this country. We cannot afford to have it tinkered with and exploited and raided as is being done here for the benefit of the producers of some other commodity, which just does not make sense. It is not fair. It should be promptly put to an end by the defeat of this rule.

I urge you, and not in any spirit of humor or levity, but in a spirit of complete earnestness that if we are going to have sensible farm programs in this country, and I am one who has fought for that even before I came to the Congress, then we cannot have them misused in this most ill-conceived and mischievous manner.

Mr. Speaker, I urge a "no" vote on the rule.

Mr. SISK. Mr. Speaker, I yield myself 2 minutes.

The SPEAKER. The gentleman from California is recognized.

Mr. SISK. Mr. Speaker, I am rather amused by the remarks of the gentleman from Massachusetts, because not only do they reveal how little he knows about the subject, but also how little he knows about the farm program which we are operating under today. I have great respect for my good friend from Massachusetts (Mr. CONTE). Many of us have heard from him over the years on farm legislation. I appreciate the fact that the gentleman from Iowa (Mr. MAYNE) did set the record straight that these farm programs are serious business. I do not agree with him that this particular little emergency bill here today represents all the danger to his great corn state that he sees in it because, frankly, based on the best figures I have been able to come up with, the total amount of feed grain acreage involved here is less than one three-thousandths of 1 percent of the total feed grains base. So I just wonder

how much furor you can raise over one little matter of emergency legislation to help a small group of farmers.

I might say to my colleagues that this bill represents no precedent. This House traditionally, and I know in the last 15 years, has passed dozens of small bills to help select groups of farmers and agriculturalists because of a variety of disasters, and a disaster is what has occurred in this instance through the closing of the sugar beet plants in the three areas involved.

I hope that the legislation will be considered and, of course, I hope it will be passed.

Mr. Speaker, I yield 5 minutes to the gentleman from Montana (Mr. MELCHER).

The SPEAKER. The gentleman from Montana is recognized for 5 minutes.

Mr. MELCHER. Mr. Speaker, we have had a variety of unkindly, adverse publicity concerning this bill. We have had a great deal of misstatement on what the bill would do after it becomes law. I think that our purpose in this House this afternoon is to debate the bill on its merits and on the basis of truth and fact.

The language of the bill goes right to the point of the false charge "paying farmers not to grow something." I am surprised that my learned colleagues from the Corn Belt, having this short and simple bill before them, are not aware of the language of the last sentence in the bill. I can forgive my very fine and humorous friend from Massachusetts for his lack of knowledge of what the bill provides, but for the House Members who oppose the bill that come from the Corn Belt, that come from the great feed grains-producing areas of this country, not to understand this sentence is beyond my comprehension.

The last sentence in the bill states—

A feed grain base shall be conditioned upon the production of such commodity on such base or allotment.

The Department does not make any bones about it. If those farmers are not going to use this corn base that will be allowed to them, they are not in the feed grain program. They cannot be in it. The language precludes it. They must grow corn. They must participate in the program as it is outlined and as every other corn farmer does or they are not in it. There is no special treatment. There is no reason for misunderstanding. There can be only one reason to misinterpret it and that, Mr. Speaker, is to cast in question a decent and a good bill.

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

Mr. MELCHER. I am happy to yield to the gentleman from Ohio.

Mr. LATTI. Is the gentleman telling the House that you do not have to lay aside 20 percent of these base acres in order to participate in this program?

Mr. MELCHER. What I am telling the House is exactly this, that these farmers, if they are going into the farm program, are going into it on the basis that any corn farmer in Ohio, Iowa, or anywhere else goes into it.

They are going to participate on that basis only. What this sentence does, I

want to tell the Members, is to preclude any practice where they would not grow corn. That is not to be. That is forbidden in this bill. That is specific. The Department insists on this, and we have not disagreed to it. So the charge that they would be paid not to grow a crop is absolutely erroneous and can only be brought up as an argument on this floor to confuse the issue and to do what is all too often occurring in this country; that is, to give vent to humorous and snide remarks at farmers and to degrade and belittle the farm program.

In the original bill we only talked about Montana and a few growers in Wyoming. That is the way I introduced the bill, and that is the way it was introduced in the Senate, but to accommodate others, we agreed to broaden the bill, and we accepted more amendments, and we accepted the amendments of the gentleman from Iowa, Mr. MAYNE.

Now we learn that this bill is not really necessary for former sugar beet growers in Minnesota.

After awhile, when we get into general debate on the bill, the gentleman from Minnesota (Mr. ZWACH) will offer a clarifying amendment which will greatly reduce the cost of the estimated program.

We are talking about costs of only \$150,000 to \$200,000 a year, but just what is involved with these farmers in Montana and Utah and a dozen or so in Wyoming that have lost their opportunity to produce and sell sugar beets? These farmers must grow a crop. They must plant something this spring. What the bill does is to allow them the same option of getting into the feed grain program as other farmers have had based on those base years of 1959 and 1960.

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

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

Mr. FINDLEY. Mr. Speaker, am I not correct that the farmers the gentleman desires so much to help would be able to plant every acre of land they now hold to feed grains without any further legislative action on our part?

Is that not correct?

Mr. MELCHER. That is absolutely correct. It is the law of the United States, and that option is available to every farmer all over this country, including those in Illinois.

There are 113 million feed grain acres in this country. The maximum feed grain acreage we are talking about is 10,000 acres in Montana and Wyoming, and maybe 4,000 acres in Utah, so we are talking about a total of 14,000 acres, to allow those farmers the option. It is a very small portion of the 113 million acres.

So what we are asking in the bill is that these farmers be allowed to participate in the farm program. We are asking they have the same opportunities as other farmers. They have to plant a crop. Corn is the obvious crop in this case. They have lost their cash crop of beets. They have to turn to something else. It is corn.

What else does the feed grain program do besides give them that opportunity to get into the program and set aside 20 percent of their land for conservation

practices? The feed grain program also provides them the opportunity for loans on their corn crop should the price be depressed at the time they are ready to sell the crop and they wish to hold it for a higher market.

Beyond that, the feed grain program also permits them to borrow money to build storage facilities and equipment for drying the corn prior to storage. They have to turn to a new crop. They are in an emergency situation, and the provisions of the bill are what the feed grain program allows to other farmers throughout the Nation. We have to do something for them. This is our solution for it. I do not know what would be a better one. It will not hurt any corn farmers anywhere in the United States.

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

Mr. MELCHER. I yield to the gentleman from Iowa.

Mr. MAYNE. Mr. Speaker, the gentleman raised one point which I think should be clarified, saying that those of us in opposition were opposed because this would be in effect paying farmers not to plant corn. That does not state the real thrust of our opposition.

This is the first time, to my knowledge, the Government will have launched on a program of paying farmers not to produce something which they have never produced in the first place. This is certainly, I am sure the gentleman will agree, what this bill would do, so far as making feed grain payments to farmers in Montana and Utah is concerned. Does the gentleman not agree?

Mr. MELCHER. I might point out to my friend from Iowa that there are more acres involved each year, handed out on the basis of new farms or on the basis of a change in practice than the few acres affected by this legislation. There are many more acres of feed grain base each year given to new farmers or to farmers who change their practice for feed grain base. Those are many more times the number we are talking about here for these few farmers having to turn to a new crop.

Mr. MAYNE. I submit to the gentleman and the House, that is not an answer to my question. Is it not true that this will pay beet farmers not to grow corn which they have never previously grown?

Mr. MELCHER. No; it is not true.

The SPEAKER. The time yielded to the gentleman from Montana has expired.

Mr. SISK. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. MELCHER. That is not true. This will allow those farmers who have lost their opportunity to grow sugar beets to get into the farm program. They may have grown corn in the past, but they were not under the farm program because their principal cash crop was sugar beets. Now they are turning to the need of a principal cash crop besides sugar beets.

If they had grown corn before but were outside the corn program, this will give them the option to get in, to have the benefits of the diversion payment we have been talking about for conservation practices, to have the benefits of

loan support on the grain, and also to have the benefits of borrowing money as every other corn farmer in the program has for storage purposes and for drying purposes.

Mr. MAYNE. But is it not true—I believe the gentleman so stated in the subcommittee—that many farmers in the gentleman's State and in Utah have never previously grown corn?

Mr. MELCHER. I cannot vouch for that statement, I might say to my good friend.

Mr. MAYNE. Does the gentleman deny the statement?

Mr. MELCHER. Most of our sugar beet farmers who grow 100 acres of sugar beets or 125 acres of sugar beets might have some acres of corn silage, or corn silage so to that extent they have been growing corn. The point is their principal crop was sugar beets—now they must have a new crop.

Mr. MAYNE. But they would have the benefits of the corn program, would they not?

Mr. MELCHER. No; they are not in the corn program. They do not have the corn base. That is exactly what the legislation seeks to do—give them the opportunity for a corn base.

Mr. LATTA. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I do not believe we should let the impression go here this afternoon that under the provisions of this bill, if it passes and becomes law, that these farmers will not be paid for not growing corn on 20 percent of these base acres. They will be paid.

If Members will turn to the report, on page 5 there is a letter from the Assistant Secretary which says:

Of the 60,000 acres established, 12,000 acres would be diverted at a cost of \$58 per acre.

Second, I would also like to call the Members' attention to department's own pamphlet on the 1971 feed grain program.

Page 2 reads as follows:

Question: What is the set-aside feature of the 1971 Feed Grain Program?

Answer: Under set-aside, a farmer who participates in the program agrees to set aside from production, 20 percent of his feed grain base acres and devote them to approved soil conserving use while he continues to maintain his conserving base acres as in the past.

To make the statement that they are not going to be paid for not growing corn is incorrect. I do not want the Members to be under the impression that these farmers are not going to be paid for idling this 20 percent.

Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. MARTIN).

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

When he had the hearings on this legislation before the Committee on Rules I asked the gentleman from Montana how many of these farmers who have currently been raising sugar beets were raising corn? His answer was that none of them were raising corn.

Now, in my district in Nebraska we had a sugar beet factory. In fact, it was the first one built west of the Mississippi River in the 1890's. It closed up about

4 years ago, and it would not come under this legislation. Every one of the sugar beet farmers in this area who were served by the Grand Island sugar beet factory also raised corn, because Nebraska is a big corn-producing State.

Mr. Speaker, Montana is not a corn-producing State and it never has been. Let me read to you some of the figures on the national feed grain bases for 1971 as contained in the report. How much did Montana have? 136,827 acres. Here is Nebraska, 9,480,000; Iowa 13,581,000; Illinois, 10,901,000; Minnesota, 7½ million; Kansas 8½ million; Iowa 13½ million; Illinois almost 11 million; Ohio, almost 4 million; Texas, 11½ million. And here is Montana with 136,827 acres.

They have a high altitude out there in Montana. In western Nebraska we have an altitude about 3,000 feet to 3,500 feet. Our growing season is not over 90 days. In fact, in some areas it is less than that. With Montana having a higher altitude and a later frost in the spring and an earlier frost in the fall, their growing season has to be shorter than in western Nebraska. It is simply not long enough to raise corn there profitably.

In Nebraska at the current time we have requests from farmers for several hundred thousand acres of additional feed grain base. I am informed by the gentleman from Iowa (Mr. MAYNE) that Iowa has requests for almost 1 million acres of additional feed grain base. That is true of all the corn-producing States.

Here we have a special piece of legislation for special interests for a small area of the country that does not even raise corn.

Mr. Speaker, this legislation should be defeated and roundly so on the rule itself.

Mr. SISK. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I hope to set the record straight. This business of saying that we are going to pay somebody not to raise something that they did not ever raise before is as phony as a \$3 bill; and I do not care who said it. This is an indictment of the entire farm program.

Most of my colleagues who have been talking about it have been strong supporters of the farm program which was set up to promote production on a stable basis on feed grains, corn, cotton, rice, and sugar beets and all of the other commodities we need to feed and clothe the American people. The program was setup to stabilize production and bring about production on a stable basis of foods and fibers to feed America. We are the best fed people in the world. To say here that these programs are nothing but programs to pay somebody for not doing something they have never done before is an attack on the entire farm program.

Mr. LATTI. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. ZWACH).

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

I hope, gentlemen, that we can deal with this matter with light and not with heat and passion. I think there has been already too much of this.

The real problem here has not been brought up. The real problem is that

in the gentleman from Montana's district and in my Minnesota district a bomb has struck. Early in January mills were closed. On January 26, we had the notice that a beet mill in my district was being closed.

This left over 30,000 acres that had been producing beets hanging in the air. I called my ASCS office and they did not know.

I introduced this bill as a responsible Congressman to protect my constituents. Since that time I have been trying to gather the facts and it is my present plan to offer an amendment to take my State, the State of Minnesota, out of this bill so that you people who are so concerned about this area will know that the main region affected—that is Minnesota—will be out of consideration.

I found out that the sugar beet growers have not been growing only beets, but have kept their historic corn base and have a corn base fairly equal to their corn neighbors.

But I want to tell you this, you corn people who think that by killing this bill you are going to achieve something, you really are not, because the real problem is that in Minnesota we will put 30,000 additional acres in corn and soybeans. If not in the program, it is going to be outside the program, and we will raise even more corn.

The way you can help us is to get a beet mill located in that region and we will not only take 30,000 acres out of corn, the crop which is surplus, but we will take 60,000 to 75,000 acres out of corn and soybeans and put them into beets where we have no surplus in our country.

I hope the real value, gentlemen, of this consideration will be this positive approach to our sugar beet problem in our country.

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

Mr. ZWACH. I yield to the gentleman from Iowa.

Mr. MAYNE. I would like to assure the gentleman from Minnesota that I shall be very happy to do everything I can to assist the gentleman in getting a beet mill in operation in his area where it has closed down. That is the legitimate way in which to help these beet farmers rather than undertaking to bring them into the feed grain program when they are not feed grain farmers, but are sugar beet farmers.

Mr. ZWACH. My farmers are feed grain farmers and have always been corn and feed grain farmers.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

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

Mr. LATTI. 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 182, nays 177, not voting 73, as follows:

[Roll No. 48]

YEAS—182

Abbutt	Fountain	O'Konski
Abernethy	Fraser	O'Neill
Abourezk	Fulton, Tenn.	Passman
Abzug	Fuqua	Patman
Addabbo	Gallifanakis	Pepper
Anderson,	Gallagher	Perkins
Calif.	Garmatz	Poage
Anderson,	Gaydos	Podell
Tenn.	Gettys	Preyer, N.C.
Andrews, Ala.	Gialmo	Price, Ill.
Andrews,	Gonzalez	Quie
N. Dak.	Griffiths	Randall
Ashley	Hagan	Rarick
Aspin	Hamilton	Rees
Aspinall	Hanley	Reuss
Badillo	Hathaway	Rodino
Baring	Hawkins	Roncallo
Begich	Hays	Rooney, Pa.
Bennett	Hechler, W. Va.	Rosenthal
Bergland	Helstoski	Roush
Bevill	Henderson	Roy
Blaggi	Hicks, Wash.	Roybal
Bingham	Hollifield	Runnels
Blanton	Howard	Ryan
Blatnik	Hull	Satterfield
Boggs	Hungate	Scheuer
Brademas	Ichord	Sebelius
Brinkley	Jacobs	Shoup
Brooks	Jarman	Sisk
Burke, Mass.	Johnson, Calif.	Slack
Burlison, Mo.	Karth	Staggers
Burton	Kastenmeier	Stanton,
Cabell	Kazen	James V.
Caffery	Kee	Steed
Carey, N.Y.	Kyros	Stephens
Casey, Tex.	Lennon	Stokes
Chappell	Link	Stubblefield
Clark	Lloyd	Stuckey
Corman	McCormack	Taylor
Daniel, Va.	McFall	Teague, Tex.
Daniels, N.J.	McMillan	Thompson, Ga.
Danielson	Madden	Tiernan
de la Garza	Mahon	Udall
Dellums	Mann	Ullman
Denholm	Mathis, Ga.	Van Deerlin
Dent	Meicher	Vanik
Diggs	Mikva	Vigorito
Dingell	Miller, Calif.	Waggonner
Dorn	Mills	Waldie
Dowdy	Mink	Wampler
Downing	Mizell	Watts
Drinan	Mollohan	White
Eckhardt	Montgomery	Whitten
Edmondson	Moorhead	Wilson,
Edwards, Calif.	Morgan	Charles H.
Ellberg	Moss	Wolf
Evans, Colo.	Natcher	Wright
Fisher	Nedzi	Wyatt
Flood	Nelsen	Yates
Flowers	Nichols	Young, Tex.
Foley	Nix	Zablocki
Ford,	Obey	Zwach
William D.	O'Hara	

NAYS—177

Adams	Collins, Tex.	Griffin
Archer	Conable	Gross
Arends	Conte	Gubser
Ashbrook	Conyers	Gude
Baker	Corbett	Hall
Belcher	Cotter	Halpern
Bell	Coughlin	Hammer-
Betts	Crane	schmidt
Blester	Culver	Hansen, Wash.
Boland	Davis, Wis.	Harsha
Bow	Dellenback	Hastings
Bray	Dennis	Heckler, Mass.
Broomfield	Devine	Hillis
Brotzman	Dickinson	Hogan
Brown, Mich.	Donohue	Horton
Brown, Ohio	Dulski	Hosmer
Broyhill, N.C.	Duncan	Hunt
Broyhill, Va.	duPont	Hutchinson
Buchanan	Edwards, Ala.	Johnson, Pa.
Burke, Fla.	Erlenborn	Jonas
Burlison, Tex.	Eshleman	Keating
Byrne, Pa.	Fascell	Keith
Byrnes, Wis.	Findley	Kemp
Byron	Ford, Gerald R.	King
Camp	Forsythe	Kuykendall
Carter	Frelinghuysen	Kyl
Cederberg	Frenzel	Landgrebe
Chamberlain	Frey	Latta
Clausen,	Fulton, Pa.	Lent
Don H.	Gibbons	Lujan
Clawson, Del	Goldwater	McClory
Cleveland	Goodling	McCloskey
Collier	Grasso	McCollister

McDade	Reid, Ill.	Stafford
McDonald,	Reid, N.Y.	Stanton,
Mich.	Rhodes	J. William
McKevitt	Riegle	Steiger, Ariz.
McKinney	Roberts	Steiger, Wis.
Mailliard	Robinson, Va.	Stratton
Martin	Robison, N.Y.	Sullivan
Mathias, Calif.	Rogers	Talcott
Mayne	Rooney, N.Y.	Teague, Calif.
Mazzoli	Roussetot	Thomson, Wis.
Michel	Ruppe	Thone
Miller, Ohio	Ruth	Vander Jagt
Minish	St Germain	Veysey
Minshall	Sandman	Ware
Monagan	Sarbanes	Whalen
Morse	Saylor	Whalley
Mosher	Scherle	Widnall
Myers	Schmitz	Wiggins
Patten	Schneebell	Williams
Pelly	Schwengel	Wilson, Bob
Pettis	Scott	Winn
Peysner	Shriver	Wyder
Pike	Smith, Calif.	Wylie
Pirnie	Smith, Iowa	Wyman
Poff	Smith, N.Y.	Young, Fla.
Powell	Snyder	Zion
Price, Tex.	Spence	
Quillen	Springer	

NOT VOTING—73

Alexander	Green, Oreg.	Matsunaga
Anderson, Ill.	Green, Pa.	Meeds
Annunzio	Grover	Metcalfe
Barrett	Haley	Mitchell
Blackburn	Hanna	Murphy, Ill.
Bolling	Hansen, Idaho	Murphy, N.Y.
Brasco	Harrington	Pickle
Carney	Harvey	Pryor, Ark.
Celler	Hébert	Pucinski
Chisholm	Hicks, Mass.	Purcell
Clancy	Jones, Ala.	Rallsback
Clay	Jones, N.C.	Rangel
Collins, Ill.	Jones, Tenn.	Roe
Colmer	Kluczynski	Rostenkowski
Davis, Ga.	Koch	Seiberling
Delaney	Landrum	Shibley
Derwinski	Leggett	Sikes
Dow	Long, La.	Skubitz
Dwyer	Long, Md.	Steele
Edwards, La.	McClure	Symington
Esch	McCulloch	Terry
Evins, Tenn.	McEwen	Thompson, N.J.
Fish	McKay	Whitehurst
Flynt	Macdonald,	Yatron
Gray	Mass.	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. McKay with Mr. Anderson of Illinois.
Mrs. Hicks of Massachusetts with Mrs. Dwyer.
Mr. Annunzio with Mr. McClure.
Mr. Evins of Tennessee with Mr. Whitehurst.
Mr. Macdonald of Massachusetts with Mr. Blackburn.
Mr. Pickle with Mr. Derwinski.
Mr. Barrett with Mr. McEwen.
Mr. Celler with Mr. Grover.
Mr. Sikes with Mr. Skubitz.
Mr. Delaney with Mr. Terry.
Mr. Kluczynski with Mr. McCulloch.
Mr. Shipley with Mr. Clancy.
Mr. Alexander with Mr. Esch.
Mr. Rostenkowski with Mr. Harvey.
Mr. Murphy of New York with Mr. Fish.
Mr. Jones of North Carolina with Mr. Hansen of Idaho.
Mr. Thompson of New Jersey with Mr. Steele.
Mr. Brasco with Mr. Rallsback.
Mr. Carney with Mr. Collins of Illinois.
Mr. Davis of Georgia with Mr. Pryor of Arkansas.
Mr. Pucinski with Mr. Clay.
Mrs. Chisholm with Mr. Leggett.
Mr. Metcalfe with Mr. Meeds.
Mr. Colmer with Mr. Hanna.
Mr. Hébert with Mr. Landrum.
Mr. Harrington with Mr. Mitchell.
Mr. Dow with Mr. Rangel.
Mr. Koch with Mr. Symington.
Mr. Jones of Tennessee with Mr. Matsunaga.
Mr. Long of Louisiana with Mr. Jones of Alabama.
Mr. Yatron with Mr. Gray.
Mrs. Green of Oregon with Mr. Roe.

Mr. Haley with Mr. Green of Pennsylvania.
Mr. Edwards of Louisiana with Mr. Flynt.
Mr. Seiberling with Mr. Purcell.
Mr. Murphy of Illinois with Mr. Long of Maryland.

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

Messrs. BURKE of Massachusetts, DRINAN, GAYDOS, HENDERSON, and ROONEY of Pennsylvania changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTION TO COMMITTEE ON VETERANS' AFFAIRS

Mr. WAGGONER. Mr. Speaker, I offer a privileged resolution (H. Res. 368) and ask for its immediate consideration. The Clerk read the resolution as follows:

H. RES. 368

Resolved, That Lester L. Wolff, of New York, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Veterans' Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

AUTHORIZING FEED GRAIN BASES IN LIEU OF SUGAR BEET PROPORTIONATE SHARES

Mr. FOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5981) to authorize the Secretary of Agriculture to establish feed grain bases, wheat domestic allotments, and upland cotton base acreage allotments for certain growers of sugar beets.

The SPEAKER. The question is on the motion offered by the gentleman from Washington (Mr. FOLEY).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5981, with Mr. SMITH of Iowa in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Washington (Mr. FOLEY) will be recognized for 1 hour, and the gentleman from Iowa (Mr. MAYNE) will be recognized for 1 hour.

The Chair recognizes the gentleman from Washington (Mr. FOLEY).

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

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

Mr. FOLEY. Mr. Chairman, I think that this bill represents one of those occasions which arises every once in awhile in this Chamber when a bill that does not affect a great number of our citizens, does not cost a great deal of money, and would normally be thought to have an almost unanimous passage, suddenly becomes the focal point of a great deal of inexplicable controversy.

The purpose of this bill is to recognize an emergency situation that has arisen in three States because of the sudden and unexpected closure of sugar beet mills at Chaska, Minn., West Jordan, Utah, and Hardin, Mont. A number of farmers who have been supplying sugar beets to these mills suddenly found that they had no market for their sugar beets, through no fault of their own; through the unexpected decisions of the operators to close these mills. Without a mill within reasonable distance to refine sugar beets the production of sugar beets is just not economically feasible.

The single purpose of the legislation which was introduced in the other body, passed by the other body, and introduced here by the gentleman from Montana (Mr. MELCHER) and the gentleman from Minnesota (Mr. ZWACH) was to recognize the emergency character of the problem facing these sugar beet growers, by permitting them to participate in an alternative commodity program.

All the indicators seem to be that corn is an appropriate alternative crop. This legislation would permit these growers to become part of the very widespread feed-grain program which has enormously broad participation in the United States by granting these farmers an emergency feed grain basis.

During the consideration of the bill in committee, the Department of Agriculture testified they would support the bill with the amendment to eliminate the original language which granted wheat marketing certificates and cotton allotments. Cotton is really out of the question anyway, it is too far north to produce cotton.

The other problem is that both cotton and wheat granting of allotments of marketing certificates would diminish the participation in the program by old cotton farms and old wheat farms. Such is not the case with feed grains. It does not diminish the rights of any feed grain farmer in the United States to grant these additional bases. We merely very slightly enlarge the national and State levels of those bases.

What we are talking about in terms of numbers—the precise number of farmers is uncertain, but I think it is probably about 150.

The precise number of acres involved is uncertain. But while the report originally anticipated as many as 60,000 acres might be involved, and that is only one three-thousandths of the total feed grain acreage, it now appears that those farmers in Minnesota are not in need of legislation and there will be an amend-

ment offered later by the gentleman from Minnesota (Mr. ZWACH) to remove them from this bill, and the committee will accept it. Many of the growers in Utah will be able to find some additional market for their sugar beets. So we are only dealing with about 13,000 acres or 14,000 acres compared to the total feed grain bases which in 1971 for the Nation is 113,396,400 acres.

We are talking about increasing the feed grain base by 1 acre. For every 5,500 acres that are in the national feed grain base.

What will these farmers obtain for their feed grain base? They will, first of all, have an obligation to plant corn under the conditions and circumstances and requirements that exist for every other corn producer in the United States participating in the program.

If they fail to plant corn in the first year, this base is granted, their base will be reduced to zero and they will lose it entirely.

Even established feed grain base holders must plant the required number of acres to corn or lose 20 percent a year or the entire base in 3 years.

Some Members suggest that these farmers are going to get paid for nothing. On the contrary these farmers must plant corn and must plant under the conditions of the program which requires a 20-percent set-aside. If they do comply with the program, they receive the same program benefits that any other producer complying with the program receives.

The report says that the estimated cost is \$700,000 annually. The bill now anticipates such a reduced acreage that I think a fair estimate would be less than \$200,000 annually.

I think all of us realize that in the total budget of the United States and the total appropriation for the farm program that is not a large amount of money nor does it represent a large payment to any individual farmers.

The feed grain program by and large does not have any high payments but it pays modest payments to the farmers who comply with the program. All we are asking here is that these farmers who through no fault of their own cannot plant sugar beets be permitted to farm feed grain under the same conditions as farmers who are planting 113 million acres of feed grain base nationally.

Why does this bill arouse so much antagonism and excitement? Not because it diminishes the rights of feed-grain producers, not because it represents any great expense to the public; but because of some problems that always develop around picking a base year. The feed-grains program is based upon the base year of 1959-60. There have been farmers who have been unfortunately caught in inequitable situations that we have not found possible to correct.

These beet growers will be held to the same base year, 1959-60, as the feed-grain farmers are held to under the feed-grains program. They will not be allowed to participate at a greater level than they planted sugar beets in 1950-60. An amendment was offered by the distinguished gentleman from Iowa (Mr. MAYNE) and adopted by the commit-

tee, limiting the participation to the base year of 1959-60. The Agriculture Committee has made every effort to make this bill a truly emergency bill, giving none of these farmers any greater advantage than any other feed-grain farmer has in the United States.

As I mentioned, there will be an amendment offered, later to eliminate the 33,000 acres that was originally assigned to Minnesota, reducing the actual acreage that will be used as a basis of the feed grain base to something around 14,000 acres.

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. The gentleman knows I have the greatest respect for the House Committee on Agriculture, but I find in this bill that you have eliminated any favorable action for the beet growers in the State of North Dakota who have been raising beets for the Holly Sugar Co. shipping them to Sydney, which plant did not close, but Sydney in accepting their beets was shipping other beets on to the Hardin plant, which did close. Now, because of a roundrobin of musical chairs, the Hardin plant having shut down, the Sydney plant now says it will not accept these North Dakota beets, and because the plant to which the North Dakota farmers have been shipping their beets is not in fact shutting down, it is my understanding they will not be covered.

Would the committee be amenable to an amendment specifically taking care of the beet growers in North Dakota who have had their acreage taken away by the shutdown of a plant, even though it was not the plant to which they were shipping?

Mr. FOLEY. I am sure I could not say the committee would not be amenable. Normally we would like to have the gentleman testify before the committee and to hear the Department's position on the bill. I hesitate to accept an amendment on the floor this afternoon without having the benefit of that testimony.

We did have a hearing, and it was a matter which afforded the committee an opportunity to hear the specific circumstances arising in these three States and the Department's position.

Mr. ANDREWS of North Dakota. As the gentleman knows, we have a man from North Dakota on your committee, and I hesitate to interfere with the workings of the committee. I would like to know the reason for leaving out our farmers.

Mr. FOLEY. I have not been aware that there has been any request on the part of the feed grain growers in North Dakota to be covered by legislation of this kind, and I am not sure that we have had any information relayed to the committee from the Department expressing their views as to the proposed enlargement.

Mr. ANDREWS of North Dakota. Also included in this problem are the beet growers in the Red River Valley of Minnesota. The Representative from that area is also a member of the Committee on Agriculture.

Mr. FOLEY. I am glad the gentleman mentioned that point, because the Minnesota beet growers, apparently the great majority of them, have maintained feed grain bases, and it was not necessary, on further checking, to expand the legislation to include them because they are already able to participate in an existing feed grain base. I do not know what the condition is in North Dakota, but I would say the committee, I know, would be receptive to hear the gentleman and hear any requests for legislation.

We deliberately phrased this legislation in the most narrow and specific terms because it is admittedly an emergency situation.

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

Mr. FOLEY. I yield to the gentleman from Iowa.

Mr. MAYNE. Mr. Chairman, I think the gentleman perhaps misspoke himself in answer to the question of the gentleman from North Dakota, that insofar as the gentleman from Washington knew there had been no request for this bill from the feed grain growers of North Dakota.

Mr. FOLEY. I misspoke myself. I meant to say the beet growers.

Mr. MAYNE. I am pretty sure there has been no request from the feed grain growers of North Dakota.

Mr. FOLEY. I appreciate the gentleman correcting that phrase.

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

Mr. FOLEY. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Chairman, on the question raised by the gentleman from North Dakota (Mr. ANDREWS) if the gentleman had a sugar beet plant closed within his State within the period set forth in this bill, and there are farmers in that area who were supplying beets to that plant, and they have no feed grain base, they would automatically come under this bill. No amendment would be required.

Mr. FOLEY. The gentleman raised the point that there was no plant which was closed in his area, but the Hardin plant closure had an effect on the number of beets his mill would accept. All I was saying to the gentleman from North Dakota is I know the committee would be most anxious to hear any testimony and consider very carefully any request for emergency legislation which is based on such a situation, but we deliberately phrased the legislation most narrowly to have the least impact and at the same time take care of the specific situations.

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

Mr. FOLEY. I yield to the gentleman from North Dakota.

Mr. LINK. Mr. Chairman, in answer to my distinguished colleague, the gentleman from North Dakota, on the matter of allocating the provisions of this bill under the same terms as relate to those who were subject to the closing of plants—this was discussed and considered in the committee. The base that is permitted under this bill for the procuring of acreage is based on the 1959-60 feed grain base period for establishing

feed grain bases, and the amendment was insisted upon by members of the committee in order not to jeopardize the passage of the bill and spread out the provisions of this into an area that would be difficult to handle, and for that reason this limiting factor was a necessary one.

This matter was brought to the attention of those representatives of the Red River Beet Growers Association. I personally explained the provisions of the bill. They indicated the number of their growers had been growing beets at that time, and that they have not been in the particular program. They have been in a position to establish their feed grain base in the 1959 and 1960 base period, and, therefore, they did not have the same emergency that exists where these growers had a plant close and had been growing beets for more than the 10-year period, which is what this bill covers.

Mr. ANDREWS of North Dakota. Mr. Chairman, if the gentleman will yield, I will accept the explanation and judgment of my good friend and colleague, the gentleman from North Dakota, and I will withdraw my point, since I personally have had no requests for this from beet growers from my district and my colleague has stated he conferred with the Red River Valley Beet Growers Association and ascertained they were not asking for it.

Mr. FOLEY. Mr. Chairman, I thank the gentlemen for their information. I think this clears up the problem.

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

Mr. FOLEY. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Chairman, I came onto the floor while the previous colloquy was underway, and I am not sure I understood it entirely. Did I understand the gentleman from Washington to say that he would not want to accept any amendment to this bill that might include other beet growers who are now somewhat arbitrarily eliminated by this date of December 1969?

Mr. FOLEY. The gentleman understood me correctly, but perhaps the gentleman did not hear my explanation for not wishing to accept amendments on the floor to include other areas.

There is a question as to how the beet growers are affected, whether they were planting sugar beets in the 1959-60 base period and whether they do, in fact, retain feed grain bases along with refining sugar beets, and what the position of the Department is with respect to those amendments. Those are things which I am sure the committee would like to have an opportunity to hear.

I can assure the gentleman that the committee would be most anxious to hold a hearing and to consider very carefully the inclusion of other areas which met the same emergency conditions.

Mr. STRATTON. Did not the committee consider the case of New York State beet growers? I had the honor of representing that area until the last redistricting last year, and I understood my friend the gentleman from New York (Mr. HORTON) intends to offer an amendment at the appropriate time with re-

spect to, I think, roughly 30,000 acres of sugar beet coverage that was well underway in New York State, when the plant failed, just as happened in the case of the people to be provided for by this legislation.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

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

Mr. STRATTON. I am just wondering why they should be excluded. If we are to have general legislation, why do we not include them?

Mr. FOLEY. There is no necessity to exclude them. The matter is a rather technical matter. When we did have a hearing on this bill we did have an opportunity to hear the Department's recommendations with respect to the specific areas included.

We do feel there is a necessity to know whether the particular farmers involved were planting sugar beets in the 1959-60 base period, and whether they have retained any feed grain bases during that period. If the gentleman can provide that information, we may be able to make a decision with respect to the amendment.

Mr. STRATTON. Would not the gentleman agree, considering the really narrow margin on the vote on the rule, that the possibility of coming back with another bill would be very minimal, and the best chance of getting anything through would be to get it in this bill.

Mr. FOLEY. That may be. I do not want to disparage the gentleman's amendment before I have an opportunity to have additional information with respect to the farmers involved.

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

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

Mr. RONCALIO. In the hope that some of the opposition which became apparent late today might be removed, I should like to ask a question or two.

Is it not a fact that no sugar beet farmer will be paid for doing nothing; that he must plant corn?

Mr. FOLEY. He must plant corn, and under the conditions in existence under the feed grain program.

Mr. RONCALIO. Does the gentleman from Washington know what is the percentage of return on investment, or what type of profit is available to the sugar farmers in my area as compared to those in other areas? If not, I would be glad to answer the question myself.

Mr. FOLEY. I would be happy to have the gentleman answer his own question.

Mr. RONCALIO. It is the lowest return available to farmers in America, for those with sugar beets in the mountain States. I do not know about those in the Red River Valley or in New York.

I am hopeful that we can give this favorable consideration. It means providing a very few dollars for those most in need in my area.

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

The CHAIRMAN. The Chair will count. Evidently a quorum is not present. The Clerk will call the roll.

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

[Roll No. 49]

Abourezk	Edwards, La.	Minshall
Abzug	Esch	Mitchell
Alexander	Ewins, Tenn.	Monagan
Anderson, III.	Fish	Murphy, III.
Anderson,	Flynt	Murphy, N.Y.
Tenn.	Ford,	Nix
Annunzio	William D.	Passman
Ashley	Fraser	Pickle
Baker	Gray	Pike
Baring	Green, Pa.	Price, Tex.
Barrett	Grover	Pryor
Blaggi	Gubser	Pucinski
Blester	Haley	Purcell
Bingham	Hanna	Rallsback
Blackburn	Hansen, Idaho	Rangel
Boggs	Harrington	Rarick
Boland	Harvey	Rees
Bolling	Hébert	Reld, N.Y.
Brasco	Hicks, Mass.	Riegle
Broomfield	Hillis	Roberts
Broyhill, Va.	Jacobs	Roe
Buchanan	Jones, Ala.	Rooney, N.Y.
Byrne, Pa.	Jones, N.C.	Rostenkowski
Carney	Jones, Tenn.	Satterfield
Celler	Kluczynski	Scheuer
Chisholm	Koch	Selberling
Clancy	Kuykendall	Shibley
Clark	Leggett	Sikes
Clay	Long, La.	Sisk
Collins, III.	Long, Md.	Skubitz
Colmer	McCloskey	Smith, Calif.
Conyers	McClure	Steele
Corbett	McCulloch	Stuckey
de la Garza	McEwen	Teague, Tex.
Delaney	McFall	Thompson, N.J.
Dellums	McKay	Tierman
Dent	Macdonald,	Waggoner
Derwinski	Mass.	Whitehurst
Diggs	Mathias, Calif.	Wilson,
Dingell	Matsunaga	Charles H.
Dowdy	Meeds	Yatron
Dwyer	Metcalfe	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SMITH of Iowa, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 5981, and finding itself without a quorum, he had directed the roll to be called, when 311 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. FOLEY. Mr. Chairman, it is the intention on this side to reserve 5 minutes only of general debate for the purpose of allowing the author of the bill, the gentleman from Montana (Mr. MELCHER), to close debate. We will reserve that time and make no additional allotments of time, in the hope that the convenience of the Members can be served by allowing this bill to be promptly considered, voted up or down, before a very late hour this evening.

Mr. MAYNE. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Iowa (Mr. KYL).

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

Mr. KYL. Mr. Chairman, the first thing I want to do is to try to clarify one subject which has been bandied about a bit in various language: Who gets paid for doing what under this proposal?

Let us assume that a farmer grows sugar beets in the State of Montana. He is not growing corn; he is growing sugar beets. His mill closes. Now, he desires to plant another crop.

Fact No. 1: He can grow all the

corn or barley or anything else that he wants to grow on that farm on land which had been in sugar beet production. There is no argument with that fact.

But under this proposal we get to fact No. 2: If this bill passes, then this man who has been raising, not corn but sugar beets, will plant some corn and he will receive a Government payment because he does not plant corn on all the acres.

He will retire some of his acres and he will be paid for not planting a crop on that land. This is the whole purpose of this proposal. It is as simple as that.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield to me?

Mr. KYL. Of course I yield.

Mr. FINDLEY. Based on the testimony given to the Committee on Rules, that very few of these farmers had ever planted corn before, in recent years, then it would be proper to conclude that they would definitely be getting payments for not growing corn on an acreage which had never before produced corn. Is that not correct?

Mr. KYL. We have to assume that land which would be retired had been formerly planted to sugar beets.

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

Mr. KYL. Of course I yield.

Mr. MELCHER. I well understand what the gentleman from Iowa, our distinguished colleague on the committee is saying, but just to make it clear for the record and for those of our colleagues who are not familiar with the farm program, you are not saying that they would not plant something on those acres? You do not intend to say that, do you?

Mr. KYL. Permit me to clarify exactly what I said and add a few words to satisfy the gentleman from Montana.

I said that he would have to plant some corn to comply with the program to comply with the base, and I said under the program—and I did not intend to omit this—he has to conserve those acres which are not planted through some non-depleting crop such as grass, and so forth.

Mr. MELCHER. I thank you.

Mr. KYL. Now, the thing comes down to the floor as a rather simple proposition. Actually there is a de minimus argument here. We are not concerned with very many acres, but we are concerned with a principle. The farm program is not a welfare program; it is a problem-solving device. It is designed to keep production and consumption in balance. However, here we use that farm program with its honest, legitimate motive as a welfare program, as a relief program, for some farmers who had a sugar beet mill closed.

You say there is no precedent here. We already have a gentleman on our side who says he is going to offer an amendment which will include not only farmers from Montana and from Minnesota, but he wants to include all of those farmers who used to grow sugar beets and who have lost their mill in Maine, in New York, and New Jersey. There is just as legitimate a reason for helping those people as for helping the ones in Montana. They are hurt, too. There is this big difference.

Those people never had compliance on any sort of an agricultural program in the base period, which is a matter covered by the amendment of the gentleman from Iowa.

That is only the beginning. If your bees die because of pesticides and you have been growing alfalfa seed, switch to corn and get a corn base. If you can no longer produce musk melons because of some problems in the growing of musk melons, then put it in corn and set aside some acres and plant grass on it and get paid for not planting corn on those acres.

Let me tell you this: In the traditional corn-growing area of the United States there are people who are in just as much trouble as any Montana sugar beet grower. We have hundreds of farms in Iowa, Nebraska, Missouri, Ohio, Minnesota for whom the addition of a little more corn base would make the difference between paying bills and not paying bills. They have just as much of an emergency as the sugar beet growers have.

It was said earlier, that if you argue against this program, you are arguing against the whole farm programs. That is absolutely false. The opposite is true.

I stand in this well to argue for a legitimate farm program which does not have to have an excuse from anyone, because we are trying to solve the problem of consumption, production, and distribution. The program has aided everyone.

We say we pay farmers a subsidy in this program. Actually, the real recipients have been those consumers because their prices have been held down by these pressures. We are doing violence to this principle of using the program for a problem solving device rather than a welfare program. This is the thing to worry about in this proposal. This is the thing which makes it unpalatable.

Mr. Chairman, I point once more to these two previous points. These people who did not raise corn can get a corn base, which many people in the corn area would like to have, and which they need just as badly. They would receive Government payments for not planting corn on a certain part of their acreage.

Mr. Chairman, this is a precedent. I pointed out two things, one of which is that a whole bunch of people want to get into the act. It is not a simple proposition, but if it is legitimate to do it in this instance, why is it not legitimate to rescue everyone else, no matter what his problem is?

Mr. Chairman, if that is true, you know what is going to happen to the farm program. Already, because we have control programs in many agricultural products, we have new areas of feed grain production which have been taken out of the original feed grain areas and which they would have had. Actually, when you take an acre out of cotton, tobacco, peanuts, and rice down South, you can plant that in corn. Corn grows in all 50 States. In the feed grain area, when you take an acre out of production you cannot put it into tobacco or peanuts or rice because of climate. We have scattered feed grain production all over the United States.

There is no more emergency, I repeat, for these people who live in the State of

Montana than there is for the feed grain grower in Iowa, Missouri, or any other Midwest State. They, too, would like to have an increase in base. They have a legitimate expectancy of it. We have farmers all over the Midwest who were denied a corn base because they were following a sensible conservation program, and at the time it was established they were engaged in the production of legumes and grasses which were growing on their farms. They were farming sensibly and wisely and trying to conserve the soil. They were left without a corn base. They did not get a base. They have not gotten an increase in their base. However, this is a rich farming area in the best farm growing country we have in the United States. But were this bill adopted and its effects were projected on into the future, and we continue to deny these people the kind of a base they ought to have in the traditional bread-basket part of our Nation, it is completely unfair.

I have no argument against farmers in Montana. I have a great respect for the gentleman from Montana who introduced this bill. But you are simply not going to help out the farmer in Montana in the manner which is sought in this legislation. It is a fact that we would destroy the hole reasonable, legitimate philosophy of the feed grain program.

I am afraid that this precedent, if this bill should happen to pass, will be back to haunt us time and time again, and there will be little succor for those people who live in the feed grain area and who depend on feed grain production for their livelihood.

Mr. MAYNE. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I am always in favor of establishing good precedents, but I am not in favor of establishing bad precedents.

If we enact this bill today, in my opinion we are going to establish a bad precedent. If we do this to the sugar beet growers we are going to have to do it for every commodity group that has an unfortunate experience, and I can assure you there are plenty of them in the farming industry today.

Very briefly, I would just like to give you what I consider to be a comparable experience in Pennsylvania. I happen to represent the largest applegrowing county in Pennsylvania. This county has three terrifically big processing plants. In fact, one area is known as the apple capital of the world. The argument has been advanced here that the sugar beet growers have already prepared and fertilized their ground. Maybe that is a good argument, and possibly it is not. Let me take you to a little visit to an apple orchard in Pennsylvania, and see what happens. Let us go back to the winter of 1970.

Every decent day the applegrower in Pennsylvania is out pruning his trees, and there are a good many times when he is out pruning his trees when it is not fit to be out. I have had that experience myself.

After the trees are properly pruned he must dispose of the brush. After the

brush is disposed of he has to fertilize. When you talk about fertilizing sugar beet land, I can assure you that we put plenty of fertilizer on our fruit trees. When the green tips just start to show he will start to spray, and he will spray at least 12—sometimes 14 times a year. If he has time during the summer he will do a lot of hand thinning. What I am trying to point out to you is the amount of money involved in producing an apple crop. I mention the guess that far more experience is involved in producing a crop of apples than sugar beets.

Let us go to October of last year, and see what happened, where the apples were ready to be harvested, a beautiful crop of apples, and what happened? Suddenly the processors discovered that they had a terrific carryover of applesauce, something like 7 million cases, and as a result they buy no apples. Because of the fact that there was no other market, thousands of bushels of Pennsylvania apples simply dropped to the ground and were there for the birds to eat.

I want to point out to this House that in my particular area the processors purchased 3 million bushels less apples this year than they did in the year 1969. I do not believe the sugar beet growers are any worse off than my apple growers were this year.

I want to suggest to this House that if we are going to help the sugar beet growers then why not the apple growers, and any other commodity group that has an unfortunate experience? As the gentleman from Iowa (Mr. KYL) and several others have said, there have been plenty of farm commodity groups in the last few years who have had just as unfortunate an experience as those who are producing sugar beets.

Mr. Chairman, I certainly trust that this bill will not be voted upon favorably today.

I yield back the balance of my time.

Mr. MAYNE. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, I rise in opposition to this classic example of special interest legislation. It is clearly illogical to take the unprecedented step of paying any farmers not to grow a crop which they never have grown.

And it is utterly astonishing, Mr. Chairman, that the Department of Agriculture would sanction this outrageous distortion of the purposes of our farm program. Perhaps I should also ask the Department and the distinguished Agriculture Committee for similar relief, since I too can state, without equivocation, that I have never grown corn.

The possibilities are endless, Mr. Chairman. We could do away with our entire antipoverty program, which many on this committee oppose anyway, and simply give the poor of this country subsidies for not growing corn.

Perhaps we could also assist those industries currently suffering from the cut-back in defense spending. Assuming they do not plant corn on their factory lawns, they too could qualify under this novel device we are being asked to approve today.

In fact, we could help out our beloved

Washington Senators by advancing Bob Short a big subsidy, so long as he does not start planting corn in the outfield at R.F.K. Stadium.

But, of course, this bill today is no laughing matter. As the author of amendments to limit farm subsidies which passed this House in 1968 and 1969, I have long been working to restore some measure of sanity, some degree of reasonableness, to a program which in the past has given millions in subsidies to a handful of giant corporate farmers.

And last year we finally took a small step in the right direction when this administration became the first ever to support a payment ceiling.

I say a small step, because it will be recalled that I and others fought for a ceiling lower than the \$55,000 level adopted, in order to achieve some significant savings. Even more important, the \$20,000 amendment I supported called for strict guidelines to prevent evasion of the intent of Congress. Without real teeth in the law, I warned, our efforts would accomplish little.

Recent developments have indicated that the evasion I warned against has occurred, and that little savings will be achieved. I will enclose a copy of a recent Wall Street Journal article on this point, and a copy of my letter to Agriculture Secretary Hardin of March 16, 1971, at the close of my remarks.

But the mere presence of this bill today, and its support by the Department, is the most damning evidence yet that there are still powerful forces at work who care little about a sensibly run farm program.

I might add here that this is certainly a shortsighted effort as well, since it can only further persuade many of us, and the taxpayers we represent, that the level of all subsidies must be further reduced.

Let us take a look at the rationale for this bill as contained in the committee report. That report simply states that this bill would not materially disrupt the present feed grain program. It contains not a word on the question of whether the unprecedented form of this assistance makes any sense.

Perhaps this silence is understandable, for it is nothing but a flight into never-never land to pay farmers not to grow a crop they have never grown before.

And so, leaving logic aside, the Agriculture Committee simply tells us that very few acres are involved, and the cost is expected to be only about \$700,000. Such a sum may seem trivial to many, when we consider that last year the entire subsidy program cost us about \$3.5 billion.

Well, I for one, Mr. Chairman, think that there is more at stake here than the cost factor. For we are being asked today to support a bill that makes a mockery of orderly procedure.

As the committee minority has noted, no law is needed to permit these sugar beet planters to plant corn or other feed grains. Should they choose to do so, they would then be able to establish an acreage base, and collect subsidies in later years.

This is the way all other farmers have had to operate in the past, and it is the

way all others will have to continue to operate in the future. Only this tiny handful of sugar beet farmers will receive the special privilege of an instant subsidy.

Now, Mr. Chairman, my opposition to this bill does not mean I oppose any effort to assist these hard-pressed beet farmers. Perhaps a legitimate way can be found to help them. I would hope so. But this bill is not the way. It will only bring our discredited farm program into further disrepute.

In closing, Mr. Chairman, I just want to comment on all of the solemn expressions of concern for these 300 or so beet farmers. Where was this touching display of compassion when this committee was leading the opposition to all efforts to provide real assistance to the millions of hungry and malnourished Americans.

No, I do not think any of us here can be easily deluded into thinking we are witnessing a sudden conversion to humanitarianism. This bill is nothing but a boondoggle to extend a special privilege to a tiny minority.

Let us not mar the reputation of this Chamber by support for this wretched special interest bill.

The material referred to follows:

[From the Wall Street Journal, Mar. 9, 1971]
A LEAKY CEILING: SAVING TO THE UNITED STATES FROM CROP-SUBSIDY LIMITS, ONCE PUT AT \$30 MILLION, NOW SEEN FAR LOWER

(By Burt Schorr)

WASHINGTON.—Remember that \$30 million the U.S. was going to save each year as a result of the new \$55,000-per-crop limit in subsidies to each farmer?

Forget it.

The limit, hailed as a historic step when Congress approved it last year, appears unlikely to trim still-bulging farm costs by anything like the amount anticipated last summer. Precise figures won't be known until mid-April, when farmers have finished signing up for 1971 crop-control programs for cotton, wheat and feed grains. But Agriculture Department staff members already are convinced that the limit will save the U.S. no more than a few million dollars—if anything at all.

"I'd hate to have to meet payroll with the amount of money we're going to save," says one expert.

Local representatives of the department's Agricultural Stabilization and Conservation Service, which administers the crop programs, and large cotton growers interviewed at the recent annual meeting of the National Cotton Council in Dallas all give the same reason that the hoped-for savings won't materialize. They say that big cotton producers are resorting to a variety of maneuvers—all quite legal—to keep on qualifying for maximum government payments. A typical tactic: splitting up a big farm among family members so each can still get a fat check from Washington.

Officials never hoped to block all payments over \$55,000 per crop. Last year, the government paid \$74 million in subsidies to farmers above-and-beyond the \$55,000 per crop that now is the ceiling. Officials foresaw that there would be ways to get around the new ceiling—but they didn't foresee nearly as much as has occurred.

CONGRESS SHARES THE BLAME

Alongside the more than \$3.5 billion a year the U.S. lays out in direct and indirect farm support, the lost savings obviously aren't very significant. Yet many on Capitol Hill, aware of increased public antagonism to farm subsidies, had counted on more impressive results.

Congress can blame itself as much as anyone for the leaky ceiling, though. The lawmakers and the Agriculture Department left a lot of loopholes in the law, and producers aren't hesitating to take advantage of them.

A case in point is found on 600 cotton acres left by a Mississippi delta grower to his widow and four children who have been farming their individually owned tracts as a unit. The land has been leased to a family corporation managed by the eldest son. Last year the corporation received a federal check for approximately \$82,000, or \$27,000 over the 1971 ceiling. This year, to get the maximum amount of government cash, the heirs preparing to create three new corporations and divide leases to the 600 acres among them.

These new entities will be controlled by the widow and three of her children, either separately or in combination, but the eldest son will be a minority stockholder in each and will manage them as a unit. Each new corporation will be legally eligible to receive payments as high as the \$55,000 ceiling; in theory, the total could reach \$165,000.

This particular reorganization plan hasn't yet received a government okay, but Agriculture Department lawyers believe it will qualify as legally acceptable. "The only guy who is going to be in trouble is the one who tries to go through a paper reorganization to keep the money flowing in to himself," one comments. "There's no way in the world we can stop legitimate transactions. That would be confiscating property without due process."

In a number of ways, the government rules leave considerable leeway for producers who have been receiving more than \$55,000 per crop. One helpful definition, for example, is that each person engaged in a 50-50 farming partnership may be classified for payment purposes as an "individual," thus entitling the partnership to a maximum of \$110,000 in subsidies per crop.

LEASING THE LAND

It's difficult for some big cotton growers to find partners so they can take advantage of this 50-50 deal, but they have found other ways to get around the limit. To be eligible to get subsidies, a farmer must agree to plant only a certain percentage of his acreage. But if this allotted acreage is so big that the subsidy would top \$55,000 for any one crop, the farmer may want to lease out part of the acres to be planted.

Or he may even lease his allotment but not his acreage; the allotments themselves are transferable. That is, one farmer may take the allotment of another farmer and use it on his own land. The person taking up the allotment is eligible to receive subsidies (up to a total of \$55,000) even though the person giving up the allotment wouldn't have been eligible. The farmer giving up the allotment gets a fee from the farmer who gets it, of course.

Consider the J. G. Boswell Co., the nation's biggest farm-subsidy recipient whose 1970 federal check came to nearly \$4.4 million. The closely held corporation has been planting cotton on 20,100 acres in California's San Joaquin Valley, approximately 20% of them covered by allotments leased from other landowners.

Now, due to the ceiling, Boswell is relinquishing its leased allotments and itself will become a lessor of the cotton allotment on its own land. If other growers agree to lease at the average rate of some \$78 an acre, as the company anticipates, the allotment will earn Boswell roughly \$1.4 million this year. Yet Uncle Sam will continue to hand over the \$4.4 million Boswell formerly received, parceling it out to many smaller growers whose government payments heretofore have been under \$55,000 annually.

WHAT ARE THE COSTS?

A number of big cotton producers are pursuing the same allotment-leasing tactics.

Among them: Giffen Inc., a vast San Joaquin Valley farming operation owned by Mr. and Mrs. Russell Giffen, which has been getting about \$3.4 million a year in government cash; and Delta & Pine Land Co., a Scott, Miss., subsidiary of Courtaulds Ltd., whose annual subsidies amounted to approximately \$732,000 a year.

To the extent that big owners continue to produce cotton while, in effect, sharing their government subsidies with smaller competitors, it can be argued that the ceiling at least is bolstering family farms without reducing domestic fiber supplies. The limit also is prodding large producers to determine whether they can grow cotton profitably without subsidies.

"It's been so many years since we tried, we simply don't know how far down we can get our unit costs," says Mr. Giffen. Although the elderly Californian won't disclose all his 1971 cotton plans, he does intend to seed more than the 17,500 acres he planted last year. "The only way we can survive is to spread our fixed costs for irrigation and machinery over a bigger area," he says.

For a number of other growers, the payment limit is casting the shadow of possible foreclosure over their operations. One producer with such fears is Fred W. Enke, a former Baltimore Colts quarterback whose 2,500-acre Pinal County, Ariz., farm grows cotton, alfalfa, wheat and lettuce—and has amassed a debt of roughly \$500,000, some of it the result of land purchases made at peak prices in the late 1960s.

Last year his interest charges alone ate up \$66,000, and depreciation and taxes totaled nearly \$60,000, putting his operations in the red. Without its 1970 government cotton payment of \$90,000, "the Enke ranch would have gone down the tube," its owner asserts.

He has considered creating a partnership to bypass the payments limit. But under Agriculture Department rules, a partnership with a wife or minor children (the three Enke daughters are under 21) would merely count as a single individual for payment purposes, and going in with an outsider would be too risky, he figures.

So Mr. Enke reluctantly has decided to lease off allotments on 160 acres of cotton land. He'll be cutting plantings and production so as to be eligible for just about the \$55,000 in government payments permitted by the ceiling; that is some \$25,000 under what he figures he would otherwise have received this year. The lease payments will recoup only \$9,500 of that loss. As for the 160 acres, they'll remain idle; Mr. Enke believes planting cotton on them without a federal subsidy wouldn't yield a profit (his cotton sales last year netted him 6 cents to 10 cents per pound less than actual costs), and it's too late to prepare the land for other crops.

Things may become tougher yet for growers like Mr. Enke if Congress, disappointed in the ceiling savings so far, cuts \$55,000 payments limit to a lower figure.

Rep. Silvio Conte, for one, already is girding up for a battle to do just that. The Massachusetts Republican says he is "shocked and disappointed by reports that virtually no savings will be achieved" from the \$55,000 ceiling. "This bears out my view that a much lower ceiling should have been adopted by Congress last year," he contends. The other day Democratic Sen. Thomas McIntyre of New Hampshire sounded the first trumpet on his side of the Capitol with a bill calling for a \$10,000 payments limit. He claims that would save the taxpayers \$200 million a year.

WASHINGTON, D.C.,

March 16, 1971.

HON. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: I am grateful for the reply of Acting Secretary Palmby to my earlier

letter to you in which he described your Department's response to the GAO report on feed grains (B-114824), and also enclosed copies of the regulations and administrative instructions under which you will administer the farm subsidy ceiling.

This letter is prompted by my review of your regulations and instructions on the ceiling, as well as by reports which indicate the savings to be achieved by the limitation may be far less than originally anticipated.

Your regulations indicate that their administration is to be delegated to locally elected county committees unless they choose to refer decisions to the state committees. Have you issued, or do you intend to issue, any instructions to your inspector general or to the state committees to initiate reviews of the county committee actions? It seems to me that such active oversight is essential, especially in view of the recent feed grain program abuses disclosed by GAO, as well as its earlier report on sugar program abuses (B-118622, March 4, 1970).

I also note that regulation Section 795.7 makes clear that a corporation in which a person has an interest of more than 50 percent shall not be considered as separate from such person. Have you instructed, or do you intend to instruct your county committees, to require all such persons to present evidence disclosing stockholders lists, especially where such persons formerly received subsidies in excess of \$55,000? If not I would respectfully suggest you also give this proposal serious consideration.

I am sure you are familiar with an article by Mr. Burt Schorr published in the Wall Street Journal on March 9, 1971, indicating there will be little actual savings derived from the present ceiling. I would appreciate your response to this story (a copy of which is enclosed). In particular, I am interested in your appraisal of the reported plan of the Mississippi delta family corporation to create three new corporations to be managed as a single unit, in order to avoid the ceiling. I would like to know, first, whether such a step would comply with your present regulations, and, if so, whether you feel, as I do, that this is in fact a "paper reorganization" which should be prevented by amended regulations.

Finally, I would like to request a progress report on the effect of the ceiling as soon as possible after the 1971 sign-up is completed in April.

I understand that the number of producers receiving payments over \$55,000 from each program has increased from 1,100 in 1969 to over 1,300 in 1970, and that the corresponding increase in cotton alone was nearly one-third, from 949 to over 1,200. This means that the maximum possible savings has risen from \$58 million to about \$69 million.

While this progress report I seek should prove useful to you in monitoring the administration of the ceiling, it will also be invaluable to me and many of my colleagues who are interested in lowering the present ceiling.

In addition to any other data that seems pertinent, this report should include:

(1) the number of producers applying for a reduction in set-aside requirements and preliminary estimate of reduction in payments; and

(2) the changes in leasing, ownership and farming practices in 1971 of all producers who received \$55,000 or more in payments under a specific commodity program in 1970, whether or not such producers request a set-aside adjustment.

I urge you to assign some of your most competent staff to the preparation of this progress report. Since sign-up occurs in early April and the number of producers involved is relatively small, I would think it could be completed by the end of April.

In any event, it is important that it be completed well before the 1972 Agriculture

Appropriations bill comes before the House.

Thank you for your consideration of these suggestions and requests. Again let me assure you of my desire to assist your efforts in behalf of a more efficiently run farm program.

With best wishes, I am
Cordially yours,

SILVIO O. CONTE,
Member of Congress.

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

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. MAYNE. Mr. Chairman, this bill is a relief bill for the benefit of certain sugar beet producers in the States of Montana, Utah, and I believe Wyoming. As has already been stated by the gentleman from Minnesota, he is going to offer an amendment withdrawing the State of Minnesota from the bill.

Many of the beet producers who are within the scope of this bill, coming as they do from these mountain States, have never been feed grain producers. They, therefore, have no reasonable claim to be included as a part of the feed grain program or to receive any of the benefits of that program.

Let there be no misunderstanding about it on the part of Members who are not from parts of the country where these crops are produced. Sugar beets are not feed grains. They do not come within the dictionary term or any other definition of "feed grains," except the very unique and distorted meaning which will be given to sugar beets and feed grains if this ill-conceived bill should pass.

The beet growers for whom this bill is designed have been growing beets for many years and all this time they have been participating in the very substantive Sugar Act, and that act, as has been pointed out in the minority views, does contain mechanisms for assisting beet sugar farmers, not one that would specifically apply to this situation, but the act is reasonably susceptible to amendment to take care of their special problem. It already provides for abandonment and deficiency payments which compensate beet growers for a national disaster, and it would be very easy to amend the Sugar Act to take care of this situation, certainly much more reasonable and natural and fair than to try to pretend that they are feed grain farmers and through subterfuge bring them under the umbrella of the Feed Grain Act.

So if the closing of these plants in Montana and Utah does indeed inflict a grievous hardship on these sugar beet growers in that area, such a hardship that the Congress would be warranted in passing some type of special-interest emergency legislation for them, then it should be written the context of the Sugar Act and not the feed grains sections of the 1970 Agriculture Act. Certainly if any emergency hardship legislation is appropriate, it should not be made a part of feed grain legislation.

During the hearing before the subcommittee on livestock and grain the only witness who testified was Dr. Carroll Brunthaver, Acting Administrator

of the ASCS, who was asked if this would not indeed be a sounder legislative approach to assist these farmers through the Sugar Act? My recollection of his testimony is that he agreed and said that the Department would have no objection to using that more appropriate approach than the one used in this bill which is before us now. I think it is unfortunate that the proponents of the bill felt it was necessary to rush it through in this form without exploring the much better route of amending the Sugar Act.

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

Mr. MAYNE. I am glad to yield to the gentleman from Minnesota.

Mr. ZWACH. The committee adopted what I thought was a very fine restricting amendment. That amendment has not really been discussed. Would the gentleman point out the important parts of the amendment that was adopted on the limiting factors?

Mr. MAYNE. As originally drawn, the bill was even more unfair to the established and traditional feed grain producers of the country, than it is now, because it would have permitted a feed grain base to be assigned to beet growers who were growing beets as recently as 1970.

All other people participating in the feed grain program can do so only to the extent that they were growing feed grains in the base years 1959 and 1960. They are rigidly limited to a feed grain base which consists of the number of acres they happened to have in feed grains in that period. So I offered an amendment, which was accepted by the entire Committee on Agriculture, which would limit participation under this new bill to the number of acres that were actually in sugar beets in the same base years 1959 and 1960. Only such acres could be converted into feed grain base acres. This proposal was, as I say, adopted unanimously. It is an extremely important one because it reduces the number of additional acres to be created very substantially.

I want to commend the gentleman from Minnesota (Mr. ZWACH) for his very strong support of the amendment in the committee. I am happy to say that this principle continues to have the strong support of the entire committee.

If I may have the attention of the distinguished gentleman from Washington (Mr. FOLEY) who is managing the bill for the committee, with reference to the question of the gentleman from Minnesota (Mr. ZWACH) who has just asked about the amendment limiting participation to those farmers who did have beets in production in the 1959 and 1960 base years, I would like to also tell the gentleman from Minnesota that the gentleman from Washington (Mr. FOLEY) has assured me the committee position still remains the same on that point, and the committee does support this concept that participation should be limited to the number of acres on which sugar beets were actually grown in the 1959 and 1960 base years.

Mr. FOLEY. The gentleman is correct.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. MAYNE. I yield to the gentleman from California (Mr. TEAGUE).

Mr. TEAGUE of California. Mr. Chairman, I rise just for the purpose of associating myself with the remarks of the gentleman from Iowa. I would like to say that I was one of the signers of the minority report. I think this is bad legislation. It would establish a very unfortunate precedent. I hope it will be overwhelmingly defeated.

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

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

Mr. FINDLEY. Mr. Chairman, unmentioned so far in the debate is the question of bad precedents.

The fundamental question that should be faced is this:

Should the Federal Government indemnify farmers for losses caused by the inefficiency of food processing plants?

My answer is no. Such indemnities, once established, could expand quickly to astronomical sums.

The farmers have ceased growing beets, because the plants they formerly supplied were too small to stay in business. This is widely acknowledged to be the case.

Of the nine sugar plants that closed between 1960 and 1969, each was simply too small or too antiquated to compete efficiently.

If we start bailing out sugar beet farmers just because processing plants go out of business, where do we stop?

Mr. MAYNE. Mr. Chairman, I said earlier that if this were indeed an emergency which would justify the Congress in taking some type of remedial action to come to the assistance of these sugar beet farmers, then it should be done through the Sugar Act. But I do not think that an adequate showing has been made by any means that this is a true emergency situation. As has been pointed out, these farmers of sugar beets are not going to have their income cut off. It is a considerable overstatement to call this a disaster. It is true that the mills at which they were marketing their beets in Montana and Utah have been closed down by reason of obsolescence or other economic reasons, but there is no adequate showing that these beets cannot be marketed at other mills. The beets may have to be sent farther than their immediate hometown areas, but in these days of modern transportation many crops are shipped great distances.

It appears there is a plant in North Dakota, there is a plant in Iowa, there are plants in Kansas, and I believe there are plants in Colorado at which these beets could be marketed. While it may not be as profitable to ship the beets to those plants, still the payments that are made under the Sugar Act would continue to make it an economically viable undertaking.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield once more?

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

Mr. TEAGUE of California. Mr. Chairman, in my own district in California,

where we grow sugar beets, one of the refineries was closed. This seemed to be a terrible catastrophe at the time, but the growers seemed to survive very well by shipping their beets to other refineries, in some cases 50 miles away and in some cases 300 miles away.

Mr. MAYNE. I believe in the testimony before the committee there was an indication that some growers are shipping their beets as far as 150 miles, and they have been able to make it a profitable operation.

So there is no showing that they are not going to be able to continue to raise and market sugar beets. But even if that were true, ladies and gentlemen, the inference should not be left with you and you should not be under the misapprehension that because they were for some reason unable to continue marketing sugar beets their income would be cut off and that there would be a true disaster or emergency, because it is clearly established—

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

Mr. MAYNE. I am happy to yield to the gentleman from Montana.

Mr. MELCHER. My distinguished friend and colleague on the committee from Iowa was present when our colleague from North Dakota described the plight of some of the sugar beet growers in the Red River Valley, not having the opportunity to ship their beets which they had been shipping across the State of North Dakota to the plant in the city in Montana. I bring this up and point it out because I want it clear to our other colleagues that there is no opportunity—none whatsoever—of getting contracts with other sugar beet processing plants. These growers would be delighted if they could. It is their wish to do so. They are all struggling to get a contract with some other plant, regardless of the distance, so long as it is economically feasible to ship those beets to that processing plant.

I thought I should clarify this because I am sure my colleague from Iowa does not want to leave the impression that they would not prefer to grow sugar beets if it were possible.

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

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

Mr. FINDLEY. In response to that comment, it could also be accurately said while they prefer to continue to grow sugar beets, there is not a thing in the world to keep them from growing corn, without legislation. We do not have to pass this bill.

Mr. MAYNE. That is true. They can grow corn, fence to fence, on every acre they had in sugar beets without any additional legislation. They already have that authority.

So this is not an emergency, not a disaster situation. It has very important and dangerous implications, however, to the feed grain program in this country which, after all, is a very large program, one in delicate balance, which this Congress has striven to make a reasonable and defensible program for the benefit of the consumers as well as the feed grain producers of the Nation.

We have enough difficulty, believe me, my colleagues, in keeping support for this program when it is used for legitimate purposes for the feed grain program, which is to control production and stabilize production and prices so that consumers will have a steady source of supply.

This special relief bill is for the benefit of sugar beet farmers in Montana and Utah, most of whom have never produced feed grain. They are from States which have very small feed grain bases. But these farmers have grown beets and received very substantial benefits under the Sugar Act for many years. The Sugar Act should therefore be amended to assist them, rather than distorting the feed grain sections of the Agricultural Act of 1970. As pointed out in the minority views, the Sugar Act is readily susceptible to such amendment.

Instead, this bill adds and invites beet farmers, who have never grown feed grains, into the benefits of the feed grain program. This is a program which up until now has been designed to persuade feed grain producers to reduce the amount they were previously growing in order to avoid surpluses. But this bill will actually pay farmers for not producing crops which they were not producing anyway.

We have enough problems trying to maintain support for the feed grain program in the country and in the Congress without adding to its expense by making it a relief vehicle for producers of other crops. It is unfair to the great feed grain producing areas of the country to exploit the program for the benefit of sections whose interest in feed grains is minimal.

The combined feed grain base in Montana and Utah is only 187,139 acres. There are more than 13½ million base acres in Iowa alone, almost 11 million in Illinois, 10 million in Nebraska, 4 million in Ohio, and 6 million in Indiana.

In each of these States there are literally thousands of lifelong feed grain farmers who have been waiting for years trying to get their bases enlarged. Such applications have been running about 100 per year in a typical corn growing county. There is a backlog of from 7,000 to 10,000 applications per year requesting almost a million additional base acres in Iowa alone. These bona fide feed grain producers have been turned down ever since 1961 on the ground that no feed grain base acres are available. This bill will now create additional base acres but give them not to grain farmers but to beet farmers. How unfair can you get?

There is no true emergency here. The beet farmers do not need this or any other legislation to authorize them to plant as much feed grain as they wish on their beet acres. The purpose of this bill is to give them Federal money for not doing something they were not doing in the first place, to wit the planting of corn. The members of the committee who signed the minority views sincerely believe this bill makes a travesty of the feed grain program and if passed would set a precedent which would jeopardize the program's existence. If the sugar beet industry can get a license to raid the program, why not others?

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

Mr. MAYNE. I yield to the gentleman from Kentucky.

Mr. MAZZOLI. I thank the gentleman for yielding.

I happen to be a legislator from an urban area, and am not familiar with the particularly terminology involved, but would it be fair to say that a person who would not vote for this bill could still not be characterized as a person against the best interests of the farmers and best interests of the farming program throughout the country?

Mr. MAYNE. I agree, because I feel that this bill is very prejudicial to the best interests of our farmers, because it jeopardizes the entire farm program, and is also prejudicial to the best interests of consumers.

Mr. MAZZOLI. Is it fair to say that the adoption of this kind of bill really impedes the formation of legitimate and progressive farm legislation?

Mr. MAYNE. I believe it would set a very dangerous precedent. If the feed grain program can be raided and exploited in this manner then other commodity programs can also whenever some imagined need arises.

Mr. MAZZOLI. I thank the gentleman.

Mr. MAYNE. It is not sound legislation so to distort the purpose of the feed grain program. We have over 131 million acres in feed grain base acres in this country. It is important that the sections of the country where the great bulk of our feed grain is being raised should be considered before a step like this is taken. The trouble is that in each of the feed-grain-producing States there are hundreds and in the major States there are literally thousands of lifelong feed grain producers, men who have devoted their lives primarily to the production of corn and sorghum and other feed grains, and who have been discriminated against because an arbitrary base of feed grain acres was set up back when the program started in 1961. A farmer who happened to have a small amount of acres in corn at that time has been suffering for it ever since because his base was limited to his production at that time. This is a serious matter to corn farmers who need additional base acres. They have been applying for them and waiting for them for 10 long years. They have been standing in line for them at every ASCS office in the country. The Department of Agriculture has said to them that we cannot give you these acres because there are no additional acres for you in the national base. This bill will add to the national base, but instead of giving those additional acres to the feed grain farmers who are entitled to them and who for many years have been trying to get them, it is going to turn them over to beet growers. That is extremely unfair. We are averaging 100 requests per county in Illinois and in Iowa, the record shows, for this type of adjustment in base acres.

Now, Mr. Chairman, we are not asking for any special consideration for the feed grain producers or the feed grain consumers of this country. However, we do think there should be an adequate stabilized supply of feed grains

for the benefit of the people who eat the meat which comes from the cattle that are fed by these feed grains. If you start to tinker with this program in this way, making it a matter of special-interest legislation for a very privileged few who are not feed grain farmers at all, then it will be a distinct disservice to the American consumer and will discredit a sound farm program.

Mr. Chairman, I urge the defeat of this legislation.

Mr. Chairman, I have no further requests for time.

Mr. FOLEY. Mr. Chairman, in accordance with my previous statement, I yield 5 minutes to the gentleman from Montana (Mr. MELCHER) to close debate.

Mr. MELCHER. Mr. Chairman, I apologize to the Committee for this late hour. I would prefer that we could have done our business more quickly and more expeditiously.

I shall not delay the Committee very long. I do want to clear up a point or two that has been raised here in the past few minutes.

I can tell you that if there were any opportunity to grow sugar beets, these farmers would continue to do so. That was their principal crop and that is what they have bought their equipment for and that is what they are set up to do.

If there were any chance of doing something about their emergency in the Sugar Act, I assure we would be glad to take cover under the Sugar Act.

But, for reasons I will point out a little later, that is not possible.

Now, in our case in Montana, on January 25 the announcement was made that the sugar plant was going to be closed. It was quite a shock to those farmers and to the community.

It is true that there are only a few farmers involved, but there really are plenty of precedents where this Congress has acted in natural and economic emergencies to help solve people's problems which this bill is designed to do.

Only as recently as 1970, \$148,000 went into 11 counties in Iowa to fix up flood damage. That is a natural disaster and I recognize the difference.

In 1969, \$330,000 of special allocations went into 22 counties under the emergency ACP because of flooding, another natural disaster, and I recognize the difference.

Then in 1969 they grazed diverted acres in 23 counties, five temporarily and 18 for the long period of time, another disaster in Iowa as a result of drought.

All of these disasters also add up to economic disaster. That is what these farmers in Utah and Montana are facing, economic disaster.

What we are asking for in this bill is some opportunity to help them.

Mr. Chairman, we really should not divide ourselves, those of us who are trying to represent as best we can agricultural areas. The rural vote is dwindling. The farmers and ranchers left on the land—and rural communities—are dwindling. We have too little voice as it is without dividing ourselves over a small bill that will do a little bit of good for a few people.

Mr. Chairman, these people are farm-

ers. What are they supposed to do? They have got to plant this spring. They cannot plant sugar beets. Therefore, they plant the next best crop and that happens to be corn and they should have an equal opportunity with other farmers for the advantages of the farm program. Therefore, they should have that option to get into that program just as any other farmers in the Nation.

I want to lay to rest once more the fact that his has nothing to do with paying farmers not to grow a crop. Whatever the language you choose to use in the 1970 act to justify that, let me repeat again a sentence in this bill: "The feed grain base shall be conditioned upon the production of such commodity on such base or allowance."

The Department's drafting of the language means that those farmers who want into the feed grain plan and who are affected by this bill, must do just exactly that. They must grow the feed grains. True, they will set aside their 20 percent in conservation practices just like other farmers do throughout the country that are engaged in the feed grains program.

The other benefits, of course, are the opportunity to have a loan on the grain and the opportunity to borrow from the agency for building storage facilities and drying facilities. Those are the three things provided for in the feed grain program. That would be their option if we enacted this bill.

We have talked about how many base acres can be adjusted in various States. Under the 1970 act: One percent of the feed grain base for each State can be reserved to give out to new farmers or to farmers for change in practices in their farming operation. That is 135,000 acres in the case of Iowa and similar acreage in the other Corn Belt States.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. FOLEY. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MELCHER. Each of these States has more acreage if they want to redistribute it, available to them under the law. As a practicality it is not done, but the State of Iowa did this year reserve 4,480 acres for new feed grain base the other States also reserve acres which are available for new feed grain bases. There are also other acres available at county level.

Each county does have some acres available for redistribution for new farms and for hardship and emergency cases; combined they are much more than the few acres that we are talking about under this bill. The principle involved is only in the application of fairness to these farmers so abruptly deprived of their sugar beet processing plant. They should be allowed under these admittedly emergency conditions to participate in the farm program. That is all the bill does.

If the bill is defeated the losses will be measured by the impact on the entire agricultural spectrum because what we are trying to do here is to rise to an emergency that has been demonstrated in an agricultural area. I hope we can rise to many more emergencies, and take care of them, and I think we should.

As there are amendments that will be offered that go to pointing up the needs of individual farmers in two other States, and because that will certainly serve the needs of the farmers of those States, I for one will support those amendments.

Mr. HORTON. Mr. Chairman, when we reach the amending stage of H.R. 5981, I intend to offer two amendments which provide relief to certain producers of sugar beets in four States who have suffered a loss of their market due to the closing of sugar beet processing plants in their regions.

A number of Members have alleged that this is special interest legislation, and I am inclined to agree, from two standpoints. First, if the Committee's purpose is to assist sugar beet producers, it would seem sensible to do this through legislation dealing directly with sugar and sugar acreage problems. However, if the Committee, in its wisdom, feels that the best way to provide relief to these growers is to do it through the feed-grain program, I think there can be absolutely no justification for passing legislation which helps some sugar beet growers who have suffered loss of market and not others.

Many of our colleagues are familiar with the scandal that arose over the financial dealings and condition of the Maine Sugar Industries Corp. At one time, this firm, and a sister firm, New York Sugar Industries, operated plants in New York and Maine which provided a market for sugar beets grown in the States of New York, Maine, Pennsylvania, and New Jersey. The closing of the New York plant in the late 1960's left only the Maine Sugar Industries plant as a market outlet for sugar beets grown in these four northeastern States.

In the 1969 crop year, MSI took delivery of the sugar beet crop from producers in these States and then failed to make payment for the crop, resulting in substantial financial loss to the growers in these States. In my congressional district, there are sugar beet growers who are out upward of \$20,000 each as a result of the default and subsequent bankruptcy proceedings of MSI.

Today, in fact, Mr. Chairman, a meeting of the growers' representatives and others involved in this situation is taking place to try to rejuvenate a settlement offer of growers' claims that is unlikely to result in payment to the growers of much more than 10 percent of the value of their 1969 crop.

The Federal Government was instrumental in the financing and establishment of MSI because of the recognized need not only of economic development in the State of Maine, but also the desperate need of the agricultural sector in these States for an addition crop.

After MSI closed its doors following the 1969 season, there was no market for sugar beets grown in these States, and to my knowledge, most of the growers did not produce sugar beets in the 1970 growing year.

I am certain that there are similar tales of woe concerning the growers in the States which are fortunate enough to have been included in the provisions of this bill.

Unfortunately, the cutoff date of December 31, 1969 in the committee version of H.R. 5981 would not go back far enough to cover the growers in these four States of New York, Pennsylvania, New Jersey, and Maine. If we are going to adopt legislation to relieve sugar beet growers in the Midwest and Far West who have lost their markets due to plant closings, I see no justification for excluding those in the Northeast who are similarly burdened.

Therefore, I am offering an amendment to change the triggering date in this bill from December 31, 1969 to December 31, 1968, which would precede the date of closing of the Maine Sugar Industries plant. I am also offering a technical amendment which would apply this bill to the growers in the Northeast.

I would urge my colleagues from these northeastern States, and all of our colleagues who would like to see this legislation passed in an equitable and even-handed form, to support the adoption of my amendments.

Mr. Chairman, the text of my two amendments follows:

Amendment to committee amendment offered by Mr. HORTON: On page 2, line 1, strike out the words "December 31, 1969" and insert in lieu thereof the words "December 31, 1968".

Amendment to committee amendment offered by Mr. HORTON: On page 2, line 3, after the word "That", insert a comma and the following: "except in those cases where sugar beets were grown after December 31, 1960."

Mr. VEYSEY. Mr. Speaker, while I am most sympathetic with the plight of sugar beet growers in three areas now deprived of a processing facility, I oppose H.R. 5981 as being an inappropriate, indeed a dangerous remedy.

There is no defensible reason why historic status as grain growers should be given to a group of former sugar beet growers. To do so would be a serious precedent and would expose agriculture programs to ridicule for offering benefits for not growing grain to those who have never grown grain.

The Sugar Act has been an exemplary program which has generally stabilized this industry for many years, providing a self-sustaining program to assure the housewife and industrial users of a sure supply of sugar at a very low price. Under this law, sugar is one of the best bargains on the dinner table; indeed it is cheaper today than it was 50 years ago.

The Sugar Act contains provisions for the protection of producers who are prevented from producing because of weather, pests, or other cases. Could not these or similar provisions be used for relief of the growers who cannot now produce sugar beets?

The plight of these growers and of the processing companies who are shutting down their operations tells us something, however, about the economic conditions of American agriculture and of the beet sugar industry in particular. It is not profitable or we would not see plants abandoned, and growers eliminated from the industry.

As I mentioned, sugar is the greatest bargain on the American dinner table, and it is so because producers and processors are, in effect, subsidizing the con-

sumers of sugar. As the Sugar Act is being this year considered for renewal, I hope this Congress will contemplate what is taking place, and make it possible for sugar producers and processors to survive and to cease expecting them to subsidize consumers. We should have no further disasters such as this.

Mr. FOLEY. Mr. Chairman, we have no further requests for time.

Mr. MAYNE. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law and subject to such terms and conditions as he determines appropriate, the Secretary of Agriculture is authorized to establish feed grain bases, wheat domestic allotments, and upland cotton base acreage allotments for purposes of the Agricultural Act of 1970 with respect to producers of sugar beets who formerly processed their sugar beets at a processing plant which has ceased operations on or after January 1, 1970, if there is no substitute plant available in the area for the processing of their sugar beets.

The feed grain base, wheat domestic allotment, or upland cotton base acreage allotment shall be conditional upon the production of such commodity on such base or allotment.

Mr. FOLEY (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

PREFERENTIAL MOTION OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. FINDLEY moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. FINDLEY. Mr. Chairman, I have no need for time. I think the preferential motion speaks for itself, and I urge its support.

I yield back the balance of my time. Mr. ABERNETHY. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I live 2,000 miles from the farmers affected by this bill. The bill means nothing to me personally or to any of my constituents. Because of the problem involved and on the merits of the measure I support the bill. It is a worthy piece of legislation.

For these little people an emergency has arisen in their area. They awakened one morning and their sugar mill was gone; their business was gone. They need help. The cost is small. Why should we not help them? We help others in emergency situations.

With all due deference, Mr. Chairman, I am really amazed—I am just amazed—at the attitude of some of the Members of this House here this afternoon.

A few weeks ago the inner elements of

this earth roared forth in the area of the coast of California, and shook that State to the core. The Federal Government moved in with all kinds of assistance to aid those poor, stricken people.

Two or 3 weeks thereafter cyclones whirled through my State, destroying hundreds of homes and business houses, and laid waste the good earth from which farmers make their living. An emergency was created, and the Federal Government moved in with all kinds of assistance.

A similar emergency exists among the farmers in the areas this measure is designed to help. The winds did not blow away the only markets for their sugar beets. But the effect of their sudden and unannounced closing was just the same.

These people have for years made their living digging sugar beets from their soil, and hauling them to a sugar mill. That was their only market, and their principal and sometimes only source of income. And what happened to them? They awoke one morning and the mill was gone. Their market was gone. It was all just as if things had been blown away.

I cannot understand the attitude of the opposition. Why there has been more speaking here tonight on this 15 cents worth of legislation than we normally hear on a bill involving billions of dollars.

Here are 200 or 300 little people—their crop is gone—their business is gone—an emergency has been created. They come to Uncle Sam and to this Congress—first, to the Senate which promptly passed this bill. And now they come to us in the House, with hat in hand, saying, "Please, just tide us over a little bit?"

But to listen to this debate you would think these little farmers were trying to empty all of the gold from Fort Knox. I am sure when the RECORD is read tomorrow, the people of the Nation will not be very proud of this body.

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

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

Mr. GROSS. Is not this legislation in perpetuity?

Mr. ABERNETHY. It is for the life of the feed grain program. But we do have some emergency legislation, such as was passed last year, which is in perpetuity. That is the emergency legislation I made reference to a moment ago. Some of you, one of these days, are going to need it and will be resorting to it. Some of you will have a comparable emergency. Then, I think you will regret the tremendous fight you are making on this little bill today.

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

Mr. ABERNETHY. I yield to the gentleman.

Mr. FOLEY. The legislation is contingent upon the continuation of the feed-grain program which is due to expire in December 1973.

Mr. ABERNETHY. The gentleman is correct. This bill does not mean a thing in the world to me—not a thing in the world. And I am not just being nice by trying to help somebody. I have a very strong feeling that this is something we

ought to do for some people who have been hurt unexpectedly and through no fault of their own. That is the only motive I have. We should pass this bill and help these people and after so doing, I think we will be proud of having done it.

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

Mr. ABERNETHY. I yield to the gentleman.

Mr. DENNIS. Honestly, I do not understand the philosophy of the distinguished gentleman.

Mr. ABERNETHY. The gentleman does not understand what?

Mr. DENNIS. I do not understand the philosophy of the distinguished gentleman. Is the gentleman suggesting that every time one of us gets an economic setback in this country, you, me or any other businessman—that the Federal Government should necessarily bale us out at the public expense?

Mr. ABERNETHY. No, I am not suggesting that. I am suggesting that this is an instance of an emergency where we can and should help. This administration recommends the passage of this little bill. The Secretary of Agriculture says the bill has merit and should be passed. It would appear to me that the position of the Nixon administration on this measure might influence some of those on the Republican side who are making such a fight on the bill.

I am really amazed at the opposition. I hope you will reconsider and help these unfortunate people.

The CHAIRMAN. The question is on the motion offered by the gentleman from Illinois (Mr. FINDLEY).

TELLER VOTE WITH CLERKS

Mr. FINDLEY. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. FINDLEY. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered, and the Chairman appointed as tellers MESSRS. FINDLEY, FOLEY, POAGE, and MAYNE.

The Committee divided, and the tellers reported that there were—ayes 193, noes 115, not voting 125, as follows:

[Roll No. 50]

[Recorded Teller Vote]

AYES—193

- | | | |
|----------------|---------------|-----------------|
| Adams | Camp | Donohue |
| Addabbo | Carter | Downing |
| Anderson, | Casey, Tex. | Drinan |
| Calif. | Cederberg | Dulski |
| Archer | Chamberlain | Duncan |
| Arends | Clausen, | duPont |
| Ashbrook | Don H. | Edwards, Ala. |
| Aspin | Clawson, Del | Edwards, Calif. |
| Badillo | Cleveland | Ellberg |
| Baker | Collier | Erlenborn |
| Belcher | Collins, Tex. | Eshleman |
| Bell | Conable | Findley |
| Bennett | Conte | Flowers |
| Betts | Corbett | Ford, Gerald R. |
| Biaggi | Cotter | Forsythe |
| Bow | Coughlin | Frelinghuysen |
| Bray | Crane | Frenzel |
| Brotzman | Culver | Frey |
| Brown, Ohio | Daniel, Va. | Fulton, Pa. |
| Broyhill, N.C. | Daniels, N.J. | Gallagher |
| Buchanan | Davis, Wis. | Gaydos |
| Burke, Fla. | Dellenback | Gialmo |
| Burleson, Tex. | Dennis | Goldwater |
| Byrnes, Wis. | Devine | Goodling |
| Byron | Dickinson | Grasso |

- | | | |
|-----------------|-----------------|----------------|
| Green, Oreg. | Mathias, Calif. | Schneebell |
| Griffin | Mayne | Schwengel |
| Gross | Mazzoli | Scott |
| Hall | Miller, Ohio | Shriver |
| Halpern | Mintish | Smith, Calif. |
| Hammer- | Mizell | Smith, N.Y. |
| schmidt | Monagan | Snyder |
| Hansen, Wash. | Mosher | Spence |
| Harsha | Myers | Stafford |
| Hastings | Nedzi | Stanton, |
| Hechler, W. Va. | Pelly | J. William |
| Heckler, Mass. | Pettis | Steiger, Ariz. |
| Horton | Peyster | Stratton |
| Hosmer | Pike | Sullivan |
| Howard | Pirnie | Talcott |
| Hunt | Podell | Teague, Calif. |
| Hutchinson | Poff | Terry |
| Ichord | Powell | Thompson, Ga. |
| Johnson, Calif. | Price, Tex. | Thomson, Wis. |
| Johnson, Pa. | Quie | Thone |
| Jonas | Quillen | Tiernan |
| Keating | Randall | Vander Jagt |
| Keith | Reid, N.Y. | Vanik |
| Kemp | Rhodes | Veysey |
| King | Riegle | Vigorito |
| Kyl | Robinson, Va. | Wampler |
| Landgrebe | Robison, N.Y. | Ware |
| Latta | Rodino | Whalen |
| Lent | Rogers | Whalley |
| Lujan | Rousselot | Widnall |
| McClory | Roy | Wiggins |
| McCollister | Ruppe | Williams |
| McDade | Ruth | Winn |
| McDonald, | Ryan | Wolf |
| Mich. | St Germain | Wyatt |
| McEwen | Sandman | Wydler |
| McKevitt | Sarbanes | Wylie |
| McKinney | Satterfield | Wyman |
| Mailliard | Saylor | Yates |
| Mann | Scherle | Young, Fla. |
| Martin | Schmitz | Zion |

NOES—115

- | | | |
|---------------|--------------|--------------|
| Abbutt | Fuqua | Passman |
| Abernethy | Galifianakis | Patten |
| Abourezk | Gonzalez | Pepper |
| Albert | Griffiths | Perkins |
| Andrews, Ala. | Hagan | Poage |
| Andrews, | Hamilton | Preyer, N.C. |
| N. Dak. | Hanley | Price, Ill. |
| Aspinall | Hathaway | Purcell |
| Begich | Hays | Rarick |
| Bergland | Helstoski | Rees |
| Bevill | Henderson | Reuss |
| Blanton | Hollifield | Roncallo |
| Blatnik | Hull | Roush |
| Brademas | Hungate | Royal |
| Brinkley | Kastenmeyer | Runnels |
| Brooks | Kazen | Sebelius |
| Burke, Mass. | Kee | Shoup |
| Burlison, Mo. | Kyros | Sisk |
| Burton | Landrum | Slack |
| Cabell | Link | Smith, Iowa |
| Caffery | Lloyd | Staggers |
| Chappell | McCormack | Stanton, |
| Clark | McFall | James V. |
| Corman | Madden | Steed |
| Danielson | Mahon | Stephens |
| Denholm | Mathis, Ga. | Stubblefield |
| Dent | Melcher | Stuckey |
| Diggs | Mikva | Symington |
| Dingell | Mills | Taylor |
| Dorn | Mink | Teague, Tex. |
| Dow | Mollohan | Udall |
| Eckhardt | Morgan | Ullman |
| Edmondson | Natcher | Van Deerlin |
| Evans, Colo. | Nelsen | Watts |
| Fisher | Nichols | White |
| Flood | Obey | Wright |
| Foley | O'Hara | Young, Tex. |
| Fountain | O'Konski | Zablocki |
| Fraser | O'Neill | Zwack |

NOT VOTING—125

- | | | |
|----------------|---------------|---------------|
| Abzug | Byrne, Pa. | Evins, Tenn. |
| Alexander | Carey, N.Y. | Fascell |
| Anderson, Ill. | Carey | Fish |
| Anderson, | Celler | Flynt |
| Tenn. | Chisholm | Ford, |
| Annunzio | Clancy | William D. |
| Ashley | Clay | Fulton, Tenn. |
| Baring | Collins, Ill. | Garmatz |
| Barrett | Colmer | Gettys |
| Bieber | Conyers | Gibbons |
| Bingham | Davis, Ga. | Gray |
| Blackburn | de la Garza | Green, Pa. |
| Boggs | Delaney | Grover |
| Boland | Dellums | Gubser |
| Bolling | Derwinski | Gude |
| Brasco | Dowdy | Haley |
| Broomfield | Dwyer | Hanna |
| Brown, Mich. | Edwards, La. | Hansen, Idaho |
| Broyhill, Va. | Esch | Harrington |

- | | | |
|--------------|----------------|----------------|
| Harvey | McMillan | Roberts |
| Hawkins | Macdonald, | Roe |
| Hébert | Mass. | Rooney, N.Y. |
| Hicks, Mass. | Matsunaga | Rooney, Pa. |
| Hicks, Wash. | Meeds | Rosenthal |
| Hillis | Metcalfe | Rostenkowski |
| Hogan | Michel | Scheuer |
| Jacobs | Miller, Calif. | Seiberling |
| Jarman | Minshall | Shipley |
| Jones, Ala. | Mitchell | Sikes |
| Jones, N.C. | Montgomery | Skubitz |
| Jones, Tenn. | Moorhead | Springer |
| Karth | Morse | Steele |
| Kluczynski | Moss | Steiger, Wis. |
| Koch | Murphy, Ill. | Stokes |
| Kuykendall | Murphy, N.Y. | Thompson, N.J. |
| Leggett | Nix | Waggonner |
| Lennon | Patman | Waldie |
| Long, La. | Pickle | Whitehurst |
| Long, Md. | Pryor, Ark. | Whitten |
| McCloskey | Pucinski | Wilson, Bob |
| McClure | Railsback | Wilson, |
| McCulloch | Rangel | Charles H. |
| McKay | Reid, Ill. | Yatron |

So the motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. SMITH of Iowa, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5981) to authorize the Secretary of Agriculture to establish feed grain bases, wheat domestic allotments, and upland cotton base acreage allotments for certain growers of sugar beets, had directed him to report the bill back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is, Shall the enacting clause be stricken out?

The enacting clause was stricken out. A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just considered.

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

There was no objection.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow morning.

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

Mr. GROSS. Mr. Speaker, reserving the right to object—I will object to 10 o'clock.

If the gentleman wishes to renew for 11 o'clock tomorrow, I will be agreeable.

The SPEAKER. Will the gentleman renew his motion to make it 11 o'clock?

Mr. O'NEILL. I will be happy to do so.

Mr. GROSS. Mr. Speaker, still reserving the right to object, does this mean that we complete the bill on which consideration stopped this afternoon, that is, the education appropriation bill?

Mr. O'NEILL. Yes. That is what is intended.

Mr. GROSS. Will other business be considered?

Mr. O'NEILL. I have no knowledge of

any other business being considered. Of course, something in the nature of an emergency could be, but no other legislation is planned.

Mr. GROSS. No other legislation except in an emergency?

Mr. O'NEILL. That is correct.

Mr. GROSS. I thank the gentleman.

The SPEAKER. The Chair would like to state that, of course, if some unanimous-consent request would be made, that can be considered but nothing beyond that.

Is there objection to the request of the gentleman from Massachusetts?

PARLIAMENTARY INQUIRY

Mr. FULTON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to make a parliamentary inquiry.

On the record vote, on a teller vote, when is it in order to vote "present"?

The SPEAKER. Just immediately after the announcement of the vote and before any further business is conducted.

Mr. FULTON of Pennsylvania. After the tellers have made their announcement?

The SPEAKER. After the Chair announces the vote.

Mr. FULTON of Pennsylvania. And when is it proper for the Chairman to vote?

The SPEAKER. The Chairman can vote at any time prior to his announcement of the vote.

Mr. FULTON of Pennsylvania. Prior to his announcement of a teller vote?

The SPEAKER. Prior to the announcement of the teller vote.

Is there objection to the request of the gentleman from Massachusetts?

Mr. HALL. Mr. Speaker, further reserving the right to object, is it understood that if unanimous consent is given for the early convening of the Congress tomorrow—I have no desire to prolong it, with everybody wanting to get home for Easter vacation—we will come in as expeditiously as possible to conduct the usual convening of the House and the prayer and the announcement by the Chair as to the approval of the Journal and 1 minute and then proceed with business and not return to other morning hour business or extra business until we complete the work of the day?

The SPEAKER. If the Chair understands the gentleman properly, we will follow the normal procedure of the House. We will convene and have the prayer and the Journal. The prayer will be had and the Journal will be approved and the 1-minute rule will be recognized, and we will proceed to any minor business that some Member of the House may have that the Chair has no knowledge of but by unanimous consent only. We have no calendar except the pending business, which is the business of finishing the education appropriation bill.

Mr. HALL. Mr. Speaker, I thank the Chair for his extended explanation. I simply want to be assured that we will not have a change of intention and that should a quorum call intervene, I think that would be inconsiderate in view of the fact that we are coming in early. But should the majority feel constrained to

demonstrate a quorum, then we would not revert to the further delaying tactics of an additional round of 1-minute speeches but get right on with the business?

The SPEAKER. May the Chair state for the benefit of the gentleman—and the Chair feels that the House is entitled to this information—the Chair has tried to observe the 1-minute rule and only in cases in which we have had no business or no important business has the 1-minute rule not been strictly adhered to. In the event that the House does not go immediately into the consideration of the bill, the Chair will tomorrow recognize under the 1-minute rule only as the first order of business after the prayer.

The Chair will recognize Members for unanimous-consent requests for extensions in the RECORD, but not for speeches.

Mr. HALL. I thank the Chair.

I withdraw my reservation.

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

There was no objection.

WHITWASH ON DAIRY IMPORTS

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

Mr. OBEY. Mr. Speaker, the announcement a few weeks ago that the Tariff Commission would soon begin an investigation with regard to cheese selling for over 47 cents per pound marks the third time in less than 3 years that the President has found it necessary to order such an investigation of dairy imports.

The problem this time is that a loophole left in the import restrictions established in 1969—no quotas for cheese selling for over 47 cents per pound—has been stretched until now it is letting in far more than the entire normal trade in three types of imported cheeses.

In the meantime, there is a huge whitewash job now underway in Wisconsin and other dairying areas, to cover up the Nixon administration's serious failure to deal effectively with dairy imports in the President's proclamation of last December 31.

This attempt to paint the proclamation as "a victory for dairy farmers" is a serious disservice to the dairy industry. For that proclamation—just like past proclamations which have attempted to make our dairy import regulations effective and workable—failed to deal firmly with the "evasion product" problem.

Unfortunately, a new crop of products designed specifically to evade our quota provisions springs up anew after each round of Tariff Commission hearings and quota proclamations, and it is these "evasion products" that are the heart of the whole import problem.

The fact of the matter is that the generous import permits granted by President Nixon last December set the all-time record for rewarding importers for succeeding in getting their "evasion products" past our import control system and into the U.S. market.

In light of this fact I find it most difficult to understand the attempt now

underway to whitewash the Nixon administration's failure on imports. People are writing letters to Washington praising the President's position on dairy imports. Editorial writers argue that the President was compelled to weigh such factors as "a friendly government in trouble politically" against the interests of American dairy farmers in making his decision.

I think it is time that the truth be made known. Dairy farmers need to understand the truth about the December 31 proclamation, so they can make it crystal clear that they do not want the same thing to happen again.

IMPORTS HIGHLY SUBSIDIZED

Let us look at the facts about the present administration's record on dairy imports.

One of the import problems with which the President's December 31 proclamation had to deal was chocolate crumb. This is a product made by mixing fresh milk, sugar, and chocolate liquor and drying them together. It is used for making milk chocolate candy. Because it can be imported so cheaply, it competes in this country with U.S.-made dry whole milk as well as the more expensive milk crumb and chocolate crumb mixtures for making milk chocolate.

Chocolate crumb imports come from Ireland and England. The Irish Government grants generous subsidies for exporting chocolate crumb to the United States. The cost of milk to the manufacturer in Ireland, after allowing for the subsidy, is only \$1.36 per hundredweight. Moreover, the cost of sugar to the Irish manufacturer is only about one-third of the cost to the U.S. manufacturer.

In the United Kingdom, the Milk Marketing Board sells milk at special reduced prices of \$2.22 per hundred pounds to manufacturers of chocolate crumb for export. Here also the cost of sugar is only about one-third that to the U.S. manufacturer. The prices of both milk and sugar in the United States are maintained by government price support operations.

When a large dairy surplus began to develop in Western Europe in the mid-1960's, Western European governments began to increase their subsidies and other encouragements for exportation of dairy products. Imports of chocolate crumb rose swiftly, reaching 45 million pounds in 1968, in contrast to the average annual imports of about 2 million pounds received throughout the early 1960's.

In early 1968, President Johnson ordered the Tariff Commission to investigate and hold hearings on imports of chocolate crumb and several other dairy products. After the Commission completed its studies and reported its recommendations, President Johnson proclaimed quotas early in 1969 of 17 million pounds.

NEW "EVASION" TACTIC FOLLOWED

The 17 million-pound quota went into effect in 1969, and just that quickly the exporters got busy devising a new recipe for chocolate crumb that would just miss the definition. An official of the Department of Agriculture has described this

performance—which it blasted as an obvious subterfuge in the official Department of Agriculture statement in Tariff Commission hearings, July 28, 1970, in the following way:

Proclamation 3884 of January 6, 1969 established an annual import quota on chocolate crumb of 17 million pounds. The quota description contains, as I have just noted, an exception for commodities containing 5.5 percent or less butterfat. The specification of a butterfat content of over 5.5 percent for quota purposes was derived from similar descriptions of other products made from a combination of dairy and non-dairy ingredients; until recently, it had no practical significance since the butterfat content of normal chocolate crumb is 8 to 12 percent.

Now, however, the 5.5 percent exception has become a loophole for quota evasion. Crumb with a butterfat content just coming within the exception is being manufactured and shipped to the United States from the United Kingdom and Ireland. The sole purpose of the new, hitherto non-existent formulation is to evade, by the narrowest possible margin, the U.S. quota. I might note in passing, as a matter of interest, that there have been a few instances where the manufacturer has cut the line of butterfat content so fine that, by the time the product arrived at the U.S. port, a minor amount of moisture evaporation had shifted the butterfat content from just barely under 5.5 percent to just barely over 5.5 percent—making the shipments subject to quota, after all. . . .

The quota which has been established for imports of chocolate crumb should not be vitiated by an obvious subterfuge. We recommend that the exception for chocolate crumb containing 5.5 percent or less by weight of butterfat be eliminated, and that imports of such chocolate crumb be made subject to the present quota of 17 million pounds.

The Department of Agriculture backed up this hard-hitting statement on chocolate crumb imports by recommending that they be prohibited altogether.

Then the Tariff Commission, in its report to the President following the hearings warned that:

Analysis shows imports of these products . . . to be primarily products to avoid the existing quota provision.

And the Tariff Commission too, after completing its investigation and hearing several days of testimony from domestic manufacturers, domestic importers, and the foreign manufacturers and exporters, backed up the recommendation of the Department of Agriculture. The Tariff Commission recommended that the President set a zero quota for this evasion product.

NIXON REWARDS "OBVIOUS SUBTERFUGE"

But President Nixon overruled the unanimous recommendations of both the Tariff Commission and the Department of Agriculture. In his New Year's Eve proclamation, the President granted permission to the foreign exporters to continue shipping in 30 times the average level of imports of this chocolate crumb product.

Never before in history had any President ever granted quotas so far exceeding the normal level of imports.

The law provides that:

Quantitative restrictions imposed by the President may not reduce the rate of imports to less than 50 percentum of imports during a representative period as determined by the President.

President Nixon himself defined the years 1967-68-69 as the "representative period" to serve as the base for computing quotas as provided in the law. The choice of these years was in itself a favor to the foreign exporters; the Tariff Commission had recommended 1963-64-65, years when dairy imports were considerably lower.

The quota of 17 million pounds of chocolate crumb which was established by President Johnson in 1969 was substantially less than twice the average level of imports during the representative period. Yet this was considered so outrageously generous to the English and Irish exporters that the House Ways and Means Committee ordered that the chocolate crumb quota be included in a special investigation.

It is hard to see how the action of the President in setting the quota 30 times as great as the average level of imports is a victory for dairymen.

PLAYING POLITICS WITH DAIRY IMPORTS

President Johnson was criticized sharply by both Democratic and Republican Congressmen and Senators representing dairy farmers. The contrasting partisanship in attempting to whitewash the Nixon administration's performance is gravely disturbing.

The administration's supporters are finding all kinds of excuses for the overly large imports which the President's proclamation will permit to continue. One even goes so far as to contend that the President was justified in granting his generous import permits because he wanted to help "a friendly government in trouble politically."

It is dismaying, to say the least, to have it suggested that the President was justified in putting the interests of friendly politicians in other countries ahead of dairy farmers in the United States. Certainly the integrity of our own dairy price support program should not be subject to manipulation by the State Department.

Furthermore, the effect that these unjustified continuing imports will have in depressing the prices of milk received by farmers in Wisconsin and other parts of

the country is bad enough. The added burden to the U.S. Treasury, for acquiring the dairy products displaced by these imports from their normal markets in the United States, makes it worse.

ENCOURAGES NEW "EVASION" SCHEMES

I am particularly concerned because the proclamation of last December could be interpreted to mean that dairy product importers can count on permanent import licenses as a reward for evading the quota regulations of the United States by what even the administration's own Department of Agriculture brands as "obvious subterfuge."

President Nixon's proclamation is an open invitation to dairy product exporters around the world to get right to work on concocting still more "evasion products" to get around our existing import restrictions. It is a declaration by the highest authority in the land that our dairy import restrictions need not be respected and taken seriously, and that if a foreign exporter can find a way to get away with something, he can expect to get no worse than a permanent license to continue to enter his product into the U.S. market.

The provisions for other dairy products in the President's December 31st proclamation, although not as extreme as the treatment of chocolate crumb, exhibited the same general lack of regard for maintaining the integrity of the import control program against erosion by "evasion products."

FACTS ON NIXON IMPORTS ACTION

Mr. Speaker, I wish to submit a table for inclusion at this point in the RECORD, showing the names of the four dairy products that were dealt with in the December 31, 1970, Presidential proclamation, and showing the average annual imports during the representative period established by the President, the annual quota for each that was recommended by the Tariff Commission, the annual quota that was set by the President, and the amount by which the quota set by the President exceeds the average normal imports.

The table follows:

Product	Average annual imports during representative period (1967-69) ¹	Annual quota recommended by Tariff Commission	Annual quota set by the President	Quota exceeds average imports by—
Low-fat chocolate crumb (pounds).....	159,000	0	4,680,000	30 times.
Low-fat skim milk cheese (pounds).....	1,040,000	100,000	8,901,000	Nearly 9 times.
Animal feeds (pounds).....	4,039,000	0	16,300,000	4 times.
Ice cream (gallons).....	863,000	0	431,330	½ times.

¹ From Tariff Commission publication 338, September 1970.

It is notable that for all of the four dairy products excepting one, the quotas set by the President greatly exceed the normal level of imports.

The low-fat skim milk cheese quota is nearly nine times as large as the average. But worse than that, it is nearly 90 times as large as the Tariff Commission's recommendation. The Tariff Commission noted that traditional imports of this product for many years had entered at a steady rate of 60,000 pounds per year.

As the Commission pointed out in its

report to the President, sharp increases in imports of all the products began in 1969, and continued at an accelerated rate in 1970. The Commission warned the President that:

Analysis shows imports of these products—other than the low-fat cheese for which an annual quota of 100,000 pounds is recommended—to be primarily products designed to avoid the existing quota provisions.

URGED NORMAL BASE PERIOD

The Tariff Commission recommended to the President that the representative period be designated as the calendar

years 1963, 1964, and 1965, so as to avoid the abnormal distortion that occurred in 1969 and 1970 when huge volumes of these products began to enter the country in response to the European dairy surpluses and export subsidy programs of the exporting countries. As the Tariff Commission put it in its recommendations to the President:

In the Commission's view, the period in which such increases in imports occurred cannot properly be regarded as being the whole, or part, of a representative period within the meaning of the statute. To do so makes the "representative period" concept meaningless; it not only improperly increases the minimum permissible quantities of articles which may be imported but also affects the equities of the foreign countries that supplied, and the importers who imported, the traditional imports of dairy products.

I can see no justification whatsoever for the President to have ignored the advice of the Tariff Commission and designated the very years in which this abnormal trade began as the representative period.

But even less can I understand why he was not content to let it go at that, and to set quotas at the minimum level of 50 percent, or even the full average amount during the representative period. That would have been far more generous than the Tariff Commission felt that the facts in the case would warrant.

GUARD AGAINST REPEAT PERFORMANCE

Unfortunate and wrong as I feel the President's action is, my purpose is not simply to complain against an action which, in all probability, will not be changed in any event. My purpose in discussing this situation is to help prevent the same kind of thing from happening again.

The President recently announced that he is directing the Tariff Commission to institute an investigation and conduct hearings to be held on April 20 on the need for restricting imports of Swiss or Emmentaler, Gruyere-process, and certain other cheese.

This is another loophole and "quota evasion" problem. The import regulations provide that imports of these types of cheese may be exempted from the quota restrictions if their purchase price at the port of exportation is over 47 cents per pound. It is this "price break" system under which cheese becomes exempt from the quota restriction on imports if priced above a "break point" that serves as a "loophole" which is admitting a rising flood of foreign cheese into our markets.

In the Tariff Commission hearings in 1968, not only the domestic dairy organizations but importers as well, pointed out that there is no effective way known by which the "price break" provision could be enforced without large-scale evasions.

It is widely acknowledged in the trade that this provision is subject to subterfuge and illegal evasion by means of kickbacks, under-the-table discounts, and similar practices, which are almost impossible for the hard-pressed customs inspectors to control.

Specific evidence of an illegal kickback proposal was published by Senator PROX-

MIRE last year. Persons familiar with the dairy and import businesses warn that there are undoubtedly many similar evasions.

But it is not only the probable prevalence of widespread illegal evasion that makes the price break loophole into a serious potential threat to the dairy price support program.

DRIED CHEESE A THREAT

Under a ruling by the Bureau of Customs about a year ago, large quantities of milk fat and nonfat solids may be allowed to enter the United States in the form of dehydrated powdered or grated cheese at prices far below U.S. support levels.

The "joker" here is that the removal of the water from cheese in the drying and grating process raises the total quantity of milk fat and nonfat solids in a pound of the dried product. Swiss cheese is allowed to have as much as 41 percent moisture. The imported dried cheese products have 6 percent or less moisture. Thus, it is apparently possible for Swiss cheese of normal moisture costing as little as 30 cents a pound to have a value of 47 cents per pound if it is dehydrated to 94 percent moisture.

What this amounts to is that about one and a half pounds of cheese is counted for quota purposes as a single pound, on the basis of its weight after the water is removed.

The threat of large-scale imports of dried cheese under the price-break loophole has been eased by the notice that the Food and Drug Administration does not permit the use of dried cheese in making a wide range of processed cheese, cheese foods, and cheese spreads.

But nevertheless, it can enter in unlimited quantities under present regulations, and it affords a constant incentive to food manufacturers to substitute foreign dairy products obtained at subsidized low export prices at the expense of domestically produced dairy products.

NO MORE HALFWAY MEASURES

Mr. Speaker, the notorious price-break loophole must be slammed shut permanently. But the Nixon administration's action of December 31 on dairy import restrictions raises the serious danger that the price-break loophole too will be dealt with by half measures or less.

The most common halfway measure that is a possibility is merely to raise the "price break" level from 47 to 54.8 cents, the present Commodity Credit Corporation buying price for cheese, or to have it fluctuate up and down according to the cheese support trade.

This possibility is a serious one. In the administration's announcement that revision of the price-break exemption is to be considered, it was noted that:

The Tariff Commission has been directed to examine the feasibility of continuing the present price break system of controls at different specified price level.

I hope Wisconsin dairy farmers will be on their guard, and make it clear to the President that they will not be satisfied with a halfway measure that will reward past quota evasions and allow the known loophole of the "price break" system to remain unplugged.

PLANS OF MILITANT ANTIWAR GROUPS TO LAUNCH MASSIVE DEMONSTRATIONS IN WASHINGTON, D.C., APRIL 24 TO MAY 5, 1971—RESPONSIBLE DISSENT OR COMMUNIST INSPIRED PROPAGANDA?

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

Mr. ICHORD. Mr. Speaker, the continuing public debate by people of all political persuasion over our foreign policy in general and our involvement in Southeast Asia in particular has dramatized the inalienable American right of responsible criticism of governmental policies. However, I am sure most citizens would agree that not all dissenting Americans are acting out of loyalty to American ideals of their country.

I rise today to express my deep concern over the plans of militant antiwar groups to launch massive demonstrations in Washington, D.C., during the period April 24 through May 5, 1971. The National Peace Action Coalition—NPAC—and the People's Coalition for Peace and Justice—PCPJ—both of which are known to be operating under substantial Communist influence, are the two major organizations taking part in these forthcoming demonstrations. Leaders of these antiwar groups have boasted that sustained 2-week protest actions will commence on April 24 with a mammoth assembly near the White House and will culminate on May 5 with a march on the Capitol which will involve encirclement of the Capitol Building "insisting" that Congress must stay in session until it has ratified the so-called "People's Peace Treaty," a document drafted in Hanoi, which is in complete accord with the Communist position in Vietnam.

In addition, the leaders of these militant antiwar groups have promised to completely immobilize many important functions of the Federal Government by such actions as blocking bridges and highways leading into the Nation's Capitol, blocking access to key Government facilities, urging Federal employees to strike, and pursuing any other tactics, such as sit-ins and stall-ins, that might serve to bring the wheels of Government to a halt. The White House, the Pentagon, and the Congress are among the targets singled out by these antiwar forces.

The NPAC and PCPJ in unifying their efforts are hopeful of staging the largest antiwar demonstration ever to take place in this country. The immediate objective of the demonstration is, of course, to force a complete withdrawal of U.S. forces from Southeast Asia. The real objective of the leadership is not peace but the humiliation of the United States, the promotion of a Communist takeover in Southeast Asia, and the general advancement of world communism. Every massive antiwar demonstration which has taken place in this country in recent years has had all-out Communist planning and support. Such massive turnouts have resulted from the efforts put into them by Communist elements.

I am sure everyone recalls that dur-

ing November 1969, the Nation's Capital was swept by a wave of massive antiwar protests. The demonstrations were widely advertised as peaceful but violence erupted like the fury of a tornado. Hundreds of militant demonstrators bent on violence made an attempt to storm the South Vietnamese Embassy. Police were forced to use tear gas to disperse them. At the Washington Monument, the ring of American flags representing the 50 States were replaced by Vietcong banners. "Hate America" speeches rang out over the crowd.

Following the assembly at the monument grounds, thousands of militants crashed through police lines and headed for the Justice Department. A riot ensued. Windows were broken and red paint splashed on the walls of the building. The American flag was hauled down and the Vietcong flag flew in its place. Private property damage was estimated at a quarter of a million dollars while the U.S. taxpayers were left with a bill of approximately \$1¼ million for damage to Government property, deployment of troops, et cetera. Over 600 individuals, including 26 police officers, were reportedly treated for injuries sustained during the demonstration and 175 arrests were made.

With the above as background, let us now look very briefly at the planning and organizing for the forthcoming antiwar demonstrations in the Nation's Capital.

The now defunct New Mobilization Committee to End the War in Vietnam—New Mobe—was the sponsor of the November 1969, demonstrations in Washington. This organization and its predecessor groups have a history of involvement in violence. A staff study prepared by the House Committee on Internal Security, which I chair, disclosed that the New Mobe, a coalition of numerous antiwar groups, had been dominated mainly by two Communist factions, the Communist Party and the Trotskyite Socialist Workers Party, both of which advocate the overthrow of the U.S. Government by force and violence. Due to continual friction between the Communist Party and Socialist Workers Party factions within New Mobe, with each one trying to dominate the other in attaining a leadership role, the Socialist Workers Party decided, after the massive November 1969 protest demonstrations, to withdraw its support from the New Mobe.

On June 19-21, 1970, the Socialist Workers Party together with its youth arm, the Young Socialist Alliance, and the Young Socialist Alliance-dominated Student Mobilization Committee, held a conference in Cleveland, Ohio, for the purpose of planning future antiwar activities. This conference resulted in the formation of the National Peace Action Coalition—NPAC—to serve as the Socialist Workers Party action group in carrying out massive antiwar demonstrations.

At about the same time, the Communist Party faction within New Mobe, held a strategy action conference in Milwaukee, Wis., on June 26-28, 1970. This conference resulted in the formation of the National Committee Against Racism, War and Repression, which subsequently

underwent a name change and is currently known as the People's Coalition for Peace and Justice—PCPJ. Plans were formulated to emphasize such issues as "racism," "repression," and "poverty" along with antiwar protests.

The basic difference between the two coalitions is rather simple. In general, the Trotskyite NPAC emphasizes a single issue—the war—and a single tactic—massive rallies and marches. The Communist PCPJ is committed to dealing more militantly with such issues as racism and repression in addition to the war and favors the use of a wide spectrum of tactics, ranging from a multiissue decentralized program to mass civil disobedience.

Among the top leadership of the PCPJ are such well known Communist Party functionaries as Gilbert Green and Jarvis Tyner, members of the Communist Party's National Committee. In addition, there is Sylvia Kushner, a member of the State Committee of the Communist Party of Illinois, Irving Sarnoff, formerly active in the Southern California District of the Communist Party, Sidney Peck, former Communist Party leader in the State of Wisconsin, and David Dellinger, who is often described by the press as a leading pacifist but who describes himself as a non-Soviet Communist. There is also, of course, Rennie Davis, who was convicted in Chicago, Ill., for violation of antiriot laws.

The ties between the PCPJ and its foreign principal was revealed when a delegation from the PCPJ traveled to Stockholm, Sweden, for the November 28-30 1970, World Conference on Vietnam, Laos, and Cambodia which was staged by the Communist Stockholm Conference on Vietnam. The conference called for the coordination of worldwide demonstrations and mass actions throughout the world designed primarily to force withdrawal of American forces from Indochina. Significantly, the World Conference gave its official endorsement to the spring, 1971, offensive by antiwar forces in the United States.

Turning to the other major antiwar group, the NPAC, we find that of its five national coordinators, four are affiliated with the Socialist Workers Party. The NPAC steering committee includes representatives of several organizations that are dominated by the Socialist Workers Party and its youth arm, the Young Socialist Alliance. Among the prominent Socialist Workers Party members serving on the NPAC steering committee are Fred Halstead, Donald Gurewitz, and Carol Lipman.

Although a NPAC delegation did not attend the November 1970 Stockholm conference, the NPAC has not been without foreign Communist support. For example, the July 3, 1970, issue of the Militant, official organ of the Socialist Workers Party, reported that the founding conference for the NPAC had received foreign Communist support in the form of a telegram from Nguyen Van Sao for the National Liberation Front of South Vietnam and from Ly Van Sau for the Paris Delegation of the Provisional Revolutionary Government of South Vietnam. Both messages hailed the conference for

focusing on the demands for immediate withdrawal of U.S. forces from Southeast Asia and welcomed the "growing solidarity of the American and Vietnamese people in the fight for peace."

It is interesting to note that both the NPAC and the PCPJ endeavored to work together in mapping out a 1971 spring peace offensive but were unable to reach an agreement as to specific dates or tactics. Hours of discussion at conferences designed to coordinate their activities served only to emphasize the wide divergence of views between the leaders of the two groups. Hopelessly deadlocked, the NPAC and the PCPJ appeared to be headed their own individual ways and the 1971 spring offensive doomed to small ineffective protest actions.

However, at a hastily called joint press conference on March 2, 1971, the leaders of the NPAC and PCPJ announced that they had resolved their differences and were mobilizing a powerful force to "oppose the brutal and irresponsible policies of the Nixon administration." The leaders announced they would cosponsor an April 24 massive demonstration in Washington, D.C.

In addition to building the April 24 action, the PCPJ, the more militant of the two coalitions, announced it would organize protests to continue in the Nation's Capital from April 24 through May 5, when both groups would again unite in organizing a "nationwide moratorium on business as usual" around the country in general and in Washington, D.C., in particular. As a part of this action, the two groups announced their plans to march on the Capitol Building.

A highly significant factor in the settling of the differences between the NPAC and PCPJ was an urgent plea made by Xuan Thuy, head of the North Vietnamese delegation to the Paris talks. Thuy, in a message of February 27, 1971, addressed to all antiwar forces in the United States was apparently instrumental in convincing the NPAC and PCPJ that the need for unified antiwar action was paramount. The following is the text of the message delivered by Xuan Thuy as printed in the March 20, 1971, issue of the Guardian, self-described radical weekly:

Facing the serious situation as it's now presented, I call upon the progressive American people and all antiwar organizations in the United States to unite closely, to associate all forces and strata of the population irrespective of their skin color, religion and political trend, thus making a wide and strong movement so as to curb in time new military adventures by the U.S. Administration, to demand an end to their war of aggression in South Vietnam, Laos and Cambodia, to demand the withdrawal of all American troops from Indochina and let the Indochinese people settle their own internal affairs. Such is the way beneficial to the peoples of Vietnam and Indochina, beneficial to the American people, beneficial to peace in the world. I wish you every success in your coming activities.

One of the main features of the forthcoming antiwar demonstrations is a so-called People's Peace Treaty, a document drafted in Hanoi and signed by a delegation consisting of representatives of the National Student Association, who traveled to Hanoi at the urging of PCPJ

Leader Rennie Davis, Vietcong, and North Vietnamese student groups. The People's Peace Treaty, which is in complete accord with the Communist position in Vietnam, calls for immediate American withdrawal from Vietnam, release of all political and war prisoners, and self-determination for the people of Vietnam. By ratifying this so-called treaty the signers pledge to take whatever actions are appropriate to insure its acceptance by the U.S. Government.

The Department of State has officially denounced the People's Peace Treaty as "not a program for a reasonable and lasting peace. The provisions are in essence the same terms which have been put forward repeatedly over the past few years by the Communist negotiators in Paris."

At this point I would like to take cognizance of the fact that the international Communist movement has always operated on the principle of "just and unjust" wars. According to Communist ideology, an "imperialist or unjust war" is one which the world Communist movement opposes while a "people's war or a just war" is one it favors. According to the Marxian definition, U.S. participation in the conflict in Southeast Asia is an "imperialist or unjust struggle" and all Communists are obliged to resist the American forces with demonstrations, propaganda and all resources at their command. The Hanoi government has on many occasions in the past hailed the so-called progressive elements in this country for launching a broad and powerful offensive to demand that the U.S. Government put an immediate end to the Vietnam war.

A few days ago I received in the mail, as I am sure many of my colleagues did, a letter from the NPAC soliciting an endorsement of the forthcoming April 24 massive demonstrations. Enclosed with the letter were endorsements the NPAC had already received from 15 Representatives and four Senators. I wonder if my colleagues are prepared to accept the chaos which these antiwar groups are proposing to unleash? I wonder also if my colleagues would be participating if they were aware of the leading part which Communist elements both at home and abroad have played in the planning and coordination of the demonstration soon to take place.

Because this antiwar activity is being carried out in the name of peace, many responsible American citizens who are interested in world peace on an honorable basis, may hasten to lend their endorsement to this activity.

For whatever reasoning or rationalization they might have, they apparently feel that participation in the activities of groups opposed to war is the proper way to assist in reaching that goal. But how many of them really know the background of the leaders of these antiwar groups? How many of them would participate if they knew in advance that they were following those whose activities in the past clearly brand them as arch enemies of our Nation? This is why I feel it is vital to set the record straight by disclosing the Communists and Trotskyites who are masquerading as prophets of peace.

Peaceful dissent is an act of faith in the democratic system—a belief that orderly change is an attainable goal. Peaceful dissent is a responsible outlet for sincere difference of opinion, and is within our democratic framework. Peaceful dissent also focuses attention on public issues troubling our Nation. The right to dissent, however, is no license for violence, subversion, or revolution.

The only respectability these antiwar peace coalition groups can hope to achieve is from the good and conscientious Americans who follow behind their banner. I can only hope that my colleagues and our fellow Americans will look closely before they leap behind these groups' Communist banner. These militants have absolutely nothing genuinely in common with the vast majority of those Americans who are interested in securing peace on an honorable basis.

And so, Mr. Speaker, on April 24 the first in a series of militant demonstrations is scheduled to take place in Washington. The goals and possible consequences of the demonstrations should be a matter of deep concern to all of us. I want to make it clear that I do not take issue with the claim that the war is deplorable. This is regrettable and the President is doing all he can to bring about the speedy withdrawal of American troops from Vietnam. I do take issue with the claim, however, that the antiwar groups, like the NPAC and the PCPJ, have the right to move into the Nation's Capital for the expressed purpose of disrupting its normal functions until its demands are met. Specifically, I have reference to the plan to keep Congress in session on May 5 until it ratifies the so-called people's peace treaty. This is not the democratic process; this is pure and simple intimidation and blackmail.

Leaders of these antiwar groups have already begun negotiations with Government authorities in regard to the establishment of a "peace city" encampment of some 75,000 protestors in Rock Creek Park to be used as the launching point for militant antiwar demonstrations during the period of April 24 through May 5. I, for one, am deeply concerned and apprehensive about the possibility of this type of encampment. It seems to me that the combination of a large number of people in temporary shelters for an extended period of time will almost inevitably lead to disruptions and violence. In addition, I believe the Rock Creek Park area is for all the people to use and enjoy, especially with the advent of spring. I am sure this picturesque park land was never intended to be used exclusively by a dissident group whose main purpose is to pressure the administration and the Congress to bow to its demands.

With regard to the forthcoming demonstrations and the participants themselves, the matter is one which must be considered within the framework of the democratic processes and with understanding that rule of law is the foundation stone of our society. The U.S. Supreme Court has pointed out in the case of Cox against Louisiana:

We also reaffirm the repeated decisions of this Court that there is no place for violence in a democratic society dedicated to liberty

under law . . . There is a proper time and place for even the most peaceful protest and a plain duty and responsibility on the part of all citizens to obey all valid laws and regulations.

Thus, the Supreme Court has ruled that demonstrators do not have a constitutional right to block the bridges and highways leading to Washington, to block the entrance of a building, or to otherwise disrupt the functioning of the Government.

The planned acts of rebellion by these antiwar forces demand prompt action by law enforcement authority and not merely statements of concern. Society has already had to pay a staggering price for mad rampages in the past. The real victims of these militant demonstrations are the hard-working, taxpaying, law-abiding citizens of this country, who believe, as I do, that senseless acts of violence against innocent people in the name of peace must be rejected. I cannot help but think that among the many thousands of individuals planning to participate in the activities sponsored by these antiwar forces are those who would withdraw if they knew they were in league with the international Communist movement.

Law enforcement authorities should plan an effective course of action. We have grown so accustomed to demonstrations in the Nation's Capital over the past several years, that many of our citizens tend to take disruptions for granted. There may be serious disorders ahead. I hope that I am proven wrong. But to be forewarned is to be forearmed. It is time for the authorities to promptly and firmly announce to those intending to participate in these forthcoming demonstrations that lawlessness, disruption of the Government, and incitement to rioting and violence will be promptly met with arrest and such force as may be necessary to prevent or to quell such acts.

I am inserting the printed program for the forthcoming antiwar demonstrations as published by one of the participating organizations, Students and Youth for a People's Peace:

April 24.—Mass rally in Washington, D.C. cosponsored by the National Peace Action Coalition and the People's Coalition for Peace & Justice (PCPJ).

April 24.—Regional and national constituency (e.g. Women, Gays) movement centers open in Washington.

April 26-30.—PCPJ sponsored massive people's lobby of Congress and government offices; will include small special group sit-downs and other civil disobedience by clergy, pacifists, etc. if they're denied access.

May 5.—"No business as usual" across the country.

May 1.—People's Assembly, to be held on a farm outside Washington—a celebration of our signing the Peace Treaty where our politics and culture unite—the first official day of Treaty enforcement—an occasion for world-wide demonstrations of support for the Vietnamese and our anti-war struggle—a march from Kent State and car caravans from other cities will arrive.

May 2.—Rally sponsored along with the People's Coalition for Peace and Justice which brings together all the groups which will be in united action to enforce the Treaty in Washington for the next three days. The National Welfare Rights Organization, the SCLC mule train from New York, and youth and students who have marched in

from the farm will give Nixon a final opportunity to accept the Treaty before we take to the streets. Public declaration of targets for disruption and goals of the next three days.

May 3 and 4.—“If the government won't stop the war, we'll stop the government.” Each region or national constituency group will have assumed the responsibility of interfering with the functioning of specific bridges, traffic arteries, or government buildings during the 7-9:30 a.m. rush hour. The manner in which this is to be done will be determined by each group, but the overall discipline will be non-violent, the tactic disruptive, and the spirit joyous and creative. We strongly discourage random acts of violence or the trashing of property in Washington. All actions will take place in the white controlled Federal areas, i.e. south of Massachusetts Avenue so as not to interfere with the black community.

May 5.—As part of a national moratorium on business as usual, we will march on and encircle the Capitol building, insisting that Congress must stay in session until it has ratified the People's Peace Treaty.

J. EDGAR HOOVER AND THE FBI

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

Mr. ABERNETHY. Mr. Speaker, I was shocked and saddened over what I regard as an unwarranted attack made yesterday on the Honorable J. Edgar Hoover. I regard our majority leader, who made the attack, as my friend and am personally fond of him. But I strongly disagree with what he said about Mr. Hoover and the FBI.

We are living in a dangerous time. Crime is at its highest level. The drug traffic has reached thousands of our youth at both the high school and college levels. Hoodlums are frequently turning our trial courts into turbulent scenes of disorder. Anti-American movements are fast developing before our very eyes.

In these dangerous times we need J. Edgar Hoover. We need and should appreciate his vigorous effort and that of his Bureau more than ever. Fortunately, most Americans do.

Mr. Hoover is a patriotic American. He believes in law and order. He has no favors for any who disobey the law. He treats all alike—rich or poor, strong or weak. He instructs and directs his men to follow the same course—and they do.

Mr. Speaker, prior to my coming to the Congress, I served 7 years as a State prosecutor. In those days I learned considerable about law enforcement. My service in this body for many years has afforded me a front row seat to the observance of law enforcement and dedication to duty. I believe I have had sufficient experience and background to evaluate Mr. Hoover and the FBI.

I sum it up, Mr. Speaker, by saying that we, as Americans, we as a nation who believe in law enforcement, we as a people who advocate and support an orderly society, who believe in fair play, and who actually despise dictators and police states, owe a debt of gratitude to J. Edgar Hoover and his FBI team. They have done a magnificent job in enforcing the law and helping to perpetuate the beliefs and ideals on which this Na-

tion was founded and which has made it the envy of the civilized world.

Mr. Speaker, I lift my hat to the Honorable J. Edgar Hoover and the team of agents which he has developed into the greatest law enforcement agency in the world.

THE CASE OF LT. WILLIAM CALLEY

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

Mr. THOMPSON of Georgia. Mr. Speaker, I would like to commend President Nixon for having the fortitude to personally take charge of the Lt. William Calley matter.

Although the Mylai incident occurred while Lyndon Johnson was President and, of course, in no way could be attributed to the Nixon administration, President Nixon has demonstrated to the American public and this Congress that he is responsive to public opinion and that he will not shirk the duties of his office, for as Commander in Chief, he does have the final responsibility in this area.

With this in mind, Mr. Speaker, it is somewhat disconcerting to hear on the radio a report such as I heard this morning. The report was that former Attorney General Ramsey Clark criticized President Nixon for personally intervening in the matter and the President stating that he would have the final authority in the Calley matter. The former Attorney General is reported as stating that if we are a nation of law, then by President Nixon, stating that he would make the final decision in the Calley case, did detriment to the country by this statement.

One would think that Ramsey Clark would have more knowledge of our federal system than is displayed by his criticism. As a former Attorney General, surely Ramsey Clark must have been aware that in all military matters, the President, by law, has the final authority. President Nixon, by stating that he would not shirk this responsibility, is merely reaffirming that he is determined to have our American system work.

Possibly Ramsey Clark is one of those individuals who just feels he must nit-pick against President Nixon even when he Ramsey Clark does not know what he is talking about. Frankly, Mr. Speaker, I for one, was very distressed when Ramsey Clark, as Attorney General, refused to enforce section 12-A of the Selective Service Act with regards to the actions of Stokely Carmichael. After refusing to enforce the law and in response to inquiries, he sent one of his Assistant Attorneys General to a House Committee to state that, in his opinion, the law was unconstitutional. Of course, I was surprised that the Attorney General should feel it his responsibility to decide whether a measure was constitutional or unconstitutional; other men who have held his office have left such determinations to the courts. But after having heard his criticism of President Nixon, for stating that he would perform the duties of his office, the mystery is cleared up considerably. Ramsey Clark just does not know

what he is talking about or what the law actually is.

MOST FLAGRANT MISUSE OF U.S. GOVERNMENT FRANK IN OFFICES OF THE PEACE CORPS IN WASHINGTON

(Mr. MOORHEAD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include a letter.)

Mr. MOORHEAD. Mr. Speaker, I rise to inform the House that a most flagrant misuse of the U.S. Government frank recently occurred in the offices of the Peace Corps in Washington. Former Peace Corps volunteers and staff members report that they have been receiving private advertising letters promoting the sale of a new book in Government-franked envelopes. The penalty under the law for this offense is \$300. The matter is now under investigation by the House Foreign Operations and Government Information Subcommittee of which I have the honor of being chairman. I also have requested that the U.S. Postal Inspection Service look into the case.

Apparently, quite a quantity of these letters were mailed utilizing Peace Corps mailing lists. Officials of the Peace Corps understandably are most distressed by this incident and are conducting their own inquiry to fix responsibility and make certain it does not occur again.

The promotional letter advertises a new book entitled: “A Moment in History: The First Ten Years of the Peace Corps,” by Mr. Brent Ashabranner who formerly served as Deputy Director of the Peace Corps. The book was published by Doubleday & Co., Inc., of New York. The promotional letter for the book urges the purchase of the book for \$7.95 “at better bookstores everywhere.” The Peace Corps informed the subcommittee that the signer of the letter, a Miss Anne Mishley, is a fictitious name. A copy of the letter follows:

DOUBLEDAY & Co., INC., PUBLISHERS,
New York, N.Y., February 1, 1971.

DEAR FRIEND OF THE PEACE CORPS: It was through you, the young who generated candid emotions and unabashed compassion toward the world around you, that a vague campaign promise to organize an international agency—the Peace Corps—for the betterment of peoples was realized.

Doubleday is pleased to present to you, on March 1st, 1971, a book dedicated to your struggles and triumphs: “A Moment in History”: *The First Ten Years of the Peace Corps*, by Mr. Brent Ashabranner who became Deputy Director of the Corps in 1967. Mr. Ashabranner, whose devotion to those very same ideals helped supply the impetus to make the Agency go, candidly penetrates every phase of the Corps' development from its shaky beginnings—brought about by its rapid uncontrolled expansion—to the unique organization which has captured the imagination of today's world.

And you will, no doubt, see yourself presented in these pages as Mr. Ashabranner describes, with scores of examples, the Corps' significant achievements perpetuated through your eagerness and determination.

“A Moment in History” will be available to you on March 1st, 1971, for \$7.95, at better bookstores everywhere.

Sincerely yours,

ANNE MISHLEY.

CONTINUED U.S. SOVEREIGNTY IN PANAMA CANAL ZONE—A MUST

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

Mr. HALL. Mr. Speaker, on January 26 of this year, the distinguished gentleman from Pennsylvania (Mr. FLOOD) and I introduced resolutions expressing the sense of the House of Representatives that our sovereign rights over the Panama Canal Zone be maintained, and that the United States in no way surrender its control or jurisdiction over this vital Isthmian area.

During that January introduction, Mr. FLOOD and myself, pointed out the grave national and international situation developing over the Canal Zone. Among the reasons creating this grave situation is the fact that the final report of the Atlantic-Pacific Inter-Oceanic Canal Study Commission, under Public Law 88-609, authorizing the study of the feasibility of constructing a new transisthmian canal of so-called sea-level design, was filed with the President on December 1, 1970. This report contained a primary recommendation for the construction of this sea-level canal entirely in Panamanian territory, about 10 miles west of the existing canal, regardless of the costs or consequences. This recommendation hinges upon surrender by the United States of its sovereign rights and jurisdiction over the existing canal zone. I need not tell this body the dire consequences of such a surrender, to this country and the free world.

In addition, Mr. Speaker, the President has appointed negotiators to explore further with the military dictatorship that rules Panama, the possibilities of new talks on the status of the Canal Zone. Only last week, Mr. Robert N. Anderson, the senior U.S. Representative in the negotiations, was in Panama for conferences with high Panamanian officials. It was believed in diplomatic circles that Anderson's visit was a prelude to a formal announcement by the United States and Panama of the resumption of treaty negotiations. If this be the case, Mr. Speaker, let me remind the House that this is the same Robert M. Anderson that negotiated the abortive draft treaties on the same subject in 1967. Let us not give Mr. Anderson another chance to preside over the biggest single proposed real-estate giveaway in the history of the United States.

It is time that the Congress goes on record as opposing any further reduction of U.S. sovereign control over the Canal Zone. The resolution we are introducing today will do just that. By expressing itself to this issue Congress will arm our negotiators so that they would not dare oppose the will of the American people. Therefore, Mr. Speaker, I urge my colleagues to join with the distinguished gentleman from Pennsylvania, and myself, and introduce the House of Representatives resolution.

We dare not tarry.

CONGRATULATIONS TO EMORY AND HENRY COLLEGE IN EMORY, VA.

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

Mr. WAMPLER. Mr. Speaker, the daring accomplishments of our astronauts during their space missions have earned the unqualified admiration of the world. On many occasions they have publicly paid tribute to the dedicated and highly skilled technicians of the National Aeronautics and Space Administration to whom they give credit for making their missions possible.

In the Ninth District of Virginia, which I am honored to represent, is a small liberal arts college. Mr. Speaker, 19 graduates of Emory and Henry College in Emory, Va., are now employed by the National Aeronautics and Space Administration. The unusual story of these 19 outstanding scientists was recently compiled by Worth J. Young, professor of physics and mathematics at Emory and Henry College. Professor Young taught every one of these aerospace engineers and technologists.

So my colleagues may know of the outstanding performance of this particular group of men and women, I include Professor Young's feature article in the CONGRESSIONAL RECORD.

I am very proud of Emory and Henry College, of Professor Worth J. Young, and of each of the following men and women: Lawrence E. Barker, Jr., 1957, aerospace technologist; Claude B. Castle, 1957, aerospace engineer; Steve W. Farmer, Jr., 1955, aerospace technologist; Kenneth R. Holmes, 1956, aerospace technologist; William C. Honaker, 1957, aerospace technologist; Mrs. Elroy J. Johnson, 1949, technical publications editor; Robert A. Kilgore, 1955, aerospace engineer; William H. Mayes, 1956, aerospace engineer; Charles E. Mercer, 1956, aerospace engineer; Donald J. Progar, 1959, aerospace technologist; Robert B. Reynolds, 1965, aerospace technologist; Wayne Slep, 1958, aerospace technologist; R. Gale Wilson, 1958, aerospace technologist; John W. Young, 1955, aerospace engineer; Philip R. Young, 1962, aerospace technologist; Ausley B. Carraway, Jr., 1957, aerospace engineer; John E. Grimaud, 1957, aerospace technologist; and Robert S. Harris, Jr., 1957, aerospace technologist.

The article follows:

ALUMNI PARTICIPATE IN NASA PROGRAM

The 1960's will forever be remembered as the decade during which man first emerged from the friendly environment of the earth and journeyed to the desolate and rugged craters of the moon. This historic event was the culmination of perhaps the most spectacular performance by mankind in recorded history. The most amazing feature of this performance is not the fact that men were landed on the moon and safely returned to earth. It is that this astonishing feat was accomplished by a group of ordinary, highly skilled, and dedicated average people who were willing to work together in an organization known today as the National Aeronautics and Space Administration.

NASA's laboratories constitute possibly the largest basic research facilities in the world.

The oldest of these facilities is the Langley Research Center located in Hampton, Va. It should be of interest to our alumni and friends to mention the fact that one per cent of Langley's professional scientific personnel are Emory & Henry graduates.

Langley Research Center and NASA have no ivory towers. Recognition is based on performance and not on academic achievement. Emory & Henry College is proud of the fact that a considerable number of her graduates performed nobly in this gigantic team effort. More than a score of our alumni, individually and collectively, have made significant contributions toward the development of various NASA projects.

The contribution of our alumni in NASA establishes an excellent argument for the justification of the existence of the small, church-related, liberal arts college—namely, that the small college can provide instruction on a par with that offered by the large university and also add that something extra which is necessary to motivate and develop originality.

In this special feature we recognize some of our own dedicated men and women who have given of themselves their best effort toward the attainment of the lofty goals which have been set for NASA.

Nineteen of our graduates are presently employed by the National Aeronautics and Space Administration. Most of our alumni in NASA were produced by one student generation of science majors. J. Norwood Evans, NASA's assistant personnel officer, made annual spring visits to our campus (1955-58) and recruited 18 science majors, 15 of whom are still working in the space program. This group helped open the way for the development of Project Apollo. Included in this assemblage of persons are at least two NASA section heads and one unit head.

It is regrettable that lack of space prohibits listing all the accomplishments of each individual. However, it may be of interest to mention the contributions of a few which appear to be particularly noteworthy. One member of this student generation did pioneering work in the development of lunar surface scientific instruments and sample collection equipment. Another member pioneered in analysis and computer simulation of manned and automatic guidance and control problems of entry vehicles. A third member deserves a salute for a seemingly incredible performance. This person is author or co-author of more than 35 technical publications and has given 20 technical presentations to professional organizations.

Collectively, these 19 graduates have authored or co-authored more than 155 publications and have given at least 45 technical presentations to various national and regional conferences. These conferences include American Astronautical Society, Air Force Materials Symposium, National Aerospace Electronics Conference, Re-entry Guidance and Control Conference, ASM Meeting, Fifth Symposium on Thermal Radiation of Solids, American Institute of Aeronautics and Astronautics, and the Annual Meeting of the American Society of Mechanical Engineers.

It is interesting to note that this same student generation of science majors also produced two Ph.D.s in physics, one Ph.D. in biology, two M.D.s, and one D.D.S.

Mrs. Elroy J. Johnson (Eloise Leonard '49) holds the distinction of being the first Emory & Henry graduate to be employed by National Advisory Committee for Aeronautics, which became NASA in 1958. Mrs. Johnson was hired in March 1952. She is a NASA technical publications editor and is apparently performing her duties in excellent style.

The three alumni most recently employed by Langley Research Center were graduated in 1959, 1962, and 1965. The fact that these three young men were hired is a tribute to Emory & Henry since NASA, in the early six-

ties, apparently had accumulated an adequate staff of aerospace technologists. That the addition of these men has proven to be a good investment is attested to by the contributions they have made to various projects. The group has authored or co-authored approximately a dozen publications. It has given two technical presentations to professional organizations and societies. One member of this group has produced one invention and another has one patent pending.

It took less than one-half of one per cent of our Gross National Product to put American explorers on the moon. That in itself would seem a good investment, especially in view of the fact that Project Apollo has been the most revolutionary scientific and engineering development since the beginning of civilization. But the return has been much greater than that. From this expenditure have come thousands of spinoffs or byproducts which could not be predicted; some of them hadn't even been imagined and certainly were not expected. Some of these are almost as sensational as the lunar missions themselves.

BYPRODUCT

One unexpected byproduct, for instance, has been an amazingly versatile substitute for a wheelchair. It can go up and down stairs, or anywhere a person can walk. And it can be operated by a switch controlled by the movements of the eyeball. This device was developed from the design of an unmanned radio-directed instrument carrier which was originally intended for use on the moon. Announcement has just been made at the Marshall Space Flight Center in Alabama that two of these "perambulators" are undergoing evaluation by medical personnel in Texas and California. It is hoped that they can soon be in general use, for they will be a godsend to spastics, paraplegics, and other more severely handicapped citizens.

This highly mobile chair, which, by the way, has legs instead of wheels, is just one of the many wonders to come out of space. In the not too distant future, we may hear of a "cure" for blindness. Space technologists are working now to bring about such a thing, possibly through a miniature radar rig and television lens linked to the optic nerve.

More broadly speaking, the scientific and engineering technology necessary to send man to the moon has increased the competence of tens of thousands of persons. Boundaries have been literally wiped out. New skills have been learned and technicians have developed and increased abilities far beyond the usual pace.

One result of this has been a blending of engineering, medical, technical and management skills into a single working unit. Never before have so many branches of learning worked together on a single product. They have labored under a theory that nothing is impossible, and some of the byproducts tend to prove just that.

In order to build machines capable of keeping astronauts alive in space, scientists have had to design valves, pumps, filters, and switches which function with a reliability never before achieved. Much of the technology involved has proved useful in industry, medicine, and other non-aerospace fields.

MEDICAL BENEFITS

The medical profession, as indicated by the wheelchair substitute, has been a prime beneficiary. Space activity now is offering help to hospitals in their fight to overcome rising labor costs. For one thing, the same method used to keep check on astronauts a quarter of a million miles away now permits a single hospital attendant at a central console to keep a close and constant tab on the condition of every patient in a ward.

There will be a breakthrough before long, it is believed, in the battle against cancer. Already the space program has developed a

fluoroscopic camera that will at an early stage identify tumors, a forerunner of cancer.

Space scientists also have developed a modified version of the helmets astronauts wear to permit clinical diagnosis of oxygen consumption by children while they are at play, no longer making it necessary for them to remain inactive during such tests.

American industry has received many benefits from space technology. An electromagnetic hammer invented for construction of launch vehicles causes metal to flow like soft plastic, enabling it to be smoothed and shaped without weakening it. Spacecraft-coating research has produced an ultra-long-wearing paint for home use. A hand-size, battery-operated TV camera used to photograph rocket-stage separation is employed to monitor industrial processes.

NEW PRODUCTS

Scores of new products are coming into the markets, though they are not always identified as space-oriented. There are miniature spray guns, automatic alarms that keep watch over hospital patients suffering from respiratory difficulties, coatings and lubricants that withstand high and low temperatures, computers, high-output pumps, and many other things—all byproducts of the space program.

The space satellite is having its effect on agriculture. It is monitoring crops, forests, water sources, earth resources, even the whereabouts of fish. It can tell when a crop is diseased and often even determine the cause. It can warn of storms and fires and floods. In time it will be able to tell a farmer when to plant and when to harvest.

An aerospace engineer was recently presented with a NASA medal for exceptional scientific achievement for initiation at Langley of a research program on the effects of space radiation on mammalian cells at the molecular level, and for his discovery of communicating bridges between cancer cells which have been recognized as a possible mechanism for cancerous growth.

Whence came the earth? Philosophers, for centuries, have been groping for the answer to this question. Many ingenious hypotheses have evolved from the worlds most brilliant minds. But every one of these hypotheses has had at least one fatal argument, and the final result invariably has been frustration. NASA is making contributions toward the answer to this perplexing question and the continuing pursuit of its challenging goals may some day set free the minds of men.

In recent weeks it has been made public that a "supercritical wing" is being developed at NASA Langley Research Center which virtually eliminates certain shock waves that now plague high-speed aircraft. NASA officials in Washington said the super-critical wing could lead to creation of a cheaper non-polluting alternative to the supersonic transport whose future development is now tied up in Congress.

Only a few of the outstanding contributions of NASA have been mentioned here. Substantial as they are the present is only a trickle compared with the flood that is sure to come. One cannot express in dollars the rejuvenated values of hopes created by the space program's demonstration that free men of competence and good will can work together to achieve almost impossible goals.

AMERICAN TRAGEDY

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

Mr. LLOYD. Mr. Speaker, in the week that has elapsed since the verdict judging Lt. William Calley as guilty of premeditated murder, an anguished America has

cried out against what appears to be excessive punishment of a single soldier, at a time when it appears that our engagement in guerrilla warfare in Southeast Asia has created conditions of physical and mental anguish with which it is seemingly beyond the patience and the national commitment to cope.

Lieutenant Calley received what appears to be a fair trial and was convicted by a military jury of honorable men who themselves had seen combat service in Vietnam. He was performing what he considered to be his duties under conditions which none of us can properly assess or judge. On the day following the verdict of the military jury, I stated in response to a question from a journalist calling from my district that it was extremely difficult to judge between excusable brutality and inexcusable brutality, and I also stated that I felt it was unfortunate that this single trial had taken place in a highly emotionally charged and highly publicized manner. Lieutenant Calley is not the only military man to be charged with murder in this war. Over 100 have been charged and over 50 have been convicted and have served or are serving their period of punishment.

The Army had lodged charges against Lieutenant Calley on Sept. 5, 1969. The article by Mr. Seymour Hersh, which is generally credited with stirring up the emotions of the people, was not published until November, 1969. I believe the Army would have proceeded properly and fully in determining Lieutenant Calley's guilt had not Mr. Hersh's article ever appeared, and created the "Roman Circus" atmosphere.

Some are claiming today that Lieutenant Calley should not be punished for a crime regardless of the findings of a court and a jury. I do not find this line of reasoning supportable. There is no doubt that Lieutenant Calley will receive the highest quality of legal defense and that the crime and punishment, which have now been declared, will at least be reduced as evidence today strongly indicates.

Others, such as Mr. Hersh himself appearing on the Today Show on television this morning, are agitating for widespread legal action against literally hundreds of others in our armed services who it is claimed are equally guilty with Lieutenant Calley. I do not believe the records of the leaders of our Armed Forces justifies this type of extremist demand. This is a cruel and terrible war. Whether or not we should have engaged in military action in Southeast Asia is now beside the point. Both Democratic and Republican administrations made the decision that this country, as the leader of the free world, had a responsibility to assist in the protection of freedom. In 1960 in his inaugural address, President John F. Kennedy stated:

Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and the success of liberty.

On that high moral base, the majority of the people of this country supported actions of its Government in going to the

assistance of a country whose freedom had been threatened by an invasion from the north.

This country's mental anguish cannot be resolved by the extremists on either side. It is a time for cool heads and a determination to seek the right and to re-associate ourselves in Lincoln's words "with firmness in the right as God gives us to see the right." It will do no good for us to turn upon each other in an attitude of snarling hate and to attempt to judge each other as to who is most guilty for results which seem to have turned out badly.

It is also claimed by some that President Nixon is playing politics in intervening in the Calley case. I certainly do not agree. As President of the United States, I believe it is his proper duty as the elected leader to respond in behalf of the American people in the manner in which, as an individual human being, he feels morally stimulated to respond, and I believe it is proper that it was the President who ordered the removal of Lieutenant Calley from the stockade and who made the announcement that he as President would participate in the final judgment. With this assurance, let us go on with our work in behalf of the people of the United States who have reposed their trust in us.

One of the most readable of the editorials from my District on the Calley case came, as might be expected, from the weekly press. I present here without comment the editorial published in the Millard County Progress of Fillmore, Utah, in the Delta Chronicle of Delta, Utah:

AN AMERICAN TRAGEDY

Lt. William Calley was found guilty in the charge of the blood-bath of some 22 civilians at My Lai. He now faces a life sentence by the Military Court.

It was reported in an American Press interview in regard to My Lai that "For once, man was able to see all the hells of war at once."

Nationwide and especially around Fort Benning where the trial had taken place, the mood was one of anger and disbelief, gloom and depression. There were those, reared in the patriotic tradition who felt like sobbing with dismay. His was the first conviction in the My Lai slayings.

We train men to fight, to kill; we train men that in fighting such wars as the one in Vietnam that the enemy is not only in front of you, but behind you, to the side, to the front.

Civilians, women and children especially have always been the cruel victims of war. The wounding, the crippling, the killing of those not directly involved in the fight has been the real tragedy of war. But "War is Hell" and there is nothing kind nor nothing just. The whole concept is to win and win any way that is possible.

Right here in Millard County, there is a man, a veteran of Vietnam, wounded twice. On one of those occasions, he was wounded and his buddy killed by a bomb handed to them by a youngster.

This Editor got just a little sick and covered with cold beads of sweat the first time on a certain hill in North Korea where he was a forward observer. The duty was to call in artillery fire on a village. But from that village came death to any American or other National force who dared to approach. In fact, the path leading to it was flowing red with blood from the brave, who in the name of Freedom were fighting in some forgotten

land. This was where, from one day to the next one never knew for sure, just who was the enemy.

At 1:45 a.m., August 6, 1945, the B-29 Enola Gay took off from Tinian Island; at 8:15 it dropped an atomic bomb on the city of Hiroshima which killed 78,150 Japanese. In five seconds, its dreadful cloud was two miles wide. The war was soon over, a nation was brought to her knees. But people trembled everywhere in the hot white glare of the new age.

What were the emotions of the pilot and crew of the Enola Gay, for at 8:15, their time, USA, some of these men had children who were just going to school, a wife going to work, a house full of loved ones; but then the price of Freedom is never cheap.

Dawn was breaking one cold day in Korea and we were retreating. The Chinese had entered the war. There sat a Marine, perhaps only 17, you could not tell for the cold had cut into his face and eyes until even the look of animal survival was gone—but he kept prodding with a spoon in a frozen can of C rations, for one frozen bean. He could barely move it and it was almost impossible to hold a spoon in his near rigid and frozen fingers. But he finally was able to move that one bean to his lips. And now as he stood and waited for his breath to thaw the bean, he was asked what he wanted if he could have had any wish. He continued to stand motionless, with empty eyes. Then his lips began to open slightly, and close, as though the effort was too great. But he tried again and then finally his eyes raised to the greying sky and he said, "Give me Tomorrow."

And then there was the sea, and the ships to carry them away, to live, to die, to think, to fight again.

America, we feel, was placed on trial at Fort Benning and out of this war in Vietnam may well emerge the greatest American Tragedy since the Civil War. The wounds, scars and blood that it has spilled will take another generation of yet unborn Americans to heal.

We reflect quietly of a wind-swept hill overlooking this great and this good and this bountiful valley called Pahvant and this beautiful country called America and before us we see a tattered but still waving tin American Flag flying over a fallen hero. We can only think these words, "Is life so dear or peace so sweet as to be purchased at the price of chains and slavery?"

David O. McKay said, "I know that they and we do not want war; but there are things that are worse than death—one is to be deprived of our liberty!"

We do not profess to judge Lt. Calley, to judge War, to wage War, nor do we place a price on Freedom for it cannot be bought at any price; but it can be destroyed. It was once observed, "It was not that the walls of Rome were low. It was that Rome, itself was low." "One flag, one land, one heart, one hand, One Nation evermore!"

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

Mr. CRANE. Mr. Speaker, as we continue to evaluate West German Chancellor Willy Brandt's "Ostpolitik," I believe it would be in the interest of the United States and its allies, which have generally supported Mr. Brandt's policies, to examine some of the irresponsible political rhetoric which has become a factor in German political life.

We must remember, of course, that Mr. Brandt is a member of the Social Democratic Party or SPD, and as might be expected, comes under the influence of other important leaders of his party. In fact, in Germany and other European

nations, the party leader of a parliamentary government is much more a reflection of collective party leadership than is the President of the United States a reflection of the collective leadership of his party. Thus we must be very concerned with the statements which are being made by all party leaders because they offer a unique insight into some of the thinking of his party.

We have heard much of the alleged differences between Chancellor Brandt and his Defense Minister. We know also that some members of Mr. Brandt's coalition partner, the Free Democrats, were so displeased over "Ostpolitik" that they resigned and joined the opposition.

Because of the weight which various statements by key leaders have in determining the actual basis for West Germany's present policies, responsible people in our government become understandably concerned when extreme and indeed almost irrational statements are made by supposedly responsible German leaders.

As an example, recently in Schleswig-Holstein, a prominent SPD leader made a statement about the U.S. presence in Germany.

Among other things, this SPD official accused allied forces stationed in Germany of being the instruments of a modern fascism. Second, he accused the allied forces of being in Germany under precisely the same moral and political and juridical conditions under which the Soviet occupiers are in Czechoslovakia.

Third, he even declared that allied forces would intervene in German politics if a particular aging ex-student radical were to be elected Chancellor of the Bundesrepublik.

Mr. Speaker, these accusations are rubbish, but they are significant rubbish in that they reveal how deeply the radical left has penetrated Chancellor Brandt's party. Certainly the existence of such left-wing extremists in positions of leadership in Chancellor Brandt's party must influence our thinking when the time comes to consider the real direction and motivation of the Ostpolitik.

It seems clear that in Germany, as elsewhere, the political extremes converge. The radical right and the radical left sound strangely alike. The radical right of the National Democratic Party believes that the allied forces in Germany constitute an evil dilution of some mystic Germanness. The radical left believes the allied forces are instruments of fascism. That interpretation must rank among the most eccentric political judgments of this age.

The allied armies which entered Germany to destroy fascism, and which remain today at the invitation of the democratic West German Government, would be a most inappropriate instrument for advancing the cause of fascism. And as for speculation about how the allies would react to the election of some aging ex-student radical as Chancellor, we, of course, know that the allied forces have quite enough to keep them busy in the task of keeping the Russians out of Schleswig-Holstein.

It can be said that extreme statements such as this one should not be dignified with an answer.

However, the point is that these kind of remarks show what is happening in SPD in Germany.

Our Government must be aware of these pressures as they continue to deal with Ostpolitik.

I am confident the voters of West Germany will appropriately deal with political irresponsibility when their turn comes.

Meanwhile, however, we must recognize reality and unfortunately reality suggests that Chancellor Brandt's party is being influenced by a far leftist faction whose intentions do not coincide with those of the United States or our NATO allies.

ALL STATES WILL BENEFIT FROM KEMP RAILPAX BILL

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. KEMP), is recognized for 15 minutes.

(Mr. KEMP asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. KEMP. Mr. Speaker, the decade of the 1970's will be a critical period for America's passenger railroads and for the Nation's transportation system in general.

Our highways and airways are already dangerously overburdened. We cannot meet the demands for better transportation and more services without investing more resources and money. Traffic experts are predicting that total travel volume will at least double within the next 20 years. However, while we look for a solution, the passenger train is on the verge of extinction in many parts of the country. This trend must be stopped and reversed.

Trains are a very functional mode of transportation for commuters, for intercity travelers in densely populated "corridors," and for cross-country vacationers. The high-speed Metroliner between New York, Philadelphia, and Washington is evidence that Americans want and will use good trains.

The Railpax Corporation is making a bold and commendable attempt to revitalize and modernize passenger service along the routes that they have designated they will operate on May 1. However, I feel that the corporation is grossly undercapitalized at \$40 million. In addition, upon commencement of operations on May 1, intercity rail passenger service will be slashed drastically in many parts of the country and some 16,000 jobs will be eliminated. Excluding the Northeast Corridor—Boston-New York City—Washington—where only minor adjustments will be made in the present pattern of service, the number of trains will be cut by 68 percent and daily train miles by 65 percent. Paradoxically, an admirable attempt to solve one problem has created other serious problems.

As an attempt to remedy this situation, I have introduced a joint resolution, which authorizes "additional appropriations to the Secretary of Transportation for the purpose of providing urgently needed intercity rail passenger service around the country and for the purpose

of research and development in the field of high-speed ground transportation, and for other purposes." At this point I insert a copy of the resolution and a list of the cosponsors:

RESOLUTION

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to the Secretary of Transportation in the fiscal year 1972, \$289,965,000 for expenditure by him to provide additional intercity rail transportation under section 2 of this Act and for the purpose of research and development in the field of high-speed ground transportation under section 3 of this Act. Amounts appropriated under this section are authorized to remain available until expended.

SEC. 2. (a) Of the amounts appropriated under the first section of this Act, 75 per centum shall be used by the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for the purpose of initiating and operating urgently needed intercity rail passenger service around the nation, including but not limited to the routes within the basic system designated by the Secretary and the following specifically recommended routes:

(1) Buffalo, New York, to Chicago, Illinois, via Erie, Pennsylvania; Cleveland, Ohio; Toledo, Ohio; and South Bend, Indiana.

(2) Detroit, Michigan to Toledo, Ohio.

(3) Denver, Colorado to Portland, Oregon, via Cheyenne, Wyoming; Ogden, Utah; and Boise, Idaho.

(4) Fargo, North Dakota to Portland, Oregon, via Billings, Montana; Butte, Montana; Spokane, Washington; Hinkle, Washington.

(5) Denver, Colorado, to San Francisco, via Cheyenne, Wyoming; Ogden, Utah; and Wells, Utah.

(6) Washington, District of Columbia, to Cleveland, Ohio, via Cumberland, Maryland; Pittsburgh, Pennsylvania; Youngstown, Ohio; and Akron, Ohio.

The routes referred to in paragraphs (1) and (5) of this subsection are highly recommended by the Interstate Commerce Commission and the routes referred to in paragraphs (1) (2) (3) (4) and (6) are highly recommended by the National Association of Railroad Passengers.

(b) In any case in which the Secretary of Transportation makes a grant to the National Railroad Passenger Corporation from amounts appropriated under the first section of this Act, he shall negotiate with the Corporation the terms of an agreement providing that, if the route initiated and operated by the Corporation with such grant becomes a profit-making route, the Corporation will agree to make reasonable payments to the Secretary (out of such profits) by means of installments until such time as the grant with respect to such route has been repaid in full. Amounts received by the Secretary under any agreement negotiated under this section shall be covered into the Treasury as miscellaneous receipts.

SEC. 3. Of the amounts appropriated under the first section of this Act, 25 per centum shall be used by the Secretary of Transportation to undertake research and development in high-speed ground transportation, including but not limited to, components such as materials, aerodynamics, vehicle propulsion, vehicle control, communications, right of way research and development, and guideways, in accordance with the provisions of the first section of the Act of September 30, 1965, relating to research and development in high-speed ground transportation (49 U.S.C. 1631).

SEC. 4. (a) The first sentence of section 403(c) of the Rail Passenger Service Act of 1970 (84 Stat. 1336) is amended to read as follows: "For the purposes of this section,

the reasonable portion of such losses, not to exceed an aggregate of \$5,000,000 annually, to be assumed by the State, regional, or local agency shall be 33½ per centum of the solely related costs and associated capital costs, including interest on passenger equipment, less revenues attributable to, such service, and, the reasonable portion of any such losses in excess of \$5,000,000 annually to be so assumed shall be 66½ per centum thereof."

(b) The first sentence of section 404(b) (4) of such Act (84 Stat. 1336) is amended to read as follows: "For the purposes of paragraph (3) of this subsection, the reasonable portion of such losses, not to exceed an aggregate of \$5,000,000 annually, to be assumed by the State, regional, or local agency shall be 33½ per centum of the solely related costs and associated capital costs, including interest on passenger equipment, less revenues attributable to, such service, and the reasonable portion of such losses in excess of \$5,000,000 annually to be so assumed shall be 66½ per centum thereof."

COSPONSORS OF KEMP RAILPAX BILL

Representative LaMar Baker of Tennessee.
Representative Charles Carney of Ohio.
Representative Barber Conable, Jr., of New York.
Representative Thaddeus Dulski of New York.
Representative Hamilton Fish, Jr. of New York.
Representative Charles Gubser of California.
Representative Seymour Halpern of New York.
Representative Orval Hansen of Idaho.
Representative Frank Horton of New York.
Representative Michael Harrington of Massachusetts.
Representative William J. Keating of Ohio.
Representative Carleton King of New York.
Representative Norman F. Lent of New York.
Representative James McKeivitt of Colorado.
Representative Stewart McKinney of Connecticut.
Representative William Minshall of Ohio.
Representative Bradford Morse of Massachusetts.
Representative Walter Powell of Ohio.
Representative Ogden Reid of New York.
Representative Robert Roe of New Jersey.
Representative Edward Roybal of California.
Representative John Selberling of Ohio.
Representative Henry P. Smith III of New York.
Representative William Stanton of Ohio.
Representative Samuel Stratton of New York.
Representative John Terry of New York.

Mr. Speaker, in the next day or two I will again ask for additional cosponsors.

I think that Railpax must expand its basic system as soon as possible. Clearly, the railroads are too vital a factor in the transportation system of this country to be permitted to go down the drain. Over the next decade, to meet the needs of the U.S. economy, it is estimated that the railroads will have to increase their volume by a third. In view of this fact, the success of Railpax as a revitalization of passenger railroads in this country is necessary to the health of the U.S. economy.

Under the discipline of the profit motive, I am confident that Railpax will be able to make passenger service in this country probably the most efficient in the world, and under the provisions of my bill, pay back the taxpayers in more ways than one. The other alternative—

nationalization—is a costly drain on the taxpayers. Also, we must consider the loss of the revenues and the loss of real estate tax. In addition, reasonable payments from future profits will be returned under section 2b of my bill.

Therefore, the Corporation must have an adequate financial foundation for its initial stages of operation. Thus, my resolution specifically provides approximately \$218 million of additional capital for Railpax for funding and upgrading routes already designated and for the initiating of, but not limited to, additional routes which I have recommended as follows:

First. Buffalo, N.Y., to Chicago, Ill., via Erie, Pa., Cleveland, Ohio, Toledo, Ohio, and South Bend, Ind.

Second. Detroit, Mich., to Toledo, Ohio.

Third. Denver, Colo., to Portland, Oreg., via Cheyenne, Wyo., Ogden, Utah, and Boise, Idaho.

Fourth. Fargo, N. Dak., to Portland, Oreg., via Billings, Mont., Butte, Mont., Spokane, Wash., Hinkle, Wash.

Fifth. Denver, Colo., to San Francisco, Calif., via Cheyenne, Wyo., Ogden, Utah, and Wells, Utah.

Sixth. Washington, D.C., to Cleveland, Ohio, via Cumberland, Md., Pittsburgh, Pa., Youngstown, Ohio, and Akron, Ohio.

I think that the inclusion of these additional routes, plus others, will make for a more effectively integrated passenger rail network. The addition of such routes will also considerably ease the unemployment problem caused by the cutback of service in many areas of the country.

A second and equally important feature of my resolution is an appropriation of approximately \$72 million for research and development in the general area of high speed ground transportation. I would hope that this money will be used as the vanguard of a new, long-term transportation technology policy that would unleash the best engineering talent to design a new technology for the needs of the future.

I feel that the basic import of this resolution which I have introduced today will benefit this country in a vital area which involves short-term problems and long-run research and development. I think it is an idea which Members of all States can rally around.

As a matter of fact, Mr. Speaker, Gov. John Gilligan called a meeting last Friday where representatives from the States of New York, Pennsylvania, Ohio, Indiana, and Michigan met to discuss the railroad passenger needs of these States and the Nation. I was delighted to be invited and was particularly honored when the ad hoc committee that was formed—the Great Lakes Committee for an Improved Railpax—passed a resolution commending our interest in this matter and endorsing the principal of the legislation I introduce today. I insert the resolution at this point:

RESOLUTION

Whereas, The National Rail Corporation has designated a system of rail passenger service which is inadequate to meet the needs of the nation and its population centers, and

Whereas, this system will result in the loss

of rail passenger service throughout the nation which is currently being provided, and

Whereas, Railpax has chosen not to provide passenger service from Buffalo West to Chicago via Erie, Cleveland, Toledo, Elkhart, South Bend, Gary, and

Whereas, Railpax will not provide service from Detroit to Toledo and points to the East, and

Whereas, the States of New York, Pennsylvania, Ohio, Michigan, and Indiana, as represented here today, are deeply concerned that such service be provided, and

Whereas, it is the belief of the representatives of such states that such service is within the stated purpose of the Rail Passenger Service Act and further that such service is considered mandatory as a part of the national rail passenger network, and

Whereas, this Committee has not had sufficient time to analyze and review the impact of the Railpax determination,

Now Therefore, it is hereby resolved that:

1. Each of the states of this Committee shall appoint a representative to meet as a group with the Railpax personnel to analyze the technical data upon which the Railpax route determinations were made. These representatives shall meet with the Railpax personnel as soon as possible and report their findings back to this committee.

2. This committee shall meet again in Washington, D.C. as soon as possible with the Railpax authorities and all interested Congressmen and Senators to attempt to have the service to the aforementioned cities included in the Railpax system.

3. This committee also encourages all Congressional action designed to broaden the service of Railpax and specifically the service on the routes previously mentioned. We commend Congressman Jack F. Kemp, New York, for his interest in this matter and we endorse the principal of his proposed bill which would provide increased capitalization for the Railpax Corporation.

4. We further order Henry W. Eckhart, Chairman, PUCO to forward copies of this resolution to the President, all Senators, all Congressmen, the Railpax authorities, the Secretary of Transportation, the National Association of Railroad Passengers and the Governors of all of the participating States.

Mr. Speaker, section 4 of my bill is of special importance to all States. Under section 403(c) of the Railpax Act, States can join in an agreement with Railpax to operate a line not now in the basic system if the States will absorb a minimum of 66⅔ percent of the losses. This is too great a burden for the States to carry at this time. My bill reduces the State share to 33⅓ percent of the losses which is a realistic vehicle for States with marginal routes to get together and work with Railpax.

Mr. Speaker, at this point I include extraneous matter, an editorial:

[From the New York Times, Apr. 2, 1971]

RAILS FOR THE FUTURE

The abandonment of the SST could provide an opportunity to inaugurate a long-term transportation policy of great benefit to all Americans. The key clearly is neither faster air travel nor increased reliance on the automobile; the answer for efficient travel, particularly over short and medium-range distances, is rapid mass transportation by rail.

The imminent start of operations under the new Railpax corporation is a mere hint of what needs to be done. Railpax is at best a stopgap to prevent the moribund passenger service from expiring. By trying to revitalize a limited number of routes—far too few to merit the label of a "national" system—the new corporation can do little more

than keep an obsolescent transportation technology temporarily functioning and perhaps even introduce some modest improvements on the rail network.

The real need, however, is not to tinker with that outdated technology but to unleash the best engineering talent to design a new technology, related to, but not necessarily bound by, the mass-transport concept pioneered by the railroads in an earlier era.

This is an endeavor in which the kind of governmental support originally set aside for the SST could pay off quickly. A number of countries, among them Japan and France, already operate high-speed trains effectively and are currently engaged in experimentation with air-cushioned rather than rail-bound vehicles. The Metroliner between New York and Washington, though no revolutionary breakthrough, has nevertheless given solid indication of the rail traffic potential, provided the emphasis is on new levels of speed and comfort.

The conversion of aerospace industries and the retraining of engineers and other personnel may not be easy; indeed, it would probably be prohibitive without Government subsidy. But a California aerospace concern is already at work on the design and production of a 250-mile-per-hour train. This is in line with the experience of the nation's automobile manufacturers who confounded the skeptics at the beginning of World War II by converting rapidly to aircraft production. Today major universities, under the pressure of budget deficits and internal opposition to defense research, are clamoring for the support necessary to harness their scientific and technological potential to the service of domestic progress.

A faster and efficient national passenger transport system represents such progress. The SST would at best have served only a few, at a high cost to the environment. Rapid rail transportation would serve the many, while at the same time reducing the pollution and congestion created by automobiles and aviation.

Mr. MINSHALL. Mr. Speaker, JACK KEMP has distinguished himself in the short few months he has been a Member of this House. He has shown not only tremendous energy and drive in carrying out his congressional duties, but a keen awareness of the needs of his district. His ability and charisma will carry him to new high roads in the Halls of Congress. Accordingly, I am very pleased to cosponsor the joint resolution our very able colleague from New York is introducing today, to authorize for fiscal 1972 \$289,965,000 to provide additional funds for Railpax and for research and development in the field of high speed ground transportation.

As a member of the Department of Transportation Appropriations Subcommittee, I plan to work for full funding as soon as this authorization is approved.

Coming from the Cleveland area, hub of a 5 million population area in the northeast tier of Ohio, I was shocked and dismayed that our city was bypassed by Railpax. I know that colleagues from other cities have been equally disappointed, and will join with me in applauding provisions of the resolution which specifically call for inclusion of the following routes:

Buffalo, N.Y., to Chicago, Ill., via Erie, Penn., Cleveland, Ohio, Toledo, Ohio, and South Bend, Ind.

Detroit, Mich., to Toledo, Ohio.

Denver, Colo., to Portland, Oreg., via

Cheyenne, Wyo., Ogden, Utah, and Boise, Idaho.

Fargo, N. Dak., to Portland, Oreg., via Billings, Mont., Butte, Mont., Spokane, Wash., and Hinkle, Wash.

Denver, Colo., to San Francisco, Calif., via Cheyenne, Wyo., Ogden, Utah, and Wells, Utah.

Washington, D.C., to Cleveland, via Cumberland, Md., Pittsburgh, Pa., Youngstown, Ohio, and Akron, Ohio.

It is significant that the appropriation requested in this resolution is for the same amount called for to fund the supersonic transport during the coming fiscal year. One of the compelling reasons many of us voted against the SST when it came before the House last month was that more pressing domestic needs required Federal financing. Certainly rail passenger service and improved high speed ground transportation, which would serve millions of Americans, fall in this category.

The resolution is a most worthy one and I am glad to give it my name and my support. I hope it will receive prompt affirmative action by both House and Senate.

Mr. McKEVITT. Mr. Speaker, I compliment the gentleman from New York and join with him in introducing this needed legislation to authorize additional funds for expanded intercity rail service and for stepped-up research and development in high-speed ground transportation and urban transportation systems.

In my own State and congressional district, there is a need in all of these areas. The proposed legislation is particularly appealing to me, because 25 percent of the authorization is earmarked for research and development of rail passenger transportation systems. In this field, my major concern is in the urban area. While Denver has not experienced the same traffic crush as seen in areas such as Washington, D.C., the need is evident in my congressional district for the beginnings of a modern mass transportation system that can be expanded in an orderly fashion as future demands require.

There is also the problem of automobile-caused pollution in Denver. A brown smog now hangs over the downtown Denver area with some regularity. An efficient and modern mass transportation system that would be attractive to the public would help solve this problem.

Mr. Speaker, almost \$290 million is sought in this proposed authorization. There are few areas in which funds of this magnitude could be better spent. By making rail travel more attractive to the Nation, we help relieve the crush in our urban areas and ease the pressures on our highways and at our airports. We also take a step toward coming to grips with a problem that confronts almost every metropolitan area in the Nation: The problem of moving people efficiently and conveniently to and from their jobs. We would also help make our cities more accessible and thereby even help those businesses which provide the jobs.

There is also a need for additional rail passenger service for Denver beyond that proposed by the National Railroad Passenger Corporation, which in my opinion

was underfunded from the beginning. It would be desirable that Denver be linked with Cheyenne on the north and with Colorado Springs, Pueblo, and La Junta to the south. It is my hope that this additional authorization, if approved by the Congress, will provide the wherewithal to make this possible.

Another appealing provision in the proposed authorization is the payback provision, with reimbursement coming from future profits of the Rail Passenger Corporation.

Mr. Speaker, in my view this authorization would be money well spent in a needed and vital area.

GENERAL LEAVE TO EXTEND

Mr. KEMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the subject of my special order today.

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

There was no objection.

SECURITY IN PREVENTIVE DETENTION HEARINGS DENOUNCED

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

Mr. HOGAN. Mr. Speaker, on March 27 the Washington Post carried a news story on the front page entitled, "Federal Judge Denounces Secrecy in Preventive Detention Hearings."

This article described the circumstances of a preventive detention hearing on a rape case in which the man charged was held under preventive detention but, thereafter, was not indicted by the grand jury. Ruling on this case, U.S. District Court Judge Gerhard A. Gesell berated the U.S. attorney's office for holding preventive detention hearings behind closed doors.

Mr. Speaker, having been involved in the efforts to secure House approval of the District of Columbia Court Reorganization and Criminal Procedures Act of 1970 which includes the preventive detention provision, I was appalled to read the remarks attributed to Judge Gesell by the Washington Post reporter.

Because of my concern for fair and effective implementation of this provision, I asked the U.S. attorney for the District of Columbia, Thomas A. Flannery, for his views on this matter.

Mr. Speaker, I would like to include at this point in the RECORD both the Washington Post article and Mr. Flannery's response to my inquiries in this regard.

[From the Washington Post, Mar. 27, 1971.]

FEDERAL JUDGE DENOUNCES SECRECY IN PREVENTIVE DETENTION HEARINGS

(By Sanford J. Ungar)

A federal judge warned yesterday that unless the U.S. attorney's office changes its procedures, the practice of secret preventive detention hearings here will "grow and spread like a cancer."

Ruling on a case in which a man charged with rape was held under preventive detention but not indicted by the grand jury, U.S. District Court Judge Gerhard A. Gesell said

he was "amazed" to learn that such hearings have been conducted in secret.

"I don't think this Court should ever tolerate, except in the most unusual circumstances, such proceedings behind closed doors," Gesell said in a lecture from the bench. "The Constitution is explicit."

The lecture was directed at Executive Assistant U.S. Attorney Earl J. Silbert, who helped draft the preventive detention provision while in the Justice Department and now applies it for U.S. Attorney Thomas A. Flannery.

Silbert has represented the government at each of its attempts thus far to use the controversial section of the 1970 D.C. crime act and each time has consented to the request of defense lawyers that the hearings be closed.

"A public trial is a fundamental right" under the Sixth Amendment, the judge said, adding that "the doors of this courtroom ought to remain open."

He cautioned that District Court judges will be less willing to hold closed hearings than those in D.C. Superior Court and the U.S. magistrates, who have handled all the detention cases to date.

Gesell's remarks came after Silbert had argued vigorously for detention of Robert J. Bowie on a rape charge during a two-day closed hearing earlier this month before Superior Court Judge Theodore R. Newman Jr.

Bowie has been under detention for almost two weeks, but when a grand jury considered his case Thursday it found the evidence against him insufficient to return an indictment.

He has been indicted in another rape and assault case, however, and that charge was part of Silbert's argument for detaining him pending trial.

Other "improper procedures" used by the U.S. attorney's office in seeking preventive detention, according to Gesell, are the following:

There has been "no discussion or review of alternatives to preventive detention" by the prosecutor.

Prior criminal records have been cited without proving or documenting them in court. This is "particularly troublesome," Gesell said, when juvenile records are involved.

The use of preventive detention here has often been considered an experiment to determine if similar laws should be enacted elsewhere. It is currently under challenge on constitutional grounds in a suit filed by the American Civil Liberties Union and the Public Defender Service.

"Hearsay evidence" is relied upon by the government in seeking to establish probable cause for detaining a person.

Defendants are not given "explicit instructions" as to whether any testimony they give at a detention hearing may later be used against them.

Detention hearings are sometimes held in Superior Court on charges that will ultimately be tried in District Court.

"When I looked at this transcript (of the hearing before Newman)," Gesell said, "there were many things that we would not tolerate in this Court."

The transcript has been unavailable to the public because it was ordered sealed by Judge Newman after the closed-door hearing.

Gesell stressed that his remarks were not directed at Judge Newman—for whom he said he has "great respect"—but at the U.S. attorney's office and the way it has approached preventive detention.

He appealed for "scrupulous sensitivity in using the new provision and asked that the prosecutor develop a "set procedure" for such cases.

Bowie's release from preventive detention yesterday left only one person held under the new law, Sylvester Danny Vick, 38, charged

with narcotics violations. He was detained by U.S. Magistrate Lawrence S. Margolis after another secret hearing.

Silbert put the blame for secret hearings on defense lawyers, including the Public Defender Service, who say they fear pretrial publicity will prejudice the case.

But Gesell said there has been little trouble selecting unbiased juries in Washington.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE U.S. ATTORNEY,
Washington, D.C., April 2, 1971.

HON. LAWRENCE J. HOGAN,

Congress of the United States, House of Representatives, Longworth Building, Washington, D.C.

DEAR CONGRESSMAN HOGAN: I have received your letter concerning the Washington Post article of March 27, 1971, which reported Judge Gerhard A. Gesell's comments concerning the procedures utilized by my office in the pretrial detention hearings held to date. Referring to your active role in securing the enactment of the legislation authorizing pretrial detention in the District of Columbia in limited circumstances and your great interest in its fair and effective implementation, you requested a response to these comments.

Let me state at the outset that the United States Attorney's Office is making every effort to comply with the language of the new bill statute as it is explained in the relevant legislative history. We do not, of course, control the pretrial detention hearings; they are controlled by the presiding judicial officer. We do, however, initiate these hearings and participate in them. For this reason and because of the great public interest in pretrial detention, the suggestion that we have relied on questionable procedures is most disturbing. I therefore appreciate the opportunity to respond to these comments. I might point out that during the hearing before Judge Gesell, a number of the responses included in this letter were presented to Judge Gesell by one of my Assistants. Regrettably, however, all but one of his responses were omitted from the Washington Post article on March 27.

(1) Judge Gesell was particularly concerned because the public and the press have been excluded from some of the pretrial detention hearings held thus far. In each such instance, however, the hearings have been closed at the request of the defendant's counsel. At no time has my office moved for a closed hearing; we have simply not objected to motions by attorneys for the defense. After careful consideration, the presiding judicial officers have granted these motions.

(2) Judge Gesell also commented upon the failure of my office to propose alternatives to pretrial detention at the detention hearings. In fact, however, my office seeks pretrial detention in but a fraction of our total cases and only when the information available to us leads us to conclude that there is no alternative to detention that will reasonably assure the safety of the community. In situations where defense attorneys have made available to the court information which indicates a reasonable alternative to detention, we have considered it. In one case in which we initially asked for detention, the defense attorney produced persuasive evidence that the defendant had a strong work record. On the basis of that evidence and given other circumstances of that case, my office did not oppose work release from custody, and it was granted by the court.

(3) The Judge also suggested that reliance by my office on prior criminal records without proving them was an improper procedure. In the particular hearing being reviewed by Judge Gesell, however, my office gave to the presiding judicial officer, Judge Theodore Newman of the Superior Court, the exact case

numbers of the defendant's previous convictions and the courts in which they occurred. Had these citations been inaccurate, the defendant's counsel would surely have brought the matter to Judge Newman's attention. The use of juvenile records was also criticized. However, the language of the statute, and its explicit legislative history, authorize the use of juvenile records. In fact, the only pertinent legislative history states that "the court should consider his [a defendant's] juvenile record." H.R. Rep. No. 91-907, 91st Cong., 2d Sess. 180 (1970).

(4) Another comment related to the use of hearsay testimony to provide a basis for detaining the accused. The use of this kind of evidence is authorized by the controlling statute in a provision carried over from the Ball Reform Act of 1966, D.C. Code, Sec. 23-1321(b); see also, 23-1322(b) (2) (C); H.R. Rep. No. 91-907, 91st Cong., 2d Sess. 182-3 (1970). Indeed, although the statute authorizes the use of proffered evidence, as opposed to sworn testimony, it is significant that in the case under review, my office presented more direct, nonhearsay testimony than is contemplated by the statute and its legislative history. Judge Newman was instrumental in suggesting that this be done.

(5) Reference was also made to the fact that the defendant was not given explicit instructions as to whether any testimony he would give could be later used against him. As the transcript of that hearing shows, however, the defendant, though given the opportunity, decided not to testify or present any other evidence. There was, accordingly, no need to give him the suggested instruction. Had he expressed any interest in testifying, I have no doubt that Judge Newman would have given the explicit instruction recommended.

(6) Judge Gesell also questioned the wisdom of holding of a detention hearing in the Superior Court on a charge ultimately triable in the District Court. The statute, however, specifically authorizes the judges of the Superior Court to hold such hearings. D.C. Code, Sec. 11-923(c) (2). Moreover, this case was first presented in Court on a Saturday, when the Superior Court has consistently agreed to accept cases ultimately triable in the District Court, thereby relieving the members of the District Court from the burden of sitting on Saturdays.

Most significant of all, the transcript of the pretrial detention hearing held by Judge Newman demonstrates beyond question that he conducted it in compliance with the statute and with meticulous care and attention to the rights of both the accused and the public. The typical preliminary and bail hearing, which often results in a defendant's detention because of his inability to satisfy the conditions of release, takes no more than 20 minutes. In this case the preliminary and detention hearing took at least five hours, or 15 times as long as the hearings in a typical case. Therefore it cannot be said that the extraordinary care and caution which attended this hearing and the other detention hearings to date have been improper or unfair to the accused. On the contrary, these hearings reveal that everyone concerned has leaned over backward to protect the defendant's interests.

It is my hope that the information set forth in this letter will satisfy you that the procedures utilized by my office at pretrial detention hearings fully comply with the law as enacted by the Congress and are responsive to the rights of both the accused and the public. Should you have any further questions or desire any additional information, please do not hesitate to contact me.

Sincerely,

THOMAS A. FLANNERY,
U.S. Attorney.

It appears to me, Mr. Speaker, that the U.S. attorney's office has been doing an outstanding job, in a relatively short time, in implementing this new provision in the District of Columbia Criminal Code. Because a test case on the constitutionality of the pretrial detention provision is pending before the Supreme Court of the United States, the U.S. attorney's office is, no doubt, being particularly careful in these early cases that the defendant's interests are protected to the utmost. The fact that the preliminary and detention hearing in the case in question took nearly 5 hours rather than the usual 20 minutes, I believe is indicative of the care which is being exercised on behalf of the defendant's rights.

THE RENEGOTIATION BOARD

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 30 minutes.

Mr. GONZALEZ. Mr. Speaker, I am reintroducing a bill today which would provide for the greater protection of our tax dollar from war profiteering. More and more Americans are becoming aware of the high prices we are incurring in the purchase of military hardware. But unfortunately, we have not yet been able to determine exactly how much it costs defense contractors to supply goods and services—we only know how much we are actually paying.

The Renegotiation Board, often referred to as the "watchdog" of defense spending, was designed to provide protection for the unwary taxpayer from the danger of excess profits. But in comparison with the Board's strength when it was established as an independent agency during the Korean war, it is almost toothless today, despite our deep involvement in the Vietnam conflict.

My bill, a version of which I first introduced in the 89th Congress, would go a long way toward providing the muscles for this agency necessary to fully fulfill its purpose for existing.

The Congress last extended the life of the Board in 1968, when it was given an additional 3 years, instead of the usual 2. This extension for 3 years—which expires June 30 of this year—and a slightly tightened exemption was of significant importance. It was the first time since the Korean war that the Congress had not restricted and debilitated its powers.

My bill would provide for the restoration of the Renegotiation Board to its Korean war strength in 5 years.

I recommend—

First, that the act be made a permanent law without an expiration date.

Second, that the "floor" be reduced from the present \$1 million to the original \$250,000.

Third, that the 5-year loss carry forward provision be eliminated.

Since 1966 I have been arguing for the need to curb war profiteering. I have argued for the permanent extension of the Board because it has consistently, in time of war and of peace, caused about \$18 to be returned to the Treasury for every \$1 expended. And it would be hard

to imagine a better testimonial to the success of the flexible, six-point statutory criteria for determining excessive profits than the fact that more than 90 percent of the contractors so assessed do not contest the Board's determinations, thereby avoiding the challenge in the tax courts.

The Board has been most successful even though it is understaffed, and its powers curtailed significantly. Now is the time to extend its life; now is the time to put more life into it. The Board obviously is needed since we have been spending more on Vietnam than we did in the most expensive Korean war. But, in addition, the Board will always have a job to do. It is doubtful that our defense budget will ever drop too significantly since we have all heard reports on the weapons systems that await involvement in Vietnam to drop.

The problem of war profiteering, is as old as the country itself, dating back to the Revolutionary War. The first Federal legislation specifically intended to regulate profiteering, however, was not adopted until the Spanish-American War. Various types of legislation have been attempted to allay the dangers of "excessive profits." And when we finally were successful in establishing an agency that does its job well, we clip its wings and make it come back time and again to prove to us that it is not only successful, but a necessary part of our life.

Are we finally going to realize that the Renegotiation Board is necessary enough to strengthen it, or are we going to continue ignoring the taxpayer's need for protection?

I urge my colleagues to join me in urging for early hearings for the extension of the Renegotiation Board, which is due to expire this June—and I urge you to join me in support of this legislation which I present for your consideration today.

During the last Congress, I finally saw the first step to implement a proposal which I had pushed for years without much success—the implementation of uniform cost accounting procedures in all defense contracts. This Congress, I hope to see enactment of yet another of my proposals to protect our tax dollar from war profiteering.

LIEUTENANT CALLEY

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 10 minutes.

Mr. RYAN. Mr. Speaker, the case of Lt. William Calley has done more to arouse a larger segment of the Nation about the war in Vietnam than any other event since its inception, perhaps. I would only wish that an outcry similar to that which has followed upon Lieutenant Calley's trial and conviction had instead succeeded the disclosure of the My Lai massacre. Perhaps, if it had, the war would have already been over.

I think we must set some basic facts clear about the Calley case, before we can undertake to assess its meaning for the national life—and I do think that it can have enormous meaning, either

beneficial or pernicious. Lieutenant Calley was convicted of killing 22 unarmed civilians, ranging from children to elderly people. They were being held in custody. There was not a word of testimony at the trial to indicate that even a single shot was fired by them, or by anyone, at Calley's platoon. Yet the civilians were killed.

That cannot be condoned. It could not be condoned even if the people were enemy soldiers in custody. Whatever the practices of other nations in wartime, murder is not ours. We do not stoop to atrocity, or at least, let me say, we must not.

Lieutenant Calley was found by a jury of six of his peers—all combat veterans, five of them veterans of the Vietnam war—to be guilty of killing 22 civilians. That, too, those who declaim against his conviction should be reminded of. Because, if we are to encourage justice, if we are to support the legal process, we must honor it. Some say there are Mylais in every war. I would certainly hope not. If there are, that is added reason to end wars, and to end this war in particular. But, the issue in the case was not the frequency of atrocities; the issue was Lieutenant Calley's participation in specific acts. Of that he was found guilty. That finding is subject to review through the legitimate legal process of appellate review.

Now, having said this—that Lieutenant Calley has been found by a jury of his peers to have committed a heinous offense—I believe that we cannot just stop there. Lieutenant Calley is becoming a symbol, and this has very significant bearing for our national life. That that bearing is beneficial, rather than pernicious, is enormously important.

The torrent of public comment and sentiment which has emerged following Calley's conviction and sentencing to life imprisonment may well represent a turning point in national attitude. Whether that turn is for the good of America or for its ill seems to me to be of overwhelming importance.

There appear to be three major streams of thought. First, there are those who claim that Lieutenant Calley should not have been convicted—that the slaying of women and children and old men at My Lai was an unfortunate, but inevitable facet of the war.

The second stream of thought currently bruited about is that Lieutenant Calley should not have been convicted because he was only obeying orders.

And the third seems to be that, while he should have been convicted, he should not stand alone—those ranking above him must be tried as well.

I think these voices of public comment must be assessed, lest this Nation go very much amiss, and lest it perpetuate much of the same mentality which has fed this immoral war for so many tragic years now.

My Lai was a massacre. Even if there were 10,000 other My Lai's, it would not diminish the massacre which occurred on March 16, 1968. The special investigative subcommittee of the House Armed Services Committee which investigated the My Lai incident said:

What obviously happened at My Lai was wrong. It was contrary to the Geneva Conventions, the Rules of Engagement, and the MACV directives.

Thus, My Lai cannot be dismissed with a cynical shrug. In fact, to do so is to denigrate the integrity and courage of those soldiers at My Lai who refused to obey orders to kill. It diminishes the Army's own integrity—albeit somewhat delayed in being realized in terms of an actual trial, and still sullied by the dismissal of charges against some, and the failure to bring charges against others—in bringing Lieutenant Calley to trial.

Certainly, wartime is a time of tension and heightened reactions. But, the fact of war does not thereby become an ipse dixit, justifying all that transpires in the course of its pursuit. If it did, the Nuremberg trials, the rules of international law, the Code of Military Justice, and the MACV directives would be meaningless and irrelevant. The fact is that they are not meaningless, and they are not irrelevant, if for no other reason that it serves our own interests that they not be. For, if they were, how then could we expect the North Vietnamese to properly treat American prisoners of war? What reference point would we have to appeal to international opinion and pressure to aid them? None.

I think it must be pointed out, also, that Lieutenant Calley cannot be excused on the contention that he was obeying orders. For one thing, that excuse was offered in the trial. For another, even if such orders were issued, they would have been unlawful; and obedience to them would not have constituted a valid defense.

I realize that this is hard. I realize that in times of war stress is magnified. Soldiers may be caught between their duty to obey their superiors, and their higher duty not to obey illegal orders. But, what solace is that for the dead at My Lai, if we excuse their deaths with the justification of expedient necessity? What meaning do the Code of Military Justice and the Geneva Conventions, or morality itself, have, if atrocity is condoned in the name of circumstance. The fact is that there were men at My Lai who did not kill unarmed civilians. Lieutenant Calley was found guilty of doing so.

If he followed orders, he did so when others did not. And therein lies the distinction between the guilt of which he has been adjudged, and the innocence of those who did not kill women and children at My Lai.

To those who would say that Lieutenant Calley should not have been convicted, even if his actions were clearly wrongful and would normally subject him to trial and conviction, because he was only obeying orders, I would say that I do not think I need evoke the memory of a past day—not so distant for many of us—when a similar thesis was advanced. If Nuremberg stood for nothing else—and here I am speaking, not of the strictly legal ramifications of the Nuremberg trials, but of the trials' impact on world opinion—it stood for the concept of individual accountability. Life is too precious to bow to the cant of

"only obeying orders." That cant could not justify the concentration camps of World War II. It will not justify the slaughter of unarmed civilians in Asia.

The most accurate voice being heard, I believe, is that which says we must look beyond Lieutenant Calley. He has been found guilty. But he must not be made a scapegoat. Those superiors involved with My Lai bear responsibility, and it is not just low ranking soldiers and officers who must answer for wrongdoing. In fact, we must look beyond just My Lai. After all, Lieutenant Calley did not start this war. Nor did he set its character by authorizing search and destroy missions, free fire zones, massive bombing of civilian centers, indiscriminate use of herbicides and the dropping of hideously destructive napalm.

I know there are those who say, "But look at the atrocities committed by the Vietcong and by the North Vietnamese." They are right—atrocities are heinous, whoever their perpetrator. But I am simply unwilling and unable to accept a rationale which excuses our wrongdoing by matching it against that of the foe. That is facile logic which evades responsible thinking. It does a disservice to America, and the principles which she does, or should, stand for.

If Lieutenant Calley is becoming a symbol, which is a possibility, and if this Nation has reached a watershed of national thought, and I think it has, we must shape that thought and that symbol. Calley must not become a symbol of the glory of flag and duty. He must become a symbol of individual responsibility and accountability. Our Nation must not stoop to facile answers—"war is war," or "he was only obeying orders." We must assess, finally, years after the time we should have, what this Nation has done in Southeast Asia and what led this country to do it. We must conclude that this war must end—now, immediately. We must resolve that those others involved in My Lai should be tried. We must affirm our abhorrence for violence and for bloodshed.

Some have said that Lt. William Calley is a tragic figure. Maybe, I say the tragedy lies in the innocent lives ended. I say the tragedy lies in the hundreds of thousands of men and women and children—American and Asian—slain. I say the tragedy lies in no more sunshine to be felt by young, growing bodies, and no more laughter to be heard from happy young throats. I say the tragedy lies in the continuation of this immoral war, and in the inability or unwillingness of this administration, like its predecessor, to end it. I say the tragedy lies in the myopic perception of the world which led us into this war, and keeps us there.

Lieutenant Calley can serve this Nation well if as a symbol he leads it to a searching analysis of the course which has been followed these long, anguished years of war. But this country will not be served by making the convicted killer of 22 unarmed civilians—ranging in age from children to the elderly—a hero.

In light of this, I feel I must address the actions of the President in this matter. He intervened, first by ordering Lieutenant Calley's release from the stock-

ade, and then by announcing, before the appellate review process had been started, much less been completed, his intention to personally review the conviction and sentence. I think his actions were very ill-advised. Rather than allowing the legal process to proceed unfettered, he has undercut it by exercising his influence. As the New York Times said in its editorial of April 4, 1971:

He has now in his capacity as Commander-in-Chief identified himself with the intemperate public outcry against the initial court-martial.

I recognize that leadership is a heavy burden. I recognize that in wartime, its weight is particularly heavy. But, it is leadership which is lacking. More than that, by his catering to public outcry and emotion, the President has encouraged the Armed Forces in the future to beware of correcting their sins. Certainly, were a mass murderer convicted in this country in the civilian courts, we would not expect action such as he has taken. No more should we expect it because the murders, as the jury so found, occurred in South Vietnam, committed by a soldier.

We are in troubled times. We must not be overwhelmed by them, but we must not evade our duty, and our opportunity, to learn from them. For the sake of this Nation, and for the sake of Southeast Asia, we must not.

"THE SELLING OF THE PENTAGON" STILL CONTINUING

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 5 minutes.

(Mr. VANIK asked and was given permission to revise and extend his remarks and include extraneous material).

Mr. VANIK. Mr. Speaker, several weeks ago, there was much ado about the Defense Department and the Columbia Broadcasting System's documentary on "The Selling of the Pentagon."

Apparently the sale is still on.

I have just received copy of an invitation to attend the first annual 350th Psychological Operations Company family day and open house for the benefit of relatives and friends of the 350th Tactical Company, U.S. Army Reserves at the Mote Armory in Cleveland.

This is an outrage and a waste of taxpayers' money to sell them on a costly military program.

I quote from this communication as follows:

350TH PSYCHOLOGICAL OPERATIONS COMPANY, TACTICAL, Cleveland, Ohio.

You are cordially invited to the First Annual 350th Psy Op Family Day and Open House for the benefit of relatives and friends of the 350th. The event will be held at Mote Armory, 5301 Hauserman Road, Cleveland, on Sunday, April 25, from 1:00-4:00 P.M.

At the Family Day activity we will have games, displays and events that will appeal to all members of the family, especially the children. During the day's events you can: (1) witness a demonstration of a tactical loudspeaker platoon in action; (2) go on a tactical jeep ride; (3) participate in a Vietnam-type infantry patrol and be ambushed

by enemy forces; (4) try your hand at throwing dummy hand grenades at targets; (5) see the components of a complete field kitchen in a tent; (6) see the completion of actual Psychological Warfare material from the time the idea is created till it is put on the press ready for printing; (witness a display of actual Army combat weapons and the complete equipment carried by soldiers in action; (8) and most important, see the operation of a tactical U.S. Army Reserve unit in action.

The dress for the Open House should be casual so that all can enjoy the full range of events offered during the afternoon. Refreshments, including hot dogs and soft drinks, will be served throughout the day. We hope you will gain a better understanding of the U.S. Army Reserves and our mission.

This once-a-year event promises to be the highlight of the year, but its success depends on you. Please take a few hours out of a Sunday afternoon to see the 350th Psychological Operations Company in full operation. Hope to see you there!

Sincerely,

FRANCIS E. KING,
Major, Commanding.

Mr. Speaker, the CBS documentary was a great public service. This announcement provides substantial proof of its message.

MAKIN' MOCK O' UNIFORMS—THE CASE OF LT. WILLIAM CALLEY

The SPEAKER pro tempore (Mr. MELCHER). Under a previous order of the House, the gentleman from Indiana (Mr. BRAY), is recognized for 10 minutes.

Mr. BRAY. Mr. Speaker, the Calley case has provoked the most violent public reaction concerning a single soldier since Gen. Douglas MacArthur's recall from the Far East in 1951.

I deeply regret the incident itself—all of it, up to and including the court-martial. There has been, on the part of the Department of the Army, some incredibly inept handling of the affair.

But I am, equally, deeply proud what the public reaction to it has shown the rest of the world about the United States, and what our Chief Executive's reaction shows as a stark contrast between the American Republic and totalitarian countries.

Consider: Protests by Czechs, Hungarians, and Poles against the Soviet Union interfering in their domestic affairs brought a response from the guns of the Red Army. Americans, protesting what they see as unfair implications in the Calley matter, moved the President of the United States to act in Lieutenant Calley's behalf.

I am in sympathy with those who object to the verdict. It is impossible to put oneself in Calley's position. Living day and night in a tropical hell; battle lines and enemy never really certain; seeing men die from booby traps and grenades, often as not planted or thrown by women and children; sleep or rest taken only at peril of one's life; constant fear; exhaustion to the point where reason no longer functions; frustration to the point where all normal human emotions are paralyzed beyond existence—this is the world of the combat soldier in Vietnam.

This is the world in which Lt. William Calley and his men lived—and died. This world pushes the human breaking

point—which all of us have—to the surface quicker and more brutally than any other. This emotional flashpoint is totally unpredictable. No one knows when it will come. No one knows what it will do to the individual.

I believe the matter will, eventually, be satisfactorily concluded. There is still a long road ahead in the military appeals process. Regardless of what some infer, there are just as many if not more safeguards built into military law than into our civilian legal code. They guarantee beyond all doubt proper disposition of a case. And keep this in mind, as well: In military courts, the first sentence is usually the most severe. There is a wide gap, as a rule, between action of the first court and eventual action taken after all review has been completed. This is, I believe, bound to be the case here.

For some years, both U.S. national policy and attitude towards the war in Vietnam have been under sharp attack. Much of this attack has been totally irresponsible and fraudulent. Shrillness and hysteria have now reached the pinnacle of irrationality with this careless talk about U.S. guilt for "war crimes." Indicative is the partial text of a resolution recently introduced in the House, calling for an investigation of "whether atrocities have been and continue to be committed as a result of policies promulgated and enforced by the military high command and civilian leadership."

There were war crimes trials after World War II. Experts now admit that to a considerable degree they set both bad precedent and worse law. This aside, let us consider for a moment national attitude and national policy of our enemies.

For the Japanese, it was Bushido, "the way of the warrior," the code which was marked by an unflinching and un-failing martial spirit. It became national policy in the 19th century and was inherent in that country until the end of World War II. Part and parcel of it was a grim fatalism and preoccupation with death. To show how remote this was from anything ever generated in this country, take the words of the famous Japanese martial song "Umi Yukaba," which was played to the stunned nation over radio Tokyo immediately after war with the United States was announced:

Across the sea,
Corpses in the water;
Across the mountain,
Corpses heaped upon the field;
I shall die only for the Emperor,
I shall never look back.

In August 1939, prior to the invasion of Poland and the beginning of World War II, Adolf Hitler told his generals that there would be, in the campaign, things "which would not be to the taste of German generals." He also warned them that they "should not interfere in such matters but restrict themselves to their military duties."

He may have meant, in part, incidents such as the forcible movement of 1,200,000 Poles and 300,000 Jews out of annexed Polish territory during the cruel winter of 1939-40. Heinrich Himmler spoke of this in the summer of 1940:

Happened in Poland, in weather forty degrees below zero, where we had to haul

away thousands, tens of thousands, hundreds of thousands; where we had to have the toughness—you should hear this, but also forget it immediately—to shoot thousands of leading Poles . . . Gentlemen, it is much easier in many cases to go into combat with a company than to suppress an obstructive population of low cultural level, or to carry out executions or to haul away people or to evict crying and hysterical women . . .

What about the national policy of the Soviet Union, whose troops slaughtered thousands of Polish Army officers in the Katyn Forest massacre during World War II? These officers had fought against the same enemy of Russia—Nazi Germany—but the Soviet Union was fearful that they would also fight against Russia if Russia tried to destroy Poland's freedom. Which is exactly what Russia did.

What of national policy of North Korea? This was written in blood and anguish during the Korean war and brought home to us again, viciously, not too long ago, with the treatment accorded the *Pueblo* crew.

What about the national policy of North Vietnam, summed up by the March 1968 massacres of South Vietnamese at Hue, during the Tet offensive, when around 5,000 were wantonly killed? North Vietnam's opinion was: Hue was the place where revolutionary spirit has existed for over 10 years. However, it only took a short time to drain it to its root.

By contrast, what is national attitude and national policy of the United States? The former diplomat and historian, George Kennan, summed up what he felt to be Woodrow Wilson's attitude when we entered World War II. I believe this is still pertinent:

A democracy is peace-loving. It does not like to go to war. It is slow to rise to provocation. When it has once been provoked to the point where it must grasp the sword, it does not easily forgive its adversary for having produced this situation. The fact of the provocation then becomes itself the issue. Democracy fights in anger—it fights for the very reason that it was forced to go to war. It fights to punish the power that was rash enough and hostile enough to provoke it—to teach that power a lesson it will not forget, to prevent the thing from happening again. Such a war must be carried to the bitter end. . . .

There has never been at any time in our history, nor is there now, and I am confident that there never will be, anything in our national policy or our national attitude that comes remotely close to those of our enemies whom we have fought, and who we fight.

We as individuals singly, we as a republic collectively, are not in the remotest sense guilty of "war crimes," nor should we feel, singly or collectively, any sort of "national guilt." At any rate, as Edmund Burke said:

I do not know the method of drawing up an indictment against an whole people.

Neither do I. But it does seem to be the favorite sport in certain irresponsible circles.

I took the title of this speech from Kipling's famous poem "Tommy," a harsh and bitter indictment of those who mock the soldier while depending upon him to defend them:

Yes, makin' mock o' uniforms that guard you while you sleep.

Is cheaper than them uniforms, an' they're starvation cheap. . . .

And what I mean by "makin' mock" is the incredible remark of the mayor of New York City, when he said:

The ones I have unending admiration for are the guys who say "I simply will not serve in the Army of the United States in Vietnam," and are willing to take consequences for it. These are the guys who are heroic. . . .

"Makin' mock" is baiting and taunting American men in uniform, standing guard on the steps of the Pentagon, or anywhere else, for that matter.

"Makin' mock" is the sad example of great universities, bowing to the blackmail or threats of student radicals, and either completely abolishing ROTC from the campus, or downgrading its stature.

"Makin' mock" is carrying the Vietcong flag in the streets of American cities when that same flag is carried in Vietnam by the same elements who would kill an American on sight.

"Makin' mock" is a "liberal" columnist and his swinish, gratuitous implication that somehow the blood of a rioter who tries to tie up a city, or a Government, is of more value than the blood of an American in a Vietnamese rice paddy:

Even after voting twice in four years for President's who promised peace, must Americans once again go into the streets to get it?

"Makin' mock" is seeing elected Members of the U.S. Congress trying to advance their political fortunes on the obscene foundation of denouncing all that an American soldier in Vietnam thinks he is trying to do.

This is "makin' mock." And this is cheap.

It is what Lt. William Calley had at his back when he went to Vietnam. At his back, and the back of every single one of the over half-million men who have served in that country. Cheap is not the word for it. Being charitable, I would call it poor judgment, and shortsightedness. Being harsh, and, I think, much closer to being honest, I would call it near treasonous.

Perhaps the Calley affair will have the very beneficial side effect of putting a stop to this sadistic sport, or at least toning it down somewhat.

What we are faced with in Vietnam, and what we have been faced with for some years on other fronts, is a world with evil men, who have evil intentions, and would unhesitatingly put these intentions into effect on mass scales of horror unknown to date in all history.

There is certainly going to be the risk of the possibility of individual weakness when we set our faces against these men, against their ideologies. But unless we are willing to risk the possibility of weakness, then we are surely faced with the undisputed certainty of this evil being visited upon us.

OUR PRISONS ARE PUNITIVE, NOT REHABILITATIVE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BELL) is recognized for 20 minutes.

Mr. BELL. Mr. Speaker, several weeks

ago I visited the California State Prison at San Quentin. My tour was part of a series of visits in California and here in the Nation's Capital to acquaint myself firsthand with the conditions of our correctional institutions and the current state of penology.

During my visit I had a lengthy conversation with several inmates of San Quentin's "death row." One of these men was young, articulate Robert Massie. Mr. Massie knows our criminal justice system well; he is an expert who has seen nearly every aspect of that system from the inside. He has been in this antiquated system since he was 7 years old. He was in foster homes between the ages 7 and 10; from 11 to 14 he was in the State reformatory; from 15 to 23 he was in jails and penitentiaries. He has been on "death row" for the 5 years since then.

Robert Massie has taken the time to write to me to make known what he feels are a few of the more glaring abuses of the sorely neglected and cruelly dehumanizing penal system. His letter is reprinted below. It is one more item of evidence to substantiate the conclusion of the President's Violence Commission that the present criminal justice system "does not deter, does not detect, does not convict, does not correct."

Of all the activities within the criminal justice system, the correctional system probably has the greatest potential for reducing crimes committed by repeating offenders. Yet, it appears to be the most severely neglected part of a woefully inadequate system.

The problem appears to be a lack of public will and effort rather than a lack of available knowledge in the field of corrections. Last year, the President's Task Force on Prisoner Rehabilitation stated:

We concluded early that there was no need for us to search for new ideas about rehabilitating prisoners.

The voluminous literature on the subject overflows with excellent ideas that never have been implemented nor, in many cases, even tested.

In 1965 the President's Commission on Crime and the Administration of Justice concluded:

For a great many offenders . . . corrections does not correct. Indeed, experts are increasingly coming to feel that the conditions under which many offenders are handled, particularly in institutions, are often a positive detriment to rehabilitation.

But the recognition of major defects by the President's Commission—and the many essential recommendations for legislation made by the Commission's report—have not led to the meaningful reforms called for by the report.

Unfortunately, before these recommendations could be considered by the Congress, our attention and our priorities were directed toward simplistic solutions instead of in the direction of quick indictments, speedy trials, modernized court procedures, and advanced corrections.

A recent survey by the U.S. Census Bureau revealed the shocking fact that more than half of 160,000 inmates in city and county jails throughout the Nation were being held for reasons other than conviction of a crime. Almost all the inmates in this category were awaiting

trial. In my visits to detention jails I have seen the tragic results of this terrible situation. Men sit idly, waiting months on end with no constructive activity or services available to them.

The Census Bureau has also shown that of over 3,000 jails in the Nation, about 85 percent had no recreational or educational facilities of any kind. About 50 percent had no medical facilities. About 25 percent had no visiting facilities.

When offenders are finally sentenced and sent to prison for rehabilitation, the situation is still deplorable. While more than half of adult inmates in all prisons have not completed elementary school, there is a severe lack of effective academic and vocational programs. The President's Crime Commission noted that there are about 6,000 academic and vocational teachers now employed in the Nation's correctional institutions. It was estimated that in 1967 an additional 10,700 were needed immediately to develop effective programs.

Our prisons are schools of crime. Their pupils are too often released with nothing more than a free bus ride back to the slums they came from, and they have no new skills and no new attitudes to equip them for productive and crime-free lives.

I hope that the words of Robert Massie and others who have seen the failures of the corrections system for so long will inspire Congress during this session to enact meaningful legislation for criminal justice reform. I hope we can make the 1970's a decade of reform of our criminal justice system. This year we must begin that effort by reforming our penal institutions so that they fulfill their function of "correcting" and "rehabilitating" those who have violated the law. For the system which exists today is neither effective nor humane.

The letter follows:

TAMAL, CALIF.,
March 15, 1971.

DEAR MR. BELL: Seldom does a Congressman visit Death Row, and it is rare for one to express genuine concern for the plight of an imprisoned citizen. Nevertheless I sincerely appreciate your interest toward alleviating our frustrations and improving the conditions of this hell, and I will do my best to provide you with some insight into the problems which exist in prisons.

In the not too distant future it seems inevitable that I will make the transition from the land of mortals to the ethereal realms that people call "death". By accepting the judgment of the State and not protesting my physical demise, I journey to the land "beyond" by choice, thereby prematurely terminating my present earthly sojourn. If I wished, I could very easily extend my present life by instituting litigation from one court to another. But ultimately, no purpose would be served. Know therefore that the suggestions I have to make for penal reform are not self-serving but an earnest endeavor to serve my fellowmen.

Most of the hell that prisoners endure is caused by antiquated administrative policies—not laws—policies that are not only designed to strip an imprisoned citizen of all his civil rights but also his human rights. Contrary to the myth circulated by propaganda that California has the most advanced penal system, this is the most monstrous system ever devised. The truth of this is indisputable and can be easily ascertained by

anyone who cares to come and live amongst us from free society. The misery that abounds and prevails in this hell is beyond the average citizen's comprehension. Systematized dehumanization is clearly manifested by the repugnant behavior of multitudes of ex-prisoners that are daily spewed back into free society.

The taxpayers who support the present system are sadly misinformed. And little do they know that their money is being used to perpetuate a decadent system which should have been abolished when the slaves in the South were freed. Ostensibly, the taxes which support this system are supposed to be used to help an imprisoned citizen learn how to return to free society and live in accordance with the standards thereof. But alas, the representatives of the taxpayers are using the money appropriated for this purpose to maintain the status quo and turn the wards of the State into vicious animals and/or human vegetables. The propagation of this insidious disease insures penal personnel of permanent economic security and justifies their warnings against changing this system. So long as the taxpayers condone this stagnant pool of degradation, the longer their lives will remain in jeopardy by the wrecks of humanity who return to prey on them.

Should you be successful in bringing about changes in the higher echelons of the California Department of Corrections, you would be wise to stay informed about how your reforms are being put into practice by those who have custody of the beneficiaries. No matter what type of innovations you propose or successfully cause to be instituted within these penal institutions, malicious and downright hateful subordinate personnel will attempt to undermine your accomplishments. My suggestions for penal reform are as follows:

1. Publicly acknowledge that an imprisoned citizen has the same constitutional and human rights as the people in free society take for granted. As per the current administrative methodology, a prisoner is informed that he has NO rights—that everything is a privilege—no doubt he would be told the air he breathes is also a privilege if the penal administration could find ways of implementing this assertion.

2. Make up a Bill of Rights for prisoners. This will prevent malicious subordinates from exercising total domination over another human being, notwithstanding the fact that he is a prisoner.

3. Institute a system whereby a prisoner can obtain EFFECTIVE redress for the atrocities committed against him under the color of authority.

4. Make available to the prisoner a book of rules governing the conduct of subordinate personnel, thereby informing the prisoner of the treatment he is entitled to. As matters stand, subordinate personnel act arbitrarily and by whim and caprice, with full sanction of the prison administration. Total power in the hands of certain inferiors has led to total corruption and the system must crumble unless both factions know what is expected of them.

5. Rid these institutions of personnel (especially subordinates) who have proven to be incompetent in their dealings with prisoners; who have shown that they hate prisoners and wield their limitless power sadistically; otherwise, many prisoners as well as personnel will be injured and killed unnecessarily as is happening today.

6. Segregate the psychopaths and overt psychotics from the other prisoners. As things stand the psychotics are being used by the administration to prey on the weaker prisoners, causing deaths and unjust punishments to befall the entire prison population. Until this segment of prisoners are dealt with properly, the myth that the main body

of prisoners are encouraged to strive for self-improvement is a farce and sham. Most of the prisoners live in daily fear of their lives and survival must remain uppermost in their thoughts until such time as they can exist in an atmosphere which is conducive to self-improvement. The insane prisoner is the principal means which prison personnel use to justify and perpetuate the present status quo.

7. Review and discontinue all treatment which is manifestly unjust and which would not be tolerated by a citizen in free society.

I have suffered for the past 15 years in penal institutions and not until I came to death row (where I have been for the past 6 years) did I awaken to what life is all about. Knowing that I will never again be able to function as a free human being, and rather than attempt to have my present sentence of death reduced to life imprisonment under the present system, I have discontinued all litigation and hope that I will be one of the first to be executed when the U.S. Supreme Court terminates the en masse delay of executions. An article I have written for Esquire magazine which is presently on the newsstands will verify the truth of this statement.

I hope that I have not wasted your time and that you will at least acknowledge this letter.

Respectfully,

ROBERT L. MASSIE.

CURBING PRESIDENTIAL WAR-MAKING POWERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HORTON) is recognized for 15 minutes.

Mr. HORTON. Mr. Speaker, we are nearing the seventh anniversary of the passage of the Gulf of Tonkin resolution in 1964—an action which marked the start of the current crisis in the distribution of constitutional powers of war and peace between Congress and the Executive.

Charges that the current and past Presidents have exceeded their authorities as Commanders in Chief in carrying out military actions in Southeast Asia are definitely sustainable. But perhaps equally sustainable and more serious is the uncomfortable fact that Congress has virtually abandoned its constitutional role in foreign affairs by providing no viable modern-day procedure for exercising this authority, and by allowing the Executive to flex and extend its constitutional power by overinterpreting largely passive congressional actions which imply the granting or retracting of authority to carry out certain military activities.

I am today introducing a bill to fill that vacuum left by Congress, which will offer a viable procedure whereby Congress can exercise a positive and an active role in the determination of military policies which fall short of a declaration of war.

I feel that the need for this bill, or some similar procedure for congressional reentry into its role under article I, clauses 11 through 14 of the Constitution, is best understood in light of an overall analysis of the key questions surrounding the situation in Southeast Asia.

Questions arising from our involvement in Indochina might be divided into three categories: constitutional, military, and moral.

The primary question is one which we, as Congressmen, must be most concerned about. That is the question of the constitutionality of the policies pursued by the current and past Administrations in Southeast Asia.

I am not here referring to the constitutionality of Vietnamization as a grand design for ending American participation. Mr. Speaker, I feel that Vietnamization, coupled with a resolve to take real risks to promote a negotiated peace, is the right way to extract America from this war, and, hopefully, to end the war itself. I was calling for de-Americanization of the war and a greater priority on training the Vietnamese to defend themselves as early as 1967.

The serious constitutional crisis to which I refer, surrounds Executive decisions to employ United States military personnel beyond the borders of Vietnam, into Cambodia and Laos.

During the Cambodia crisis in mid-1970, I stated my opposition to the invasion, not on military grounds, but on constitutional grounds. The President had dispatched American troops across an international boundary without any private consultation with congressional foreign policy leaders prior to the attack, and there was no congressional approval.

I had and have no argument with the notion that the forces of South Vietnam, which have been under attack by North Vietnamese and Vietcong operating from sanctuaries in Cambodia and Laos, should, upon the determination of the Saigon government, be able to engage their enemy in these areas. While this amounts to aggression against the territories of these neutral nations, it does not surpass or equal the aggressions committed against these nations by the North Vietnamese. The existence of Communist troops and sanctuaries in these nations in violation of international law does not, however, provide a sufficient justification under our constitutional system for the President to order Americans into actions in these countries without some participation in that decision by the Congress.

I say some participation, because even the Constitution is unclear as to what exact procedure should be followed by the two branches of government in deciding to engage in military action short of a declaration of war. It is obvious in this technological age of rapid communications and transportation that situations will arise where military action short of a full declaration of war would be prudent policy—situations in which the alternatives of a declared war, or no action at all, would be irresponsible and undesirable. Tradition and custom have shown such situations to include repelling attacks, protecting American lives abroad, and fulfilling treaty obligations. It is time to codify these traditions into law.

An honest analysis of the current situation, where seemingly all of the power to engage American forces has been gathered up by the Executive, would lead to the conclusion that Congress is at least as much at fault as the President. Congress, and particularly the Senate, has cast itself in a role where it is close to impossible to exercise the necessary

judgment in a modern-day situation. It is clear that some military and foreign policy decisions cannot be responsibly made if they must await week after week of inconclusive debate, and survive all of their details and strategies being subjected to public debate and world scrutiny. By consuming several months while debating the Cambodia situation, the Senate showed itself to be concerned with foreign affairs, but at the same time illustrated that Congress, as a whole, is presently ill equipped to take a responsible role in making decisions affecting war and peace.

In short, Congress has failed to provide a proper and a timely procedural channel through which it can bring its will to bear on crucial foreign policy decisions. It must equip itself to participate in these decisions in order to properly protect the public's interest in foreign policy decisions, as intended under the Constitution.

The failure of Congress to provide such a mechanism creates a situation where the President can take unto himself most of the warmaking powers which can be invoked to engage U.S. troops in hostilities. The practical result of this failure is to insure that Congress will not get back its constitutional powers over war and peace unless and until some means is found for Congress to make such decisions consistent with the protection of national security and the technological realities of modern-day warfare.

It must be possible for Congress, or a designated body in the Congress, to receive classified information surrounding a pending military decision, and to accomplish, within a reasonable period of time, congressional ratification or change of such a decision without rendering it moot by airing before the world information affecting our national security or bearing on the success or failure of the actions involved. While it is unreasonable to think that Congress can be practically consulted in a nuclear emergency, or in an instant tactical situation, it is not unreasonable to think that Congress can exercise its power and judgment over decisions to engage American troops in any foreign country.

Technically, with the repeal last year of the Gulf of Tonkin Resolution, the President has only implied congressional approval to continue any engagement of U.S. troops in Southeast Asia. The implied power is rooted in the enactment of appropriations for American troop activities and support in Vietnam, and in prohibitions against the use of U.S. ground troops and advisers in certain nations—implying permission to use them in other nations.

Constitutionally this is a very tenuous basis for the operation of the Executive's foreign policy. But it is the Congress which has permitted the Executive to fill this wide vacuum in the exercise of his constitutional prerogatives under article I.

I have prepared a bill seeking to fill this vacuum, and to provide a viable procedure for the exercise of the power of Congress which will fit the realities of the 1970's and the requirements of the Con-

stitution. Until this resolution and procedure or some other is adopted, however, I feel that the Executive should take far more literally the words of article I of the Constitution in interpreting the extent of its own power to initiate or extend hostilities. The text of my bill follows:

H.R. 7290

A bill to provide a procedure for the exercise of congressional and executive powers over the use of any Armed Forces of the United States in military hostilities, and for other purposes.

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

TITLE I

SEC. 101. In the absence of a declaration of war by the Congress, the President of the United States is authorized to commit Armed Forces of the United States to military hostilities only—

- (1) to repel any attack against the United States, its territories, or possessions;
- (2) to repel any attack against the Armed Forces of the United States on the high seas, in the air, or lawfully stationed on foreign territory and, for the purposes of this paragraph, such Armed Forces shall be considered to be lawfully stationed on foreign territory if such stationing has had the approval of the Congress or if such stationing meets the conditions of paragraphs (3) and (4) of this section;
- (3) to protect the lives of United States nationals abroad; and
- (4) to comply with a national commitment resulting from affirmative action taken by the executive and legislative branches of the Government by means of a treaty, convention, or legislative enactment specifically intended to give effect to such commitment.

SEC. 102. In any case in which military hostilities described in section 101 of this title are initiated by the President, the Joint Committee on National Security established under title II of this Act shall be convened prior to or within twenty-four hours after the initiation of such hostilities, and the President shall report the initiation of such hostilities to the Joint Committee, together with a full and complete account of the circumstances bearing on the necessity for the initiation of such hostilities.

TITLE II

SEC. 201. There is established a Joint Committee on National Security (hereafter in this title referred to as the "Joint Committee") to be composed of twenty-four members as follows:

- (1) The Speaker of the House of Representatives.
- (2) The President pro tempore of the Senate.
- (3) The Majority Leader of the House of Representatives.
- (4) The Majority Leader of the Senate.
- (5) The Minority Leader of the House of Representatives.
- (6) The Minority Leader of the Senate.
- (7) The Chairman and ranking minority member of each of the following committees:
 - (A) The Committee on Foreign Relations of the Senate.
 - (B) The Committee on Armed Services of the Senate.
 - (C) The Committee on the Judiciary of the Senate.
 - (D) The Committee on Foreign Affairs of the House of Representatives.
 - (E) The Committee on Armed Services of the House of Representatives.
 - (F) The Committee on the Judiciary of the House of Representatives.
 - (G) The Joint Committee on Atomic Energy.
- (8) One Member of the House of Repre-

sentatives who is not a member of any committee referred to in this section, to be appointed by the Speaker of the House of Representatives.

(9) One Member of the Senate who is not a member of any committee referred to in this section, to be appointed by the President pro tempore of the Senate.

(10) One Member of the House of Representatives who is not a member of any committee referred to in this section, to be appointed by the Minority Leader of the House of Representatives.

(11) One Member of the Senate who is not a member of any committee referred to in this section, to be appointed by the Minority Leader of the Senate. The Speaker of the House of Representatives shall serve as Chairman of the Joint Committee and the President pro tempore of the Senate shall serve as Vice Chairman of the Joint Committee. Any vacancy occurring in the membership of the Joint Committee shall be filled in the same manner as in the case of the original selection.

SEC. 202. It shall be the duty of the Joint Committee to convene at the call of the Chairman to receive any report required under title I of this Act and to report to those committees of both Houses of the Congress which will consider legislation referred to in section 203 of this title. The Joint Committee shall be the officially designated body of the Congress to be consulted by the President and his national security and military advisers, and to receive and transmit information to other committees of the Congress concerning actions taken and reports received under Title I of this Act. The establishment of the Joint Committee shall not affect the duties and responsibilities of other committees of the Senate or of the House of Representatives. The Joint Committee has no authority to report legislation to the floor of either House, but it shall transmit information under this section together with its recommendation for legislation to be considered or adopted.

SEC. 203. Military hostilities by the Armed Forces of the United States described in title I of this Act shall not be continued for more than thirty days from the date such hostilities are initiated unless the authority to continue such hostilities for more than thirty days is contained in enabling legislation enacted by the Congress, including a declaration of war. For the purposes of this paragraph, no legislative enactment, including appropriations legislation shall be considered enabling unless such enactment specifies authorization for actions initiated under the provisions of section 101 of title I.

SEC. 204. The authority to continue military hostilities by the Armed Forces of the United States described in title I of this Act may be terminated by joint resolution of the Congress before the expiration of the thirty-day period referred to in section 203 of this title.

SEC. 205. Upon the expiration of the thirty-day period referred to in section 203 of this title, or upon the termination of authority to continue military hostilities by the Armed Forces of the United States described in title I of this Act, the President shall take such steps as may be necessary to disengage the Armed Forces of the United States from such hostilities in the safest manner possible at the earliest time possible, unless the Congress has otherwise authorized the continuance of such hostilities.

SEC. 206. If any bill or joint resolution authorizing the continuance of military hostilities by the Armed Forces of the United States described in title I of this Act or terminating the authority to continue such hostilities is sponsored by not less than one-third of the Members of the House of the Congress in which it originates, it shall be reported to the floor of that House of the Congress no later than one day after its

introduction, unless the Members of that House of the Congress determine otherwise by a rollcall vote. Any such bill or joint resolution which has been passed by one House of the Congress and referred to the other House of the Congress shall be reported to the floor of the House of the Congress to which it was referred no later than one day after such referral, unless the Members of the House of the Congress to which it was referred shall determine otherwise by a rollcall vote.

SEC. 207. Any bill or joint resolution reported to either House of the Congress under section 206 of this title immediately shall become the pending business of the House of the Congress to which it was reported and shall be voted on not later than three days after it has been so reported, unless the Members of the House of the Congress to which it was so reported shall determine otherwise by a rollcall vote.

TITLE III

SEC. 301. This Act shall not apply to any military hostilities by the Armed Forces of the United States undertaken before the date of enactment of this Act.

You will note, Mr. Speaker, that my bill closely resembles a similar measure introduced by my distinguished Senate colleague from New York (Mr. JAVITS) on February 10, 1971. Senator JAVITS' proposal was widely discussed a year ago and its recent introduction in the 92d Congress has been accompanied by a scholarly and realistic study of the issues involved. Hearings on S. 731 are already underway. In an age when slogans are regarded as facts, when the art of persuasion has been replaced by loud volume, where hysteria has acquired some political respectability, my Senate colleague's approach is both impressive and reassuring.

The differences between our bills are not many, but they are significant, and I cite them as follows: My bill provides a procedure whereby the President can keep Congress informed either prior to or immediately after he takes military action and still safeguard information vital to the success of the action and the safety of our troops. My bill calls for creating a Joint Committee on National Security which codifies the canny and successful consultation President Kennedy undertook with leading Members of Congress prior to the Cuban missile crisis in 1962.

Either prior to the military action, but no later than 24 hours thereafter, this committee would consult with the President or his advisers, and receive information on the circumstances requiring this military action.

The Joint Committee on National Security brings together authoritative Members of Congress in foreign and military affairs. Its membership would include the majority and minority leaders of both Houses and the chairmen and ranking minority members of both House, Senate, and joint committees concerned directly with foreign and military policy. The President of the Senate, the Speaker of the House, and the minority leaders in the House and Senate would each appoint one additional member. This new committee would be designated by Congress as the panel authorized to consult with the President and his national security advisers in situations

where congressional powers are involved and where congressional ratification of military actions is required as described in the Javits bill and in my own proposal.

The joint committee must transmit reports it receives pursuant to the provisions of this bill to the appropriate committees of both Houses, which would be responsible for drafting and reporting to the House and Senate legislation to ratify or change the President's actions. While the joint committee has no direct legislative responsibility, it must transmit the President's report, together with its recommendation for action. In a real crisis, a prompt and official, though not final, reaction from Capitol Hill could have great psychological value during the hours following a military action taken by the Commander in Chief.

At present, there is no similarly organized procedure whereby Congress or its leadership can comment officially and promptly on Presidential actions of great international and domestic importance.

My bill also insures the President some flexibility in withdrawing troops while underscoring his responsibility to undertake withdrawal. For example, if the 30-day period is about to end, say on the 28th day, and Congress had passed no legislation enabling the military hostilities to continue, the President could hardly be expected to withdraw American forces in a 2-day period and do so safely in every instance.

I wish to emphasize, Mr. Speaker, that this bill is not intended to force limitations on the President, to tie his hands in foreign policy, or anything of the kind. My bill is designed to clarify the obligations of both the executive and legislative branches when the Armed Forces of the United States are engaged in hostilities.

The intention of this legislation is not to limit the powers of the President as Commander in Chief, but to clarify and separate them from the powers of Congress. These Presidential powers are clearly outlined in the language of my bill.

The President, as Commander in Chief must have discretionary authority over our Armed Forces for emergency situations. But when we talk of the need for Congress to be consulted, that request is not a fatuous seeking of power over the Executive. If anything, it is the legitimate resumption of responsibilities which Congress has for the past decade largely ignored. I should think that both the executive and legislative branches of Government would welcome legislation such as this bill, for it would go a long way toward clarifying a serious constitutional crisis and lessening the potential credibility problems and propensity for distrust, ill will, and lack of cooperation between the two branches.

Discussion of this proposal leads to another question surrounding the current situation in Southeast Asia—the question of military tactics. Should the United States support South Vietnamese action in the Ho Chi Minh trail areas of southern Laos, or into North Vietnam itself? Should our troop withdrawal rate be 12,500 troops per month, or double that figure? Once the Congress has made

its determination to authorize any or all of these actions, which we have failed to do in any positive sense, once Congress has charged the Commander in Chief with carrying out a clear-cut policy decision, then the tactical and strategic judgments are properly those of the Executive. Second-guessing military moves by Congressmen and Senators was risky in the days of the Continental Congress. It is even riskier in the days of modern warfare. The reason so many Members of Congress have engaged in discussions of tactics and strategy is that the lack of a clear-cut role for Congress in authorizing this war has clouded the line between policy and tactical decisions. By taking the constitutional authority of Congress unto himself, the Executive has permitted an open season on his tactical as well as high policy judgments. This is a dangerous situation. American troops must feel that they have official as well as public backing when they engage in actions which risk their lives. But the present crisis between Congress and the Executive has deprived them of both on many occasions.

For example, there are those who say that the Cambodia action was illegal, because it was not congressionally sanctioned. On the other side are those who say it was a bold and successful military strategy which permitted the acceleration of U.S. withdrawals from Southeast Asia and sharply reduced American casualties in the months that followed the invasion. Both sides are right.

To bring both the political and military situations in Southeast Asia into proper focus for the American people, there must first be a solution of the constitutional crisis between Congress and the President. As long as Congress permits and the President assumes a wide discretion in warmaking powers, public debate on the war will consist of military, moral, and legal second-guessing, and the overall chances for prompt withdrawal and for peace will be reduced. We must return to the point where Congress makes clear-cut decisions on the use of American forces abroad, and where the President, as Commander in Chief, carries out and abides by those decisions. Short of this, the credibility of the President, of the Congress, and even of the troops in the field will be near zero in the eyes of a confused and angry populace. Short of a return to the exercise of constitutional powers and requirements, our ability as a Nation to maintain flexibility in foreign policy and credibility as a member of the family of nations will seriously suffer.

Mr. Speaker, the moral aspects of our Indochina policies are of concern to most of us, and I shall conclude my remarks on that subject. The morality of our policy is most difficult to view objectively. The right of the Vietnamese people to choose their own future is a moral precept that both supporters and opponents of our efforts in Indochina have used to support their own points of view. In short, it is almost impossible to get agreement on definitions and premises, let alone reach a national consensus on a policy conclusion. Regrettably, both supporters and opponents of our Vietnam

policy have claimed a monopoly on righteousness and have questioned the good faith, if not patriotism, of the other side. Debate on Vietnam has been so long, so repeated, and so common, that many people have substituted slogans for facts, and intensity of feeling for logic. This kind of reasoning, devoid of logic, leads to trouble. Some would have us end an immoral war by immediate withdrawal, ignoring or considering moral the blood-bath that might follow. They feel that by stopping all American involvement in immoral killing, morality itself will be served. Others have advocated an even greater land war in Asia and bombing North Vietnam back into the stone age, because communism is in their view, such an immoral system that it justifies such acts.

I believe, therefore, that the mortality of our present policies in Indochina is a matter almost impossible to resolve; however, the question of our moral responsibility to the South Vietnamese people is one which can be debated rationally.

Politics has lost much of its relevance to this war-torn and largely agricultural people. They, like human beings everywhere, want freedom from war, from terror, and from deprivation. They will likely offer political loyalty to whichever side seems best able to deliver security, peace, and prosperity. We may criticize U.S. backing of the Thieu regime because it does not offer freedom as we know it, even though there is no question that the limited freedom below the 17th parallel exceeds that permitted by the totalitarian Hanoi regime in the north.

Despite unpardonable mistakes and tragedies which our involvement in this war has brought, American might and men have helped convince a majority, estimated at 70 percent to 90 percent, to side with the elected Saigon government against the North Vietnamese and Vietcong. If we had no responsibility or moral commitment to the Vietnamese people before we stepped in, we certainly do now. An immediate unilateral, moral, withdrawal undertaken regardless of consequences, which many well-intentioned Americans advocate as a means of ending the expense of this war and of cleansing our hands of killing and suffering, would solve little and would not promote an instant peace. While our entry into the Vietnam war was, in my opinion, a tragic mistake, that mistake cannot be erased by burying our heads in the sand and making believe we were not or are not involved.

We cannot honestly pretend that we have no responsibility for what happens in Indochina in the months following our departure. We can and must, however, be willing to take major new risks to obtain a peaceful settlement. Now that the allies have the upper hand militarily, our demands at the Paris table might be lessened. This is a risk. Our troop withdrawals can be considerably accelerated. This is a risk.

In one important sense, the acceleration of U.S. troop withdrawals and the Vietnamization process will hasten and enhance the chances of a negotiated truce prior to full U.S. withdrawal.

For the fewer Americans remaining in Vietnam, the less control Washington policymakers will have over the situation, and the more the North Vietnamese will be forced to deal directly with the Saigon government, with whom it will be far more difficult for Hanoi to strike a bargain.

We should not be led into thinking that United States-South Vietnamese military superiority can deliver a finishing military blow. We should instead use this superiority to increase and quicken the desire of Hanoi to reach a settlement, before they are faced, across the bargaining table, by a lone delegate of a strengthened and intransigent Saigon government.

There is no doubt, Mr. Speaker, that the moral aspects of our policies and effort in Indochina, have troubled us all, no matter what our persuasion. The people of Vietnam, and Laos, and Cambodia are so terribly vulnerable, that any decisions taken have almost an immediate impact on their well-being, if not their lives.

When I hear the plea, "No more Vietnams," it is this suffering and disruption that comes to mind. It is time for Congress to assume vital responsibilities which have been permitted to wander—over the past decade—down Pennsylvania Avenue. The warmaking responsibilities of Congress are not fully understood by our people, Mr. Speaker, and there are indications that Congress, itself, does not fully understand its legitimate role in this vital area. Congress is not the Commander in Chief, nor is it an adjunct of the military structure. Congress has a responsibility involving questioning, evaluation, and judgment. My bill is addressed to that obligation and I urge my distinguished colleagues to support it.

For my part, I intend to concentrate in the 92d Congress on rectifying this constitutional crisis—on persuading the Congress to assert itself responsibly into the vacuum of power it has left for harvesting by the Executive. Once this is accomplished, second-guessing strategic and tactical decisions will be far less in vogue, and far less necessary, for the American people will once again feel that they have had a voice in the making of decisions which affect their lives, their future and their national honor.

OUTLOOK GROWING GRIMMER FOR SOUTHERN TEXTILERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MIZELL) is recognized for 5 minutes.

Mr. MIZELL. Mr. Speaker, once again I rise to call my colleagues' attention to documented instances of the growing injury being inflicted on American textile companies and workers as a result of the uncontrolled influx of foreign textile imports.

Mr. Charles S. Taylor, a staff writer for United Press International, writes from Atlanta of the critical situation that import flooding has brought on all over the South.

How much more time must go by be-

fore we in this House act to stop this ruinous flood? How severe must the consequences show themselves to be? How many mills must close, and how many Americans thrown out of work?

The time for action is now. I have introduced legislation that would effectively curb the importation of low-wage foreign textile products. The quota system I have proposed, allowing for a graduated increase in participation by our trading partners, is fair; it is needed; it is an economic imperative.

At this time, I include the text of Mr. Taylor's article in the RECORD, and urge my colleagues to read it carefully. The article appeared in the April 2, 1971, edition of the Lexington, N.C., Dispatch as follows:

OUTLOOK GROWING GRIMMER FOR SOUTHERN TEXTILERS (By Charles S. Taylor)

ATLANTA (UPI).—Across the South, the lights behind the blue windows of the textile mills are going out, darkened by a slumping economy and a deluge of cheap Asian imports.

Since January of 1969, when the economic effects of foreign shipments, principally from Japan and Hong Kong, first were felt, 50 textile mills in the South have closed their doors. Others, while managing to stay open, drastically trimmed their payrolls.

The textile industry in this country, heavily concentrated in the Carolinas, Georgia and Alabama, is the South's leading employer, with more than 550,000 workers, not counting those in apparel production.

Plant closings also are occurring in the New England textile belt, which has about 30 per cent of the industry.

In North Carolina, the nation's leading textile producer, 30 plants have gone out of business. Thirteen plants closed in South Carolina, and seven in Georgia and Alabama.

JOBS LOST

In 1970 alone, this meant the loss of 10,700 jobs in North Carolina, 6,100 in South Carolina, 6,300 in Georgia and 1,200 in Alabama. Several thousand more were laid off in 1969 and the first few months of this year.

While textile leaders describe foreign imports as the major reason for the downturn, they also cite a generally sluggish U.S. economy.

Imports, however, were the major culprit. Last year they hit a new record level of more than four billion square yards, according to the American Textile Manufacturers Institute (ATMI). Dollar value of the imports totaled \$2.4 billion—an increase of more than 11 per cent over 1969, which had been the record year for imports.

In contrast, American-made textile exports in 1970 totalled only \$768 million. This left a textile trade deficit of \$1.6 billion.

Hourly earnings of textile workers last year averaged \$2.47 and employees took home a pay check averaging \$99.54 weekly. With the loss of 27,200 jobs in the Southeastern textile industry, this has meant a \$140,400,000 blow to the economy of the region, offset somewhat by unemployment compensation and the fact that some of the furloughed workers moved into other jobs.

CLOSINGS CRITICAL

In small communities the plant closings have been critical blows.

"They just closed up, the shades pulled and the lights out," said Mayor J. P. Phillips after the Handley mill closed at Roanoke, Ala., last November, putting 844 people out of work in a city of 5,060 population.

"We just don't close the operation of a \$90,000 weekly payroll without it hurting the community. The plant had been in continuous operation for more than 50 years."

The textile industry insists it must have import quotas written into law. It has the support of the Nixon administration.

SOME TAX REFORMS WE DO NOT NEED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, last month I made public Treasury Department figures which revealed that 301 Americans with incomes in excess of \$200,000 for 1969 paid no income tax at all for that year. Fifty-six of these wealthy nontaxpayers had 1969 incomes of over \$1,000,000, and still they paid no tax. Those who did pay a tax paid a smaller percentage than those with considerably less income.

Since then I have received hundreds of letters from all over the country protesting the injustice and inequity of a tax system which permits this kind of thing to happen. It is true that the 1969 Tax Reform Act contains a "Minimum Tax" provision aimed at reducing the number of wealthy citizens who pay no tax. That provision of the 1969 act does not take effect until the 1970 taxable year so it had no impact on the 1969 returns. However, the minimum tax has so many holes in it that I expect to find next year that once again hundreds of wealthy individuals totally or substantially escaped taxation. How much comfort will it be to the hard-pressed middle-income taxpayer if he finds that millionaires pay a few thousand dollars in taxes rather than nothing?

What is needed is a much more fundamental and thoroughgoing reform of our loophole-ridden tax system. H.R. 5031 which I introduced earlier this year, makes a start on this kind of reform. It would close eight of the more egregious loopholes in our tax system, and bring in some \$6 billion a year in additional revenue.

But there are other proposals for tax changes abroad in the land. I would like to discuss four of them in particular:

The Treasury's proposed new rapid depreciation rules, the 7 percent investment tax credit, the value added tax, and the proposal to allow credits against the Federal income tax for State income taxes.

All four of these changes miss the mark. They do not correct inequities—they compound and exacerbate them.

The letters I have received protesting our present tax system almost invariably reveal a deep skepticism about the possibility for real reform and a good deal of cynicism about the whole political process. The four potential tax changes I shall discuss do not meet the concerns of these people and would, if adopted, do nothing to restore their faith in their Government. While complicated questions of tax policy cannot be resolved by reference to public opinion polls, we owe it to those we represent to try to respond to their legitimate concerns.

RAPID DEPRECIATION

On January 11, 1971, President Nixon announced plans for new liberalized de-

preciation allowances giving business more generous tax deductions for investing in new equipment. The loss of tax revenue from this bit of generosity will be substantial—\$800 million for fiscal year 1971, \$3 billion for fiscal year 1972, and as much as \$4.4 billion a year by fiscal year 1976.

For fiscal year 1972, this tax windfall for business represents more than one-quarter of the projected budget deficit, and more than \$45 for every taxpaying citizen in the country.

And what is to be gained from all of this largesse? According to President Nixon:

Depreciation liberalization will stimulate the pace of spending on new plant and equipment, which has been leveling off, and thus create new jobs.

There are several things wrong with this—the new depreciation rules probably will not stimulate spending on new plants and equipment, and there are better and cheaper ways of stimulating the economy and creating new jobs.

The response of businessmen to the new depreciation rules was "lethargic," according to a Wall Street Journal survey taken shortly after the announcement. Few thought the new rules would make any difference for them or for anyone else. "A depreciation plan like this is not a very effective initiating factor," one said. "You do not change your existing plan for this kind of thing," said another. One allowed that, "if something marginal comes along, this might swing it."

The problem is that business already has more plant and equipment than it needs. Business is currently operating at only 75 percent of capacity. Capital spending was at boom levels throughout the 1960's, with the result that the only projects left now tend to be marginal and uneconomic ones.

If the President has decided that the economy needs \$3 billion additional worth of stimulation in fiscal year 1972—and I am not yet convinced that it does—there are better ways of going about it than providing a \$3 billion tax windfall to companies with the fond hope that maybe they will use some of it for capital investment.

The administration is currently withholding \$11.8 billion in funds appropriated by Congress for fiscal year 1971. Among the funds withheld are \$200 million for basic water and sewer facilities grants, \$200 million for urban mass transit, and \$193 million for public housing. If capital investment is needed, here are funds ready at hand. It would be far better, and more productive in the long run, to invest funds in these areas.

If the concern is with creating jobs, the public service employment program just recommended by the Joint Economic Committee would be much more effective than the new depreciation rules and their spurious promise of "trickle-down" jobs.

If the administration is convinced that \$3 billion worth of stimulation is needed, and is unwilling to devote this amount to public investment, another alternative would be to speed up the personal income

tax reductions now scheduled for 1972 and 1973.

This step has also just been suggested by the Joint Economic Committee. Moving up the increases in personal exemptions and the standard deduction by 1 year would give taxpayers an extra \$2.75 billion of spendable income in fiscal year 1972. There is every reason to expect that this money would be quickly spent, bolstering consumer demand and putting some of business excess capacity to good use. This is the kind of stimulus that our lagging economy may well need, and it could even result in some increased capital investment if present facilities prove inadequate to meet the increased demand.

SEVEN-PERCENT INVESTMENT TAX CREDIT

The 7-percent investment tax credit is another tax gimmick designed to give business an incentive to invest in new plant and equipment. This \$3 billion a year beneficence was repealed by the Tax Reform Act of 1969, with even President Nixon declaring that:

This subsidy to business investment no longer has priority over other pressing national needs.

The February 1970 report of the President's Council of Economic Advisers intoned the following judgment over its remains:

The national priorities of the 1970's did not require or justify this special incentive.

Now, little more than a year later, there is talk of reviving the 7-percent investment tax credit. It should be allowed to rest in peace.

In the first place, as I have pointed out, it is difficult to make the case that spending on new plant and equipment needs some special stimulation when business is only using 75 percent of the plant and equipment it already has. Ironically, business was operating at 85 percent of capacity in 1969 when the investment tax credit was repealed.

Furthermore, the capital spending stimulated by artificial tax gimmicks of this sort tends to be marginal and uneconomic—projects which would not be undertaken solely on their merits. The investment tax credit, as it operated in the 1960's, allowed business firms to deduct from their tax bill 7 percent of their investment in new equipment installed during the year, regardless of the quality or economic value of the investment.

Wise businessmen invest first in the best paying projects available, and then continue down the line toward the least desirable. It is only when they get down close to the margin that something like the investment tax credit would make a difference between going ahead with a project or dropping it. Almost by definition, then, an investment tax credit stimulates spending on projects which fall short of meeting the test of the marketplace.

Another problem with the investment tax credit is that it is procyclical, contributing to a "boom or bust" pattern in the economy. When the economy is in a boom period, Government revenues should be going up in order to damp down inflationary pressures. But with an in-

vestment tax credit just the reverse happens. Because business investment is high in boom periods, there is heavy use of the investment tax credit and a corresponding reduction in Federal tax revenues.

On the downside of the business cycle, when Federal tax revenues should be going down in order to prod the economy out of the doldrums, a tax system with an investment tax credit brings in relatively more revenues. This is because investment in capital equipment tends to decline in recessionary times. An investment tax credit, therefore, accentuates the instability of investment and makes it more difficult for the Federal Government to maintain a stable fiscal policy.

VALUE ADDED TAX

Another tax gimmick which bodes no good for the average taxpayer is the so-called value-added tax, now reportedly under consideration at the Treasury Department.

The value-added tax is a tax added to a product at each stage of its manufacture and distribution and passed on in the form of a higher price until it gets to the consumer, who cannot pass it on and therefore ends up paying it.

Some tax policymakers like to think of the value-added tax as a reform. It is nothing of the kind. It is simply a national sales tax with a fancy name. It would hit hardest at the average taxpayer who must spend a large portion of his income on daily necessities, while leaving businessmen and the wealthy practically unscathed.

What is worse, the Treasury is apparently thinking of using the value-added tax as a partial substitute for the Federal income tax. Therefore, instead of a progressive Federal income tax that takes more from the well-to-do taxpayer who can afford more, we would have a regressive tax that is especially hard on the average taxpayer.

Another problem with the value-added tax is that it would raise the price of very consumer good and service to which it applied, leading to demands for wage increases to offset the higher cost of living and possibly touching off a new inflationary spiral.

Even President Nixon's Task Force on Business Taxation, no friend to the average taxpayer, recommended against the value-added tax last September. The President followed their advice when he recommended the rapid depreciation giveaway I discussed earlier. He should be no less eager to follow their advice when their recommendations have merit.

TAX CREDITS FOR STATE INCOME TAXES

The current impasse on revenue sharing has led to discussion of possible alternatives. One of them is the proposal to allow a credit against the Federal income tax for the amount of State income taxes paid. If a person has a State income tax bill of \$400, for example, and a Federal income tax bill of \$2,000, he would simply subtract his State tax from the Federal and pay \$400 to the State and \$1,600 to the Federal Government.

Eventually, this might lead the eight States which have no State income tax

to enact one, since it would not increase the total tax their citizens would have to pay. This is fine, since most everyone agrees that State income taxes are a good way for States to raise money. But the tax credit has two other effects which are not so fine.

First of all, it is not useful as a revenue-sharing plan. It inevitably will provide more money to a rich State than a poor one, given the same rate of State taxation, because rich States by definition have higher per capita incomes than poor ones. There is therefore no redistribution of resources from rich States to poor States, leaving one of the goals of revenue sharing unfulfilled.

Secondly, the effect of tax credits in the first instance would be simply to lower the total tax bill of everyone living in any of the States with a State income tax, since the tax credit effectively wipes out their State income tax payment. Then, some States would presumably raise their State income taxes on the assumption that their citizens would not mind, because it would be just increasing their taxes to the level they were at before. In theory, all States should do that if the goal of the tax credit scheme—shifting tax revenues from the Federal Government to State governments—is to be achieved. But it probably would not work out that way. Some States would just sit tight, leaving their citizens with their tax bonanza.

Therefore, any concern for tax equity—seeing that people in similar circumstances pay the same Federal income tax—will be thwarted by the tax credit device. Citizens in some States will end up with a lower total tax bill and citizens in others will not. The distribution of tax reductions will be totally eccentric in terms of individual taxpayers.

CONCLUSION

The four tax proposals I have discussed do not measure up to the standards set, implicitly or explicitly, by the concerned citizens who have written to me. These people want to see a tax system that is fair and equitable and progressive. They want to see those in similar circumstances pay similar taxes. They want to see those who can afford to pay a greater percentage of their income in taxes do so. They will have little patience with tax proposals that make an inequitable system more inequitable. The four proposals I have discussed are bad tax policy and bad economics. They should be rejected.

ENFORCEMENT OF THE 1902 FEDERAL RECLAMATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER), is recognized for 10 minutes.

Mr. KASTENMEIER. Mr. Speaker, the Interior and Justice Departments must decide within a few days whether to appeal a ruling by a Federal district court in San Diego, Calif., exempting arid lands in southern California from the provisions of the 1902 Federal Reclamation Act. In that law, Congress offered generously to water private as well as public lands, but only on condi-

tion that the private ownership pattern be reformed to eliminate large holdings. The act states that no single owner may hold more than 160 acres when he irrigates with federally subsidized water.

Since 1933, however, this act has been muddled by politics and administrative precedent. In southern California alone, vast corporations and corporate ranches control an estimated 500,000 acres that now receive water to which they are not legally entitled because they have not complied with the 160-acre limitation.

I have introduced legislation, H.R. 5236, which would authorize the purchase of all "excess" lands above the 160-acre limitation, at preproject prices which do not reflect the benefits of the Federal financing and construction. These lands then would be either resold, leased, or made available for public purposes. The proceeds for the sale or lease would be deposited in a specially designed education, conservation, and economic opportunity fund. The moneys from the fund would be allocated for such purposes as, for example, the development of healthful environments and communities needing open spaces, advancing economic opportunities of veterans, and benefiting public education. I am pleased to note that Congressmen RONALD DELLUMS, DON EDWARDS, and JEROME WALDIE have introduced identical measures.

Mr. Speaker, the Federal Reclamation Act of 1902 clearly defines and outlines the use of Federal water for irrigation purposes. It specifically prohibits a landowner from using more Federal water than is needed to irrigate 160 acres of land. This is the law, and it should be enforced without exception. I understand that such organizations as the Sierra Club, the AFL-CIO, National Farmers Union, National Grange, National Education Association, and the UAW, as well as countless individuals have called upon the administration to appeal the ruling of the San Diego Federal District Court. I join in such a call, and I would hope that the Departments of Interior and Justice will respond favorably to these pleas.

Mr. Speaker, in closing, I am inserting an open letter to President Nixon from Prof. Paul S. Taylor of Berkeley, Calif. Dr. Taylor, who is one of the most knowledgeable persons on the 1902 Reclamation Act, served for many years as a consultant on reclamation law and policy to the Department of Interior, is a professor emeritus of economists at the University of California, Berkeley, and is the research director of the California State AFL-CIO.

The letter follows:

OPEN LETTER TO PRESIDENT NIXON

The Nation, under reclamation law, gives public waters to private landowners, together with money from the treasury to store the waters and convey the gift to them. In the interest of equity, and justice, and opportunity for the many, the law states that these waters shall be distributed widely and not monopolized by the few. This is the meaning of acreage limitation law, that places a ceiling on the quantity of water and amount of subsidy that any individual may receive.

In conferring these gifts of water and money the Nation has been generous. Con-

gress has spent or authorized \$10 billion for the program. The question that remains too largely unanswered is whether the law requiring that benefits from these expenditures be widely distributed is going to be honored or breached. While they welcome the water and the money, landowners with tens and scores and even hundreds of thousands of acres resist the law that denies monopoly of these gifts.

Open efforts to persuade Congress to abandon the law have generally failed. Greater success has come from subtler pressures upon administrators to ignore the law or lay it aside. Judicial proceedings have had limited success in lower courts, but none in the highest. In 1957 the California Supreme Court repudiated the law against water monopoly by the few, but the United States Supreme Court unanimously reversed the lower court decision the very next year.

Today the National Administration faces a parallel prospect. Shall it allow the legal process to take its due course from lower to higher court? Or shall it halt the process, allowing a lower court rejection of acreage limitation law to stand without higher review?

A San Diego district judge in the lowest federal court has ruled that the Boulder Canyon Act of 1928, while conferring generous benefits in water and money, omits the customary mandate to distribute these benefits widely. The issue is one of magnitude. In Imperial Valley alone 233,000 acres, or more than half the total irrigated area, are owned in tracts that exceed the legal limit under reclamation law. In all of Southern California served with Colorado River waters probably a half million acres are owned in "excess," equal to more than half the area of the State of Rhode Island. By clear implication the lower court decision removes the legal limit from these lands.

Understandably the interest of large landowners is to let the decision stand without appeal. For them, as noted by the Los Angeles Times, it means "soaring" land values. A higher court, as it did before, might reverse the lower court ruling. For a broader public interest, however, the moral to be drawn from judicial precedent is precisely the opposite: appeal should be taken to the highest court if necessary to uphold the law.

The principle guiding the tactics of interests seeking escape from acreage limitation provisions of reclamation law has never been stated more clearly than by one of the practitioners, Congressman, and later Senator Clair Engle. In 1955 he told Congress:

"I grant you, you start kicking the 160-acre limitation and it is like inspecting the rear end of a mule: You want to do it from a safe distance because you might get kicked through the side of the barn. But it can be done with circumspection, and I hope we can exercise circumspection."

The issue today is "circumspection" vs. unimpeded due process of law through the courts.

The Imperial Valley case began in 1933 with administrative "circumspection." An administrator wrote a letter saying he was not going to apply the law. This letter, says the current brief of the Department of Justice, "must be considered for what it was: A partisan effort by a lame duck administration to effect, by administrative interpretation, an exemption that proponents of the Project Act never dared risk seeking directly" from Congress.

Since 1933 top Government lawyers within three Administrations have said that under the Boulder Canyon Act acreage limitation law does apply. The press reports that Government spokesmen said the San Diego case would be appealed if the Government lost in the lower court, and that the judge himself said of the case that he wanted "to get it tried and on its way to the Supreme Court."

With a lower court decision again against

the law, will "circumspection" be the guide that says drop the case, do not appeal? Or will the Government appeal, as the acreage limitation issue was appealed before to a favorable decision, to the United States Supreme Court?

The right to appeal expires with April 9. Time is short.

PAUL S. TAYLOR.

POLICE DEATHS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BIAGGI) is recognized for 30 minutes.

Mr. BIAGGI. Mr. Speaker, brave Americans are losing their lives and suffering serious injuries every day in a tragic war. It is an undeclared war, yet it kills and maims defenders of liberty and protectors of the rights of others. It is a war with a faceless enemy, hard to find, tougher to avoid. It is a bloody war with no end in sight. And, Mr. Speaker, it is not the Vietnam war.

It should be clear to all of us by now that the United States is currently engaged in two fighting wars.

In one, American blood is being shed by servicemen on foreign soil. In the other, the police officers of our Nation are being vilified, attacked, shot at, and slaughtered in the streets of our own American cities, towns, and villages.

In this "other" war, the opposing forces have not been decreed by Government edict. It is an insidious war with no plan for a stepped-up withdrawal from the battlefield, no hope for "Vietnamization," and it cannot be ended by Government fiat or the enactment of "time certain" legislation. Our "home-made" war, Mr. Speaker, is as enigmatic as the war in Vietnam.

In this domestic war, elements of Americans are fighting other Americans, shooting it out just as fiercely as traditional enemies. And its effect is just as devastating to our society as the war going on more than 6,000 miles from here.

In fact, it is so disastrous in its impact that it has become common to find injury and fatality figures for U.S. servicemen and police officers listed side by side in our daily newspapers.

A comparison of these figures discloses a frightening fact. While casualty rates for our fighting forces in Southeast Asia have decreased over the past year those for our law enforcement people have been climbing at a fantastic pace.

According to a recent survey conducted by the International Association of Chiefs of Police, 84 persons in law enforcement have been reported killed in the United States for the 9-month period since July 1970.

Of these, 30—yes, 30 mind you—were reported in the last 2 months.

Mr. Speaker, by deliberate choice or by illogical reasoning, our frontline police officers have been chosen by some far out ideologists and warped-minded elements as the primary targets in their efforts to "fight the system." Combined with the criminals, the assailants of police officers are taking a deadly toll in policemen's lives.

The problem is certainly national in scope and only Federal action can pre-

vent its proliferation. Hopefully, Federal direction will reduce the intensity of our "other" war to a point where unconditional peace in our streets can be achieved.

A first step in this direction was the creation of the Law Enforcement Assistance Administration under the Omnibus Crime Control and Safe Streets Act of 1968.

However, the pouring of money into our law enforcement effort without concerning ourselves with the individual policeman first as a human being with all the strengths, emotions, aspirations, frailties, and, most important, civil rights as others in his community, can be a futile exercise.

In our past efforts to reduce tensions and to eliminate the atmosphere of an adversary relationship between the police and segments of the communities they serve, I find that these have concentrated primarily on increasing the rights of complainants and defendants while at the same time giving little or no regard to the rights of policemen.

Mr. Speaker, this unilateral approach to the problem is basically unfair and against every concept of American democracy. It has created a degree of frustration among police officers that is tearing away at the foundation of our law enforcement system. They are leaving police work. They are, understandably, becoming passive in the enforcement of certain laws. And, worst of all, some are institutionalizing their hostilities and turning against the system. The path from frustration to anxiety, to hostility, and finally to violence is a short one. Any proposal that could reduce this possibility should be seriously considered by this body.

Mr. Speaker, this dangerous situation—an ironic turn in which police officers are now becoming the "alienated" of our society—caused me to formulate and introduce a bill that essentially recognizes law enforcement officers as human beings entitled to the same quality of justice they are expected to dispense to others.

This recognition is contained in a "bill of rights" for law enforcement officers which is part of my legislation. The denial of these rights, often taken for granted by many of us, has been one of the principal causes of their despair and disenchantment with the whole system of criminal justice.

In addition, I propose in my bill that the States be required to establish a Tripartite Commission composed of frontline police officers, Government officials, and representatives of the general public. This commission would give law enforcement officers of the State, local governments, and public agencies, a mechanism for the lodging of complaints they may have regarding the infringement of their civil rights by individuals, groups, organizations or their own departments.

The formation of such commissions would serve to equalize the avenues available to the public and the police for redress of their grievances. It would also give law enforcement officers the feeling that they too are full-fledged citizens of the society they risk their lives for.

I submit for the RECORD a summary of my bill describing its several provisions:

SUMMARY OF "LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS"

The bill would amend Section 303 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, by requiring, beginning one year after enactment, two additional provisions to be incorporated by states in their Comprehensive Plans before the plans are approved for grants. These are:

(a) States should provide a system for the receipt, investigation and determination of complaints and grievances submitted by law enforcement officers of the State, units of general local government and public agencies operating in the State; and

(b) States should provide for the formulation of a "Law Enforcement Officers' Bill of Rights" which, if enacted into local law, would grant statutory protection for the constitutional rights and privileges of all law enforcement officers of the State, units of general local governments and public agencies operating in the State.

THE BILLS OF RIGHTS

The Bill of Rights shall provide, but shall not be limited to:

(a) Law enforcement officers shall not be prohibited from engaging in or refusing to engage in political activity while off duty.

(b) Rights of law enforcement officers under investigation are specified, such as: time and place of interrogation; nature of complaint and names of complainants; complaints to be sworn to; interrogations shall be of reasonable duration; no intimidations or threats; interrogations are to be recorded and no "off the record" statements allowed; officers to be informed of all legal rights; at officer's request, he shall be represented by counsel or other representative of his choosing during the interrogation.

(c) Whenever a complaint review board is established to investigate complaints lodged against police officers which contain other than police officers in its membership, a proportionate number of police representatives shall be included in its membership.

(d) Police officers' rights to bring civil suit against others for damages or abridgement of civil rights arising out of the performance of his official duties are protected and they shall be given assistance when requested to bring such suits.

(e) Disclosures of police officers' personal finances or those of their relatives are not to be required for purposes of assignment or other personnel actions, unless a conflict of interest is indicated or for tax collecting purposes but then only under proper legal procedures.

(f) Police officers are to be notified and given reasons for personnel actions considered to be punitive prior to the effective date of the action.

(g) No adverse action is to be taken against a police officer for having exercised his rights under the Law Enforcement Officers' Bill of Rights.

LAW ENFORCEMENT OFFICERS' GRIEVANCE COMMISSION

A Law Enforcement Officers' Grievance Commission is to be established in each State or unit of general local government. Such Commission is to be composed of a tripartite representation of police, government and public representatives. It shall have the authority and duty to receive, investigate and determine complaints and grievances submitted by police officers arising out of claimed infringements of rights.

Certified police representative organizations may represent officers or may initiate and file complaints with the Commission on behalf of its members.

Complaints filed by police officers may be against any person, group of persons, organizations or their heads, officials of his depart-

ment, or of other local state or federal unit operating in the State.

The Commission shall be empowered to hold hearings, take testimony under oath, issue subpoenas, issue cease and desist orders and institute actions in State courts in cases of noncompliance.

Mr. Speaker, our domestic war can be deescalated if we first equalize the rights between the police and the people they serve. My bill would bring back to our police institution a feeling of confidence in the American criminal and social justice systems. More importantly, it will allow emotionally charged differences to be aired, discussed and resolved in equally available forums rather than be settled in bloody street confrontations.

Our police officers not only need this legislation, they deserve it and I urge my colleagues to join me in cosponsoring this important legislation.

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

Mr. BIAGGI. I am delighted to yield to the gentleman from Iowa.

Mr. MAYNE. I would like to commend the gentleman for the excellent statement which he has made and for his leadership in introducing this very beneficial legislation. Certainly our law enforcement officers richly deserve and need the protection of this bill, and I am very proud to have had the opportunity to join the distinguished gentleman in cosponsoring his bill.

Mr. BIAGGI. I thank the gentleman very much.

Mr. LENT. Mr. Speaker, I am a cosponsor of the law enforcement officers' bill of rights, which amends the Omnibus Crime Control and Safe Streets Act of 1968 to provide protection for the constitutional rights and privileges of the law enforcement officers of this Nation.

We hear a great deal today about the performance of our police. There are those who call them pigs or Fascists, and say they brutalize dissident minorities, be they students or blacks. We are told by some that the police are undereducated, undertrained, underpaid; that above all they are unresponsive to the concerns of the poor, or the black, or the young. On the other side there are those for whom the police can do no wrong; who would tolerate any sort of brutality or excessive violence in the name of "law and order."

When we cut through the rhetoric on both sides and examine the issues carefully, we can see that the truth, as usual, is somewhere in the middle. The police in America today are called upon to risk their lives on a daily basis in the performance of their duty, which is to uphold the laws of their communities, prevent crime where possible, and apprehend those who violate the law. In most cities the police are not well paid for the work they do; and too often they are subjected to verbal and physical abuse in the line of duty. Today they must brave not only the dangers inherent in their work, but often the assaults of angry mobs and the anarchic violence of those who would reform our society by destroying it. They must also learn to tolerate the epithets hurled at them in the streets and the more sophisticated invective of some of the opinionmakers of our society.

I believe we owe our police a great deal for their willingness to submit themselves to these attacks.

We should not, however, conclude that the police should be blameless when they overreact to civil disobedience, when they commit acts of excessive violence in what they may see as the performance of their duty.

What we must do, and what I believe this "Bill of Rights" does do, is to guarantee to law enforcement officers accused of wrongdoing the same rights and privileges available to any citizen who stands before the bar of justice.

In some localities, Mr. Speaker, a policeman has no such rights. He may face a disciplinary panel that has no interest in his defense. He may face administrative suspension or dismissal from the force without a hearing. If the community is sufficiently aroused, he may be tried and found guilty in the public mind or media even if he is eventually absolved by the appropriate authorities.

The law enforcement officers' bill of rights would limit such abuses by guaranteeing to policemen under investigation rights corresponding to those guaranteed all of us by the Constitution. This bill would further provide that the police be represented on civilian review boards, and that a law enforcement officer wrongly accused may bring civil suit for damages or abridgment of his civil rights. The bill also provides a mechanism by which law enforcement officers may seek redress of their own legitimate grievances.

This bill, Mr. Speaker, makes the law enforcement officer a first-class citizen, a full-fledged member of our society with the same rights and privileges held by all of us. I believe it is the least we can do to lessen the burden of responsibility borne by the men who serve their communities and their Nation in this vital capacity.

GENERAL LEAVE TO EXTEND

Mr. BIAGGI. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks on the subject of my special order today.

The SPEAKER pro tempore (Mr. MELCHER). Is there objection to the request of the gentleman from New York? There was no objection.

PUBLIC WORKS ACCELERATION ACT AMENDMENTS OF 1971

The SPEAKER pro tempore (Mr. MELCHER). Under previous order of the House, the gentleman from Michigan (Mr. O'HARA) is recognized for 30 minutes.

Mr. O'HARA. Mr. Speaker, within days the House will vote on the Public Works Acceleration Act Amendments of 1971, a bill authorizing the expenditure of \$2 billion for public works projects in cities across the Nation suffering severe unemployment.

It is significant to note that the day after this bill was ordered reported by the Committee on Public Works, the Department of Labor reported that fully one-third of the Nation's major labor areas are now suffering substantial unemployment.

Today there are 50 major employment areas on the substantial list, the highest number since June 1962, when the Nation had not yet fully recovered from the last Eisenhower-Nixon recession.

At that time the Congress was working on the original Accelerated Public Works Act. And the declaration of purpose for that act, written more than 8 years ago, is as appropriate today as it was then. It reads:

The Congress finds that certain communities and areas in the Nation are presently burdened by substantial unemployment and underemployment.

The Nation has a backlog of needed public projects, and an acceleration of these projects now will not only increase employment at a time when jobs are urgently required but will also meet longstanding public needs, improve community services, and enhance the health and welfare of citizens of the nation.

The Nation reaped a double benefit from that 1962 act.

Men were put to work, and hospitals, roads, sewage treatment plants, and other much needed facilities were constructed for public use.

In my congressional district alone, \$17 million worth of public projects were built with funds provided by the Public Works Acceleration Act and local matching funds.

Today the same situation exists. Men are unemployed, and plans for projects the public badly needs gather dust in the engineers' file cabinets for want of money to finance them.

In the Detroit metropolitan area, 40 percent of all workers in the building trades are jobless. Nearly one out of every two carpenters, bricklayers, laborers, and all the other kinds of building tradesmen are without work. In numbers, 25,000 idle men could be put to work within months building the things the public needs.

In communities across the Nation, roads must be built and repaired, sewers need to be constructed, hospitals need to be expanded and modernized. Recreation centers are needed in our cities. The list could go on.

Just this week, officials of Macomb County informed me that they could have \$6 million in construction projects underway in short order—if they had the money. The list of projects encompasses a wide range of public services—a new library building, a training center for firemen, an expansion of the county engineering building, the development of three parks, a nature interpretive center at another, and facilities for the Sheriff's Marine Patrol.

The city manager of one medium-sized city in my congressional district estimates that he could have a \$75,000 paving and sewer project underway within 2 months—if he just had the money. That project would provide jobs for 75 to 100 men.

He has preliminary designs for a \$2 million sewer project, but he told me: "I've just had to put it on the shelf, since I can't find the money to pay for it."

The drain commissioner of Macomb County informs me that he has a backlog of projects totaling \$50 million awaiting financing and he could put several million to use almost immediately.

These are projects which are needed by the people. They will have to be built—if not now, then as soon as funds become available.

By making money available to the cities under this Accelerated Public Works Act, we will be putting people to work on jobs that need doing. The infusion of these public works funds into our depressed communities will not only benefit those in the construction industry, but will stimulate the economy generally, restoring jobs to other workers who are now idle because of the Nixon recession.

Mr. Speaker, the recession in the construction industry has been produced by the deliberate economic policies of the administration. Just last week, Speaker ALBERT pointed out that the administration has "frozen" more than \$11 billion in funds appropriated by Congress, primarily for urban development.

The withholding of Federal funding for basic water and sewer grants and urban renewal, for example, has denied work for thousands of construction workers across the Nation.

The Nation's economy, many of the men who are now unemployed, and our cities would benefit by the immediate release of these frozen funds, and I hope that the administration will free them immediately.

But we also need the Accelerated Public Works Act, Mr. Speaker. We have idle men, and we have work that needs to be done. Let us put these men to work—for their benefit, and for the benefit of all our citizens.

THE CALLEY CASE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Georgia (Mr. HAGAN) is recognized for 5 minutes.

Mr. HAGAN. Mr. Speaker, the very vocal and overwhelming written response to the conviction of Lt. William Calley is evident to us all. In the face of the obvious concern, dismay, and intense expressions of disbelief of my First District constituency, the State of Georgia, and the Nation, I wired the President on April 1st as follows:

On behalf of myself and the good people of the First District in Georgia, I strongly and respectfully urge that you grant a full pardon to Lt. William Calley, thereby restoring faith and trust in the American principle for which American men have fought and died throughout our nation's history.

This unprecedented reaction of the American people to a serviceman's plight necessitates action out of the ordinary by those in authority. I for one am continuing to watch all developments and attitudes in connection with the case of Lt. William Calley.

TRIBUTE TO J. EDGAR HOOVER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Louisiana (Mr. PASSMAN) is recognized for 10 minutes.

Mr. PASSMAN. Mr. Speaker, the frequent attacks on that great patriot, J. Edgar Hoover, are indeed cause for alarm

because we now find that some of our ill-advised top leaders have joined the ranks of those who are villifying this great American. I would not be worthy of the honor and trust that my constituents have placed in me if I did not have something to say about these frequent, uncalled for attacks on this great American—some by design, some through being ill advised, and some by those who resort to snap judgment.

J. Edgar Hoover, who has so ably directed the FBI, is a symbol of Americanism at its best; a symbol of what is right and good; a symbol of great courage, who can, and will, state the facts as they are so as to protect the things that made our country so great, free, and strong. I hold this great American in high esteem, as most all Americans do, and in my considered judgment, based on his record as FBI Director for many years, J. Edgar Hoover needs no defense. His record for integrity, for right, for courage and love of country stands as a beacon to which all Americans should point with pride and admiration.

My prayers are, and my hope is, that the Supreme Architect of the Universe will spare him for many, many more years so that he may continue to serve the country that he loves so much. And let the record show that you do not judge a man by the number of years he has lived, but how he has lived his life. J. Edgar Hoover is a young man in his thinking and in his everyday labors to help keep America as our Founding Fathers meant for it to be. We need his advice and services now more than ever before.

RUSSIA'S NEW BOLSHEVIK REVOLUTION EXPANSIONISM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, the Russian imperialists have apparently found a solution to their population control problem that is in addition to the salt mines in Siberia and purges—world domination.

Recent reports indicate that the Kremlin has expanded its diplomatic, economic, and military influence to every country in Southeast Asia which Red China has traditionally considered its own backyard.

On March 10 in my remarks on "U.S. Soviet Policy in Southeast Asia"—page 6005—I concluded that the greatest benefactor of U.S. troops in a "no win" war in South Vietnam is the Soviet Union. Now that the United States has lost face by not ending the war in victory and is talking of withdrawal as a policy, the many former pro-West nations are turning to Russia for alliance and protection against Red Chinese expansion.

Reports from Latin America show that all but five Latin American nations; that is, Paraguay, Ecuador, Guyana, Surinam, and French Guiana have diplomatic or trade relations with either Moscow or Peiping and Hanoi. And in Havana, Moscow's Embassy supplies Vietcong and North Vietnamese propaganda for anti-U.S. broadcasts.

In Africa, Soviet armed guerrillas and Communist puppet states seek to violently overthrow the stable civilized governments of South Africa which the American people are repeatedly told is being done to eliminate apartheid. Communism must then be favored over freedom if in a segregated nation.

In the Middle East, the administration had even suggested an integrated United States-Soviet "peace keeping" force to be stationed between the Arabs and Israelis—a most unpeaceful position.

Naval experts warn of escalated Russian naval activity and presence in the Caribbean as well as the Mediterranean. And in Washington another anti this and that is scheduled.

Russia's aggressive expansionism is on the march worldwide and at a time when U.S. influence is diminishing. Those foreign aid dollars bought no lasting friends.

Who says the international Communist conspiracy is a myth?

I insert several news clippings:

[From the Newsweek Magazine,
Apr. 12, 1971]

RUSSIA IN SOUTHEAST ASIA

Despite the olive branch that Leonid Brezhnev extended to Communist China at last week's Soviet Party Congress, Moscow and Peking remain bitter foes. In recent months, both Communist giants have continued to reinforce their garrisons along the 4,000-mile border between them. And less ostentatiously—but no less significantly—the Kremlin has begun to expand its diplomatic, economic and military influence in the area that China has traditionally considered to be its own backyard—Southeast Asia. "The Russians aren't coming to Southeast Asia," a Western diplomat stationed in the area commented last week. "They've already arrived."

So they have. In the last two years since Brezhnev audaciously proposed the formation of an anti-Chinese "Asian collective security system," the Russians seem to have relegated that idea to the back burner. But, meantime, the Soviet presence in Southeast Asia—a part of the world that once regarded the Russians with about the same enthusiasm as an epidemic of smallpox—has been expanding at an impressive rate. Today, in every major city in Southeast Asia outside of South Vietnam, it is commonplace to see Russian seamen, diplomats, trade officials and uniformed Aeroflot crews. Posters advertising the wonders of Soch's pebbly beaches and the Bolshoi ballet are prominently displayed in the windows of Soviet cultural centers from Singapore to Vientiane. Sleek Soviet commercial airliners touch down in Southeast Asia capitals. The Philippine Government is expected to establish full diplomatic relations with Moscow in the near future. Malaysia and Singapore have already done so.

None of this would have been possible without a fundamental change in attitude on the part of Southeast Asian leaders. This shift was summed up last week by Singapore's pro-Western Prime Minister Lee Kuan Yew. Commenting on the prospect that a Soviet fleet will soon be operating in Asian waters, Lee declared: "The Soviet naval capacity in the Indian Ocean and the South China Sea can be a counterpoise to China's weight . . . on the littoral countries of Asia and Southeast Asia."

Statements like Lee's underline a new power reality in Southeast Asia. Compared with that of the U.S., the Soviet presence in the area may still be small. But it is there, and it is growing. "It is inevitable for our fleet at Vladivostok to cruise both in the China Sea and the Indian Ocean," a Soviet diplomat said recently. And, a senior West-

ern diplomat in Southeast Asia expressed it this way: "This is just the beginning. The Soviet entry into Southeast Asia is part of a whole new expansionist world strategy on the part of the Russians."

Moscow's reasons for moving into Southeast Asia are twofold. In general terms, the Russians feel that as a superpower their country should acquire the same kind of global influence enjoyed by the U.S. since World War II. To achieve that influence, they seek in Asia, as in the Mediterranean and the Persian Gulf, bases for the Soviet Navy and fruitful economic relations. Specifically, of course, the Soviet expansion into Asia aims at weakening Chinese influence there.

Happily for the Soviets, their goals have neatly dovetailed with the changing interests of most of the Southeast Asian countries themselves. Like the Russians, most of the leaders of Southeast Asia are resolutely anti-Chinese, not only for historic and ethnic reasons, but because of Peking's continuing policy of supporting insurgencies aimed at overthrowing their governments. Until a few years ago, all of these nations relied wholly on the U.S. to serve as their guarantor against both possible Chinese external aggression and against internal subversion. But in light of President Nixon's decision to reduce the American presence in Asia, there is great uncertainty throughout the area over the future course of U.S. involvement. In every Asian capital, government officials ask visiting U.S. officials the same question: "How long will the U.S. stay?"

No one—perhaps not even Mr. Nixon—really knows the answer to that question. And in the meantime, the Soviet entry into the area has given the Asian governments an alternative counterweight to China. As one Singapore diplomat put it, "Frankly, the only way for us and most of the other nations in Southeast Asia to preserve our independence is to have a balance of the big powers in the area."

Nor do the Asians seek a counterweight only against China. In the case of the Philippines, the establishment of diplomatic relations with Moscow would give Manila an alternative to U.S. aid and political support. "We desperately need aid," says a close associate of President Ferdinand Marcos, "and the Soviets would give us another place to go for help." At present, it is illegal for Filipinos to trade with the Soviet Union. But legislation permitting such trade has been introduced (and is expected to pass), and President Marcos is expected to name a delegation for trade talks with the Russians in the near future. Formal relations with Moscow, said Marcos in his January state of the nation address, are "only a matter of time."

NEUTRALITY

Other Southeast Asian nations have their own reasons for welcoming diplomatic relations with the Russians. Laos and Cambodia, both engaged in a bloody struggle with Communist insurgents and their sponsors in Hanoi, prize their Soviet embassies as proof of their "neutrality" in world affairs. In Bangkok, government officials see the Russians as a possible foil against the Chinese should Peking ever start to exert real pressure on Thailand. And more immediately, Thai officials have signed a new trade agreement with the Russians in an effort to break Japan's current stranglehold on the Thai economy.

It is in Malaysia, however, that Soviet hopes seem to run highest. Since the two countries established formal relations in 1968, the Soviet Embassy in Kuala Lumpur has grown in size by leaps and bounds, and Western diplomats now believe it will be the regional headquarters for Russian activities in all of Southeast Asia. Secret negotiations have been conducted between Soviet officials and their counterparts in Kuala Lumpur for Soviet aid in reorganizing the Malaysian

Navy, expanding the air force and providing artillery, tanks and modern weapons.

SMILES

In all of this, the Soviets have been adept at overcoming the anti-Communist feelings of the governments involved. To assure the local governments that they are not rabid revolutionaries, the Russians smile their blandest smiles everywhere in Southeast Asia. And, as one Western diplomat noted, "Now that the Chinese, too, have adopted a smile campaign (page 57), the Russians are attempting to make their smiles even bigger." They are trying hard to show that, unlike the "savagely unreasonable Chinese Maoists," they are "good" Communists. The old revolutionary image is carefully avoided. One recent Soviet visitor to Manila, a woman official named Valentina Lubomudrova, arrived in the Filipino capital looking like a Western tourist, complete with a huge topaz ring and a heavy gold bracelet. Staring at this vision, one airport worker turned to a colleague and remarked: "Do you think she is really a Russian?"

In a far more fundamental compromise, the Russians have not hesitated to criticize the various insurgent groups of Southeast Asia, most of which owe their allegiance to Peking anyway. Thus, in Phnom Penh, a Russian diplomat has characterized the Khmer Rouge as "a few hungry peasants." In Thailand, a Russian publicly commented that "the guerrillas are merely a bunch of jungle bandits." And in Rangoon, another Soviet diplomat contemptuously dismissed the Chinese-backed guerrillas in Burma as "tribal terrorists." As one veteran Southeast Asian observer explained it: "The Russians are setting a precedent in the area by saying that they will support the governments in power, whether it is Ne Win in Burma or Marcos in the Philippines."

ECONOMIC AID

Still, the Russians have experienced failures as well as successes in Asia. In Indonesia—the most populous country in the area—they still have not recovered from the setback they received during the 1965 anti-Communist upheaval. But if the Russians are disliked in Djakarta, they know that the Indonesians need them, both for possible economic aid and as a potential ally against the Red Chinese, whom the Indonesians despise even more than they do the Russians. Recently, in fact, President Suharto ordered his Cabinet ministers to buy more goods from the Soviet bloc. And Moscow, after refusing for the past three years to sell spare parts for the military equipment it supplied Indonesia in the Sukarno days, has now agreed to do so.

Thus far, it is not clear just how the Soviet move into Southeast Asia will affect the three powers already operating in the area—China, Japan and the U.S. And it is not surprising that each of these nations has responded differently to the challenge. No doubt because the Soviet moves are aimed chiefly at China, Peking has responded most violently. Radio Peking almost nightly complains of the Russian "neo-imperialist" encroachment. By contrast, the Japanese, who dominate the area economically and inherently mistrust the Soviets, have made no moves yet to counter the Russian presence. Their failure to do so may stem from political caution, but it could also reflect a feeling that another counter to the U.S. in Asia could some day be useful.

As for American diplomats in the area, they are divided over whether the Soviets pose a strategic challenge to U.S. interests. All agree that Soviet diplomatic and economic influence will increase as the U.S. presence in the area declines. But they are split over whether the Soviets will ever have the military and economic might to seriously challenge U.S. power and influence in the

area. And some question whether the Russian tide, for good or ill, can possibly be held back. As one American diplomat said, "Some of the older Americans out here—those who grew up in the Foreign Service under John Foster Dulles—believe that we must fight to keep the Communists out at all costs. I don't agree with that. I think the time has come when we are going to have to live with the Soviets in all areas of the world, including this one."

[From the San Diego Union, Apr. 4, 1971]
LATIN AMERICA LOST ITS FEAR OF MARXISM
DURING LAST DECADE

(By William Giandoni)

A decade or so ago, Latin America seemed deathly afraid of communism. Times have changed.

In the 1960s, so widespread was the rejection of anything that had to do with Marxism-Leninism, or whatever the euphemism of the moment was, that even Fidel Castro waited until he had been in power in Cuba almost three years before confessing that he was a Marxist.

It was not until the Cuban revolutionary leader's five-hour-long radio and TV appearance, late the night of Dec. 1, 1961, that Castro admitted: "I'm a Marxist-Leninist and will be a Marxist-Leninist until the last day of my life."

Castro himself said then that he felt justified in having concealed his Communist sympathies for so many years. Cubans would not have accepted him, had they known he was a Marxist.

But that was 1961.

Now Marxism or socialism, which are the words they use to avoid naming what the United States chooses to call "communism," seems to have broader appeal.

The evidence is widespread. Costa Rica, long famed as one of the most democratic nations in the hemisphere, is the latest case in point.

There, President Jose Figueres, a founding father of Latin America's "democratic left," itself recommended as an antidote to communism in the hemisphere 10 years ago, took the lead in negotiations that led to the recent establishment of diplomatic relations with the Soviet Union.

Figueres first gained fame in 1948 by leading an "anti-Communist revolution," and, in 1959, journeyed to Havana to suggest that Cuba align itself with the United States in the "cold war" against the Soviet Union.

Actually, Costa Rica was just the latest of the non-Communist Latin countries to strike up relations with Moscow. Argentina, Bolivia, Brazil, Chile, Colombia, Mexico, Peru, Uruguay and Venezuela took the step earlier.

Economic considerations, specifically the desire to "diversify markets," played a big part in Costa Rica's decision—despite the fact that Latin America's experience with Soviet trade and aid plans has been anything but satisfactory. While the Russians readily agreed to take Costa Rican coffee, Bolivian tin, Chilean copper and the other traditional Latin raw materials exports, the goods they offer in return have proven of dubious value.

Ask the Mexican car dealer who had a consignment of Moskvich autos on hand for years. Or the Colombian police, about their Soviet-built general purpose vehicles. Or Cuba, itself, about the Soviet farm machinery it got for mechanizing the sugar industry. None of it lived up either to promises or to expectations.

Some diplomatic observers insist that the real reason the Latin countries seek to have missions in Moscow, Havana, Peking or other Communist capitals is to placate native extremists.

Yet events in Uruguay, Brazil, Argentina,

Colombia and Venezuela suggest that domestic extremists are not all that easily mollified. Even election and inauguration of an admittedly Marxist government in Chile has not brought an end to extremist trouble-making in that country.

[From the San Diego Union, Apr. 4, 1971]

HANOI HAS CUBAN ACCENT

(By Pablo Bassim)

CARACAS, VENEZUELA.—Cuba's official radio stations have taken on the job of becoming the daily Latin American voices for North Vietnam and their Viet Cong sympathizers.

As presented by the Cubans, the news broadcasts contain constant attacks against the United States, The White House and the Pentagon for "genocide" without any "regard for Asian lives."

Radio Havana, the key station, claims to support its charges of "American attempts against the lives of Asians" by picking up reports from U.S. news agencies which sometimes contain material unfavorable to the Allied war effort in Southeast Asia.

Reports of casualties favoring the Communists are usually quoted by the three stations giving credit to American agencies reporting from Saigon, Phnom Penh or any other dateline in Indochina.

"American imperialistic troops suffered heavy casualties today in South Vietnam, eighteen helicopters and four planes shot down. Twenty-five South Vietnamese soldiers killed" . . . the Cuban stations report.

But none of the stations give account of casualties or damages inflicted to the Communists.

The station's coverage of the war in Indochina is a part of Fidel Castro's propaganda machinery against the United States and several of the republics which Havana considers as "puppets of American imperialism."

The news broadcasts and the commentaries read every day over the long and short wave facilities at the three powerful stations have been prepared by a board of editors. Material is frequently provided by the North Vietnamese, South Vietnam's National Liberation Front (Viet Cong) and the Soviet embassies in Havana.

Radio Havana, for instance, allows 8 to 12 minutes of news on Indochina during its 25-minute broadcasts three times a night.

The same report on Indochina is read in English, Spanish, French Creole (for Haiti, Martinique and Guadeloupe), Portuguese (for Brazil) and Indian languages of Mexico, Guatemala, and Paraguay.

Radio Liberacion devotes 15 minutes to world and Cuban news every hour. Of these, 5 minutes are dedicated to Indochina's reports from Hanoi, Saigon, Moscow, Peking and Paris.

The same space is used by the Voice of Cuba.

[From the Washington Evening Star, Mar. 24, 1971]

NIXON RULES OUT STATIONING RUSSIANS ON ISRAELI BORDERS

(By Thomas B. Ross)

President Nixon has ruled out the stationing of any Russian troops on Israel's borders if they participate with the United States in a United Nations peace-keeping force in the Middle East.

Reliable administration sources reported that a top-level study is underway to determine how best to deploy troops of Russia, the United States, and other countries within the peace-keeping force.

Recognizing Israel's extreme sensitivity about the Russians, Nixon reportedly laid down one firm guideline in advance: That Russian troops must be kept as far as possible from the new Israeli borders.

(United Press International reports Israel has agreed to provide the United States with

guidelines for drawing up a Mid-east peace settlement map, but has made it clear it will not give up its secure borders in exchange for an international peace-keeping force.

(Government sources told UPI that Prime Minister Golda Meir and top cabinet aides had decided to give the United States "guiding principles" on what it would consider acceptable Arab-Israeli borders in a settlement.)

Israel has rejected Secretary of State William P. Rogers' plan for a U.N. force, including U.S. and Russian troops, at Sharm El Sheikh and has expressed strong opposition to a Soviet presence in any part of the peace-keeping operation.

However, as a result of Foreign Minister Abba Eban's talks here Friday with Rogers and White House adviser Henry A. Kissinger, administration officials are hopeful that:

(1) Israel may eventually be persuaded to accept Soviet troops in a U.N. force on the east bank of the Suez Canal while U.S. and other troops do the patrolling directly on the border between Egypt and Israel.

(2) The canal can be reopened in an interim arrangement, including partial Israeli withdrawal, while the cease-fire and the U.N. peace talks continue.

(3) The Sharm El Sheikh issue can be compromised by separating the problem of occupancy from that of sovereignty; that is, by Israel's giving up its annexation plan and Egypt's agreeing to lease the strategic site to Israel.

Israel's position was strongly supported yesterday by Sen. Hubert H. Humphrey, D-Minn.; Henry M. Jackson, D-Wash.; Jacob K. Javits, R-N.Y., and Abraham Ribicoff, D-Conn.

They criticized the Rogers plan, saying it would leave Israel vulnerable and expose U.S. troops to a possible confrontation with the Russians.

Sen. J. William Fulbright, D-Ark., chairman of the Foreign Relations Committee, came to Rogers' defense, warning that Israel would lose American support if it refused to show some flexibility.

"I don't believe Israel should take the United States for granted," he declared, adding that the Jewish state seems to take the position "that so long as we support her, she will not withdraw from anything."

Jackson argued: It is difficult to imagine a more short-sighted and dangerous arrangement for the Middle East than one that forces Israel back to vulnerable borders and then installs along these borders the military forces of the Soviet Union . . . we should be trying to get the Russians out of the Middle East, not designing plans to dig them in."

Humphrey said it would be "the height of folly" to force Israel to agree to withdrawal prior to negotiations since it would then have "lost any bargaining point."

Ribicoff denounced the "folly of endangering Israel's security by forcing a return to vulnerable borders in exchange for vague Arab assurances."

Javits cautioned that there is "in our nation a great reluctance to see U.S. forces stationed in the Mideast flash-points."

[From the Washington Post, Apr. 4, 1971]

ARMS FROM EAST, WEST USED IN AFRICA

(By Jim Hoagland)

LUANDA, ANGOLA.—Communist and Western countries are supplying increasingly sophisticated arsenals to the opposing sides in three guerrilla wars being fought in Africa.

Portugal appears to need little direct help from her NATO allies in containing the black revolts flaring across her colonies of Angola, Mozambique and Portuguese Guinea. But whatever help Portugal needs, she gets, and the need is growing.

French-made helicopters are becoming more vital to the Portuguese as they switch

to more aggressive and mobile tactics. Airplanes manufactured in West Germany drop napalm and crop-killing herbicides over some contested areas. And American jet liners are used routinely for Portuguese troop movements to and within the embattled provinces.

The guerrillas, divided among half a dozen movements, depend on Communist countries for an estimated 80 to 90 per cent of their supplies and training. Some turn to the Soviet Union, China or Cuba out of ideological kinship, others do so out of necessity. An exception to the general pattern is an Angolan exile group that receives Belgian and American weapons.

The source of war materials for the three conflicts is becoming a highly volatile, if confused, issue. Each side attempts to exploit its cold war overtones, while deliberately clouding the question of its own reliance on outside help.

Weapons used by the Portuguese stir more controversy, largely because allies like France, West Germany and the United States say they disapprove of Portugal's efforts to hold her colonies, and claim they are not aiding Lisbon's war effort.

Portugal manufactures most of the small arms and ammunition she needs for the three separate but related wars. But she must turn to her allies for big items, especially air transport.

Senior Portuguese officers in Angola believe, for example, that the 10-year-old struggle here may have reached a decisive point last month with the delivery of three large French manufactured SA-330 helicopters for use across this vast territory.

Riding with Portuguese troops on the helicopters' first combat mission in late February were two French mechanics checking for modifications needed on future deliveries. They were sent to Angola by Sud Aviation, the French company that builds the SA-330.

The mission came a few weeks after French President Georges Pompidou pledged in Senegal that France would stop selling to South Africa French helicopters and other weapons that could be used internally against a black uprising.

Paris has not made any commitment on the Portuguese territories, where guerrilla wars are in progress.

The Portuguese already have stationed in the three territories a total of about 60 French-made Alouette helicopters, which carry a maximum of six combat soldiers each. The SA-330 can carry four times that number, and will greatly expand Portuguese mobility.

"Three [SA 330s] is enough to enable our patrols to disrupt the guerrillas' supply lines," said a high-ranking intelligence officer in Angola during briefing.

France also supplies Noratlas transport planes and Panhard armored cars for use in Mozambique and perhaps in Angola.

The propaganda debate over weapons turns especially bitter on the guerrilla accusation that Portugal uses American supplied napalm and crop destroyers over contested areas much as U.S. forces do in Vietnam. Portugal has in the past denied using napalm and herbicides.

Observations and interviews during a five-week trip through the three territories indicated strongly that napalm and herbicides have in fact been used in the three areas. The origin of the materials is uncertain.

Napalm bombs were seen stored at several bases in Angola and the commander of the Portuguese forces in Angola, Gen. Francisco da Costa Gomes, readily confirmed in an interview that his forces use both substances.

"We use very little of them," he said. "They are not very good for us" because of Angola's terrain. "It is easier for us to destroy crops with a good infantry squad."

General Gomes emphatically disputed the guerrillas on the effects of the herbicides on

the population. "They do not affect people at all. We have tested them."

Observation of scar burns and defoliation in wooded area of all three territories and private conversations with Portuguese military sources suggest that napalm and herbicide use by the Portuguese has almost certainly been on a much smaller scale than the American effort in Vietnam.

Portugal, the United States and Australia were the only countries to oppose an international ban on herbicides considered by the United Nations in 1969.

The markings on the grayish-blue colored, 100-pound napalm bombs seen in Angola—including the words "in end" "napalm", and the letters "RPX" and "MI/65" do not match the official markings placed on equivalent American war material.

General Gomes and other Portuguese officials said they believe Portugal manufactures her own napalm. They were less positive about the origin of the herbicides.

Since 1961 the United States has embargoed the shipment of American arms to the Portuguese African territories, and has received assurances from Portugal that military equipment supplied under the North Atlantic Treaty Organization is not being used in Africa.

Partially as a result of this, the Portuguese have had to extend the operational life of many old American weapons, which are still being used throughout the colonies.

PV-2 Harpoon bombers, built 27 years ago to bomb Nazi submarines, are still flying anti-guerrilla missions in Angola and Mozambique, as are aged Harvard T-6s. The Angola command has a half-dozen operational Korean-war vintage F-84 jets, and Mozambique pilots fly the F-84 and a few F-86s.

The biggest need modern U.S. equipment is filling for the Portuguese military in Africa is jet transport. Two or three times every week, the military charters Boeing 727 jetliners from the government-owned airline to transport troops in Mozambique. Charters have also been arranged on Boeing 707s to bring troops from Portugal to the three territories.

This summer, the government will not have to go through the motions of chartering the planes from itself. The U.S. approved a few months ago Boeing's selling two 707s directly to the government.

Portugal's foreign minister, Rui Patricio, said flatly in a recent interview in Lisbon that Portugal would not give any assurances about the use of the planes.

"If I buy an American car, can America tell me how I can use it?" he asked. "If I want to drive it in Africa, I will drive it in Africa. The Boeing is not an arm," he said with a smile.

An American diplomat in Lisbon who defended the sale used almost the same words: The 707 is not an arm. He pointed out that the Portuguese already are using Boeings for military transport.

Patricio also dismissed guerrilla claims that NATO support enables Portugal to carry on the costly, widespread wars. "It is not true. We are complaining to our NATO allies that they don't give us any support. They won't even give us political support in Africa."

Portugal has about 140,000 of its 190,000-man army in its African territories. Military experts agree that the infantry division earmarked for mobilization with NATO forces if needed is below 50 per cent of its NATO requirement because of the strain of the wars.

West Germany is playing a key role in providing modern small aircraft—there are a dozen G-91 jet fighters manufactured in West Germany stationed in Portuguese Guinea, and about eight in Mozambique.

The Portuguese also use widely the German manufactured Dornier DO-27 light aircraft

for reconnaissance, strafing and some light bombing.

Most of the guerrilla movements, which operate independently of each other, have been hammering on the theme of NATO aid to Portugal in their propaganda for the past year, apparently in attempts to embarrass the Western countries enough to bring a halt to arms deliveries to Portugal, or perhaps to get Communist countries to increase their aid to the insurgents.

For some guerrilla groups, that aid is already considerable.

The most effective of the guerrilla organizations is one known as PAICC, which is fighting in Portuguese Guinea. The Soviets supply it with sophisticated long-range mortars and even, according to the Portuguese, antiaircraft guns. PAICC seems to be able to obtain as many machine guns, automatic rifles and mines from the Soviet bloc as its 6,000 to 7,000 men can use.

No other group has such a blank check. The Popular Liberation Movement of Angola, known as MPLA, is supplied with both Soviet and Communist Chinese weapons less sophisticated than those that go to PAICC, weapons captured by the Portuguese suggest.

The other major exile group fighting in Angola, known as UPA, has long been rumored to receive covert Western help. A few weeks ago, the Portuguese captured a new American recoilless rifle from UPA guerrillas.

Belgian and Israeli weapons, believed to have been channeled through Congo-Kinshasa, where UPA is located, are also found on UPA insurgents. UPA is considered to be friendly to the West.

Frelimo, the main Mozambique nationalist group, depends heavily on Chinese weapons as well as some Soviet bloc shipments. The Chinese have recently greatly increased their training role of Frelimo soldiers, based in Tanzania.

The organization of African Unity and, with the exception of Algeria, individual African countries seem to contribute little military material directly to the guerrilla organizations. African states appear to concentrate on financial contributions and providing bases for the guerrillas.

The supply of weapons to the combatants gives East and West a definite stake in the struggles for Portuguese Africa. But it is still uncertain how much influence each side will gain with its clients.

Asked a year ago by an American congressman if PAICC's acceptance of Communist arms indicated Communist sympathies, guerrilla leader Amilcar Cabral snapped:

"Portugal accepts NATO arms . . . but Portugal in spite of that says they don't accept the ideology of NATO. If Portugal doesn't accept foreign ideology why should we?"

THE CALLEY CONVICTION

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

Mr. UDALL. Mr. Speaker, the vehement public outcry against the conviction of Lieutenant Calley both surprises and disturbs me. My mail from Arizonans is intense:

"A great miscarriage of justice." "He was ordered to Vietnam to kill." "Just doing his job." "I demand a complete acquittal." "Reinstate his honor." "Be given the Distinguished Service Cross."

To all of these people I have to say that, yes, Calley is in a sense a scapegoat—for others helped create the conditions which led to the dark events at My Lai.

Yes, it is wrong to see a few lower grade officers and enlisted men punished while the colonels and generals who encouraged and winked at or covered up My Lai go uncharged.

Yes, war involves killing and soldiers are trained to kill.

Yes, we are all in a sense guilty of My Lai. The airmen who kill unseen villagers from 50,000 feet are perhaps guilty. And yes, we politicians and generals who started the war and those of us who have been unwilling to end it share the guilt.

But conceding all of these things, I am still troubled by those who hail Calley as "an American prisoner of war," or who applaud him for doing his duty "for God and Constitution." I am disturbed by those who would give Calley a hero's honor and have him address the Congress, and by those who demand his immediate release and exoneration.

In this moment of national anguish I am afraid that we have forgotten some very basic facts:

Perhaps 2,000,000 Americans have served in Vietnam, many of them under pressures and dangers more deadly than Calley faced; as far as we know now none of them lined up dozens of defenseless babies, women and children for slaughter. In fact My Lai came to light originally only because an American lieutenant helicopter pilot saw people being shot in a ditch and tried to stop the slaughter. Some American soldiers in Calley's platoon refused to shoot the unarmed civilians.

It is false to say that Calley alone has been singled out for killing Vietnamese civilians. At this moment there are 75 to 80 men imprisoned by the military on similar charges arising out of the Vietnam war—murder, mainly of Vietnamese civilians. Should we keep these men in jail for killing one or two people each and release a man convicted of killing 22?

Calley was not tried by a jury of long-haired peaceniks. All but one of the men who decided that he had violated the rules of war and had to be imprisoned were fellow combat officers who had fought in Vietnam.

Calley was not framed. He admitted under oath that he shot or ordered the shooting of substantial numbers of non-combatants who posed no threat to him or his men. Testimony shows without any doubt that he picked up a baby, threw him into a ditch, and shot him. He clubbed an old man with his rifle butt, then shot him in the head at point-blank range.

His defense for these acts was that he acted under orders, and that he viewed all villagers of any age as the enemy.

There was little evidence of any order to kill babies or women. And, the essence of the jury's verdict is that higher orders is not an excuse. The jury decreed once again that no American soldier has an obligation to carry out an order which is against the basic rules of humanity and decency.

Calley is a pathetic figure. We can all learn from his mistakes, and from our agony over his prosecution. We must give him every legal right and every legal avenue of review. In the end we must hope and believe that our judicial

system will treat him with justice tempered with mercy.

But to dismiss these charges and to relieve him of all accountability would shock my conscience and the conscience, I believe, of the entire world. We are the Nation which tried and executed war criminals at Nuremberg. We supported the doctrine that higher orders will not justify crimes against humanity. We condemn Hanoi for violating the Geneva Convention on war prisoners. This is the same convention which prohibits killing unarmed, surrendered prisoners of war.

It is one thing to argue as some do that the punishment for Calley's actions was too severe or that the charge of premeditated murder was inappropriate. It is quite another to argue that Calley should go unpunished, or be given a pardon or even a medal, as some of my mail suggests.

Pictures and personal testimony make it clear beyond argument that some of the My Lai victims were babies clutched in their mothers' arms, and young children struggling in vain to shield even younger brothers and sisters. As I read Calley's testimony he does not deny executing them. He says he had been taught that they were the enemy, and that his orders were to destroy them.

The court rejected that defense, but the arguments will be renewed on review and appeal, which will take the case to the Court of Military Appeals, to the Secretary of the Army, and finally to the President.

Justice has been done. But one is left with no sense of elation, only sadness. Sadness for Calley, for his victims, for the men who testified against him and convicted him, for all of us.

That statement concluded Lieutenant Calley's conviction. A companion piece by reporter William Greider, who covered the 4½-month trial for the Washington Post, echoes that conclusion. They summarize my feelings well. Because they are so important and so eloquent, I am asking that they be reprinted in the RECORD. I can only agree with them, as follows:

[From the Washington Post, April 5, 1971]
CALLEY'S TRIAL: THE MORAL QUESTION AND BATTLEFIELD LAWS

(By William Greider)

FT. BENNING, GA.—Americans have chosen some strange popular heroes in the last decade, but none of them was a convicted mass murderer.

This is the guy, remember, who was held responsible by a jury of his peers for "wasting" 22 lives. He picked up a baby, threw him into a ditch and shot him. He is the soldier who butt-stroked an old man in the face, then shot him at point-black range and blew away the side of his head. Some hero.

But the public clamored for Lt. William L. Calley's release and, after thousands of telegrams, President Nixon responded. The President "personally felt" that Calley should not be confined in the stockade with the common criminals.

Lt. Calley spent three nights in jail and don't bet any big money that he will ever return to prison again. The pressure against that will be enormous.

The President's personal intervention puts

the military judicial system on notice that, if any reviewing officer upholds Calley's conviction and sentence, he risks re-igniting the public anger—and directing more heat at their commander-in-chief.

For comparison's sake, an enlisted man here at Fort Benning was sentenced to five years in prison last year for pushing a warrant officer. The Air Force recently sent a colonel away for three years for smoking marijuana. Howard Levy, the doctor who refused to train soldiers bound for Vietnam, served two years for disobeying an order.

The point is not that Calley ought to spend the rest of his life in prison. On the contrary, his lawyers can make a strong argument that, in terms of criminal attitudes, Calley has already been rehabilitated by the ordeal of his long trial.

The question is: if the President and the nation reject the verdict of guilty, rendered by six combat veterans, what is left of the law which the Army attempted to uphold—the international covenant that, even in combat, soldiers do not shoot defenseless people who are captured and unarmed?

If that principle is undone by the public uproar over Calley's conviction, the Army is stuck with a different kind of problem: should it give up the battlefield discipline required by U.S. law and the Geneva Conventions? Should it open the doors at Ft. Leavenworth, Kan., and release all the other soldiers convicted of the same offense as Calley?

Contrary to popular belief, Calley is not the first American soldier prosecuted for killing people in the middle of the war. There have been scores of men—soldiers and Marines—tried for the murder of Vietnamese captives in the midst of combat situations. Many of them are still in prison. The only difference is that, instead of 22 people, most of them killed only one or two.

Right now, there are 75 to 80 men serving time in Ft. Leavenworth on murder charges which originated in Vietnam. Some of their victims were fellow Americans, but most were Vietnamese. Some of them, just like Calley, still have their appeals pending. Still more are imprisoned at the Naval Prison in Portsmouth, N.H., where convicted Marines are sent.

They're sitting in prison unknown while Lt. Calley is famous and confined to his quarters on post.

On the left, Senator George McGovern, certified anti-war spokesman, declares that Calley should not be held responsible because his crimes were part of a larger sickness, the strategic war crimes of U.S. involvement in Vietnam.

On the right, the legionnaires chant "war is hell" and, likewise, protest the verdict.

If you follow the logic of either position, Lt. Calley is, as his defense attorneys kept saying, "a typical American youth who was fighting for his country." Or, the brutality of My Lai is not distinguishable from the general brutality of war, especially this war.

Millions of Americans apparently believe that, but six Army officers did not. They appreciated, after listening to the evidence for four months, that something different and obviously wrong happened at My Lai and Lt. Calley was to blame for part of it.

None of these questions—which need answers and which have undoubtedly influenced public opinion—were before this jury. They decided a much narrower point—that lumping Lt. Calley's actions together indiscriminately with other GI's is slanderous to thousands of men who did not shoot babies, who did not herd their prisoners into an irrigation ditch and execute them.

That is not to say that Calley is the only soldier who ever did that (the Army and Marines, by the cases they have prosecuted, admit that the battlefield crime is unusually linked to this war). That does not

settle the accusations of greater war crimes committed by military or civilian leaders who designed U.S. strategy.

Convicting Calley did not absolve any generals for the devastation of village after village by aerial bombardment or poisoning the wells or burning huts and shooting livestock "just for sport," as one Charlie Company veteran put it. But letting Calley go does not bring any generals closer to prosecution either.

The lieutenant, after all, was not judged by a bunch of left-wing peaceniks or by elitist West Pointers looking down their noses at an OCS graduate who never finished college. Most of the jurors never finished college either. They too have been shot at in battle, wounded, decorated for bravery. Five of them served longer in Vietnam than Calley.

They were not asked to determine if other My Lai's ever happened elsewhere in the war, though perhaps they have on a smaller scale. They were not supposed to decide whether Calley's superiors—the company commander or the division commander—should also stand trial. They did not attempt to analyze the grand strategy of U.S. military involvement in Vietnam and decide whether war crimes are involved in the pattern bombing, the defoliation, the napalm, the use of "free fire zones" and "body counts."

The idea of assuming collective national guilt for My Lai—a notion which may be satisfying to people who opposed the war anyway—does not settle anything. When you say we are all guilty for My Lai, that has truth in it, but it is also another way of saying no one is guilty.

The six jurors, again, operating in the narrower context, said simply that infantry officers, who have some discretion in whom they kill, cannot kill their prisoners.

A TV interviewer asked Maj. Harvey G. Brown if the verdict wasn't a little harsh, considering all of the circumstances at My Lai, the fear of combat, the threat of booby traps, the Viet Cong's guerrilla tricks with women and children. Brown agreed that it was, but reminded him of what Lt. Calley did with the people in the ditch. "That was pretty harsh, too," the major said.

The cynics thought the Army was staging a charade all along and would be happy with an acquittal so it could be done forever with the My Lai scandal. Nearly everyone was surprised by the severity of the jury's finding—premeditated murder. Contrary to initial reports, it is now understood that one and possibly two of the jurors voted for a lesser offense, such as unpremeditated murder, though there was no dissent among them on the question of Calley's guilt.

What the critics cannot explain very well is why these men who were in the war themselves seem, in the end, less compassionate than the fireside war critics who cry "scapegoat." The answer may be that these men—while well aware that war is hell—know also that there is killing and then there is killing.

The issue of legal and illegal killing gets terribly confused. Vietnam veterans, who feel great sympathy for the lieutenant, like to point out that they killed people too so they can see themselves in Calley's shoes. The next time you hear that from an ex-GI, ask him if he herded people together, unarmed and resisting, put them in a ditch, then stood over them and fired. If he says no, he is typical. Most infantry men in Vietnam barely saw who they were shooting at, much less who they killed. If he says yes, you're talking to a murderer.

"People are saying that My Lai's happen in every war," Brown said. "Maybe so. That wasn't the issue in the Calley case. The issue is whether My Lai's are right or wrong."

Well, why is it wrong? Why is it wrong for infantrymen to kill all those people, suspected Viet Cong collaborators, when B-52's

might just as well wipe them out with blanket bombing?

One answer is that human life is precious, that soldiers are meant to be merciful to the helpless if they can be. Even a soldier is not supposed to kill without provocation.

An infantryman, admittedly, has more discretion over that than a bombardier but the excesses of aerial bombardment should not be made into an excuse for cold-blooded murder on the ground.

That level of morality is too sentimentalized, apparently, for many Americans. They were, after all, Oriental babies, perhaps even communist babies (though they were not wired with booby traps as one witness suggested imaginatively).

If you put aside the moral issue, soldiers still have a practical reason for observing the laws of the battlefield. A senior Army officer at Ft. Benning stated it succinctly: "You can have any standard you want for the conduct of warfare, but you better be prepared to get what you give."

If America adopts as a customary standard—barbaric as it is—the rule that it's permissible to shoot prisoners, then America should be prepared to accept the results of that standard. The link between the My Lai victims and the American POW's held in Hanoi is real and important—they are protected by the same rules. It is a great national hypocrisy to rally outrage on the POW issue, then pat Calley on the back for what he did to the prisoners at My Lai.

Actually, there were a few genuine heroes involved in that operation. One of them was Lt. Hugh Thompson, the helicopter pilot who couldn't understand why the troops were lining up people and shooting them. He intervened and saved some lives and that took courage.

Jim Dursi, just a rifleman, was a hero too. Lt. Calley, his platoon leader, offered him a turn at the irrigation ditch shooting people, but Dursi refused. That took some courage for him and the others who wouldn't kill.

In a different way, there were men like the brilliant young prosecutor, Capt. Aubrey M. Daniel III, people in uniform who helped the Army, in its own clumsy way, to try as an institution to make a point of honor. Despite all of the imperfections, despite all of the other culprits who got away, the Army did make its point, when it easily might have ducked it. Though the President blurred it, the lesson still is tormenting the nation's conscience, stirring new painful questions about war and national responsibility.

If Lt. Calley had been acquitted or given a light sentence, any uproar would have been mild and temporary. No one knew that better than the six jurors, the men who are now suffering from the anger which grows out of the national disgrace.

Maj. Brown, the most outspoken of the jurors, got a death threat. Col. Clifford H. Ford, the court-martial president, took the nameplate off his front door to avoid further harassment. So did the prosecutor.

The sick and sorrowful joke circulating around Ft. Benning is that the people sprung Calley—now they're going to lock up the jury.

[From the Evening Star, Apr. 1, 1971]

THE CALLEY DECISION

The sentence of life imprisonment imposed yesterday on First Lieutenant William L. Calley Jr. is nearly as harsh as the crime of which he was convicted by a jury of his peers: The premeditated murder of at least 22 unarmed, unresisting South Vietnamese civilians at the hamlet of My Lai 4 on March 16, 1968. Given the testimony of more than 100 witnesses, officers and enlisted men alike, it is difficult to see how the six members of the Fort Benning jury could have found otherwise.

And it is important to remember who sat on that jury. The six were not peace-niks. They were not civilians. They were not rear-echelon types. They were combat soldiers, each of whom had been decorated for gallantry, and five of whom had served in Vietnam. They, above all men, knew the sort of conditions Calley faced and the sort of response these conditions might reasonably be expected to elicit. These men found him guilty.

We are aware that a large segment of the public will be appalled by the verdict against Calley; that as Undersecretary Thaddeus R. Beal has put it, the court-martial has been "a pretty wrenching experience" for the Army, which sees one of its own sent up for life while draft-dodgers skip off with impunity to Canada or serve short jail sentences (Calley's sentences will be subject to appeal and review, if it stands, he will be eligible for parole after 10 years).

Some liberals will blame society, the Army's system and Calley's personal background, and—as usual—they will be half-right. But those who give the matter some careful thought and study the record (as the jury did during its 80 hours of deliberation), will see that there are rules of war, that there is a line between what is permissible and what is not permissible and that Calley clearly crossed that line when he ordered and participated in the massacre at My Lai 4. In so doing, he violated the entire canon of law embodied in the Hague and Geneva Conventions, in the Nuremberg principles and in the Army's own Uniform Code of Military Justice. And now he has to pay the penalty for his deeds.

There will be those who will say that the jury has placed an indelible stain on the uniform of the United States Army. That is not true; Calley did that. Twenty-four-year-old American boys have been leading platoons into situations like My Lai for a goodly portion of the last three decades without giving way to the homicidal rage which apparently gripped the young Floridian. They—and the jury—are the real heroes of this sordid incident.

Some elements in the Army will say that this was (is) a war unlike any others, and—as usual—they will be half-right. The enemy, as witnessed both by his everyday behavior and his callous treatment of American prisoners of war, does not give a — for the Hague or Geneva Conventions. He does not care about Nuremberg. His own Uniform Code of Military Justice, if he has one, would make the Mafia blush.

But one cannot permit a Gresham's law of ethics to come into play on the battlefield. One cannot treat barbarians with barbarity without descending to their level, without becoming barbaric oneself. As an officer, Calley had an obligation to control his passions and those of his men. In this, he failed. In so doing, he failed himself, his men, the Army and his country.

If others are guilty (25 officers and men were accused of transgressions at My Lai; Calley has been convicted, two have been acquitted, three are awaiting trial and charges against the other 19 have been dropped), they, too, must pay the penalty.

In an editorial on December 7, 1969, we refused to convict Calley in these columns. We said that he was "entitled to a free trial in the broadest sense of the word." We said:

"Justice will be done. Lieutenant Calley can receive—and expect—no more than that."

Justice has been done. But one is left with no sense of elation, only sadness. Sadness for Calley, for his victims, for the men who testified against him and convicted him, for all of us.

VIETNAM AND THE POW'S

(Mr. ASPIN asked and was given permission to extend his remarks at this

point in the RECORD and to include extraneous matter.)

Mr. ASPIN. Mr. Speaker, the Vietnam war continues to agonize our country in many ways—not the least of which is the tragic fate of the prisoners of war. It has now been 7 years and 11 days since Capt. Floyd Thompson was captured in South Vietnam and became the first American prisoner of war in Southeast Asia. Since that time concern for these men has united Americans of all ideological persuasions. The many letter-writing campaigns have produced massive outpourings of mail indicative of the public sympathy for these unfortunate men. We in the Congress have made innumerable speeches and passed many resolutions. We have called, at the very minimum, for a complete list of those held prisoner, and for observance of the Geneva conventions.

Yet, the frustrating adamancy of the North Vietnamese has thwarted our every effort. As we voice our concern, we cannot help but feel that our pleas go unheard. Time and again, we have offered proposals to the North Vietnamese. And, time and again, our offers have been rebuffed.

We must therefore, face the fact that the prisoners of war/missing in action issue will not be resolved until the American involvement in the Indochina war is ended. Setting a definite withdrawal date may be our only means of freeing these men.

This does not mean, however, that we should cease our efforts in the interim period between now and the time our forces are withdrawn. We must continue our vocal opposition to the policy of the Government of North Vietnam. We must constantly remind Hanoi of the breadth and depth of American public sentiment on this issue, and hope for a reversal of their present policies.

Yet, we must always remember that the fate of the prisoners of war and missing in action is probably inexorably tied to the withdrawal of American forces from Indochina.

A STANDING COMMITTEE ON TRANSPORTATION

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

Mr. HOWARD. Mr. Speaker, last December I announced that I was planning to introduce legislation which would establish in the House of Representatives a standing Committee on Transportation. I am submitting that bill for consideration today.

Since I first commented on the need for this legislation, and my intention of introducing it, I have been receiving a tremendous amount of support both in the media, and from individuals across the country. At the close of my comments, I shall enter for the RECORD four editorials in this regard.

It is unfortunate, and it is difficult, but it is time the Congress recognized that we are in good part responsible for the erratic and inefficient transportation system in this country. This is a result of the fact that no one committee in the

Congress has had the necessary oversight which would enable it to obtain a complete view of all our transportation needs, and consequently determine how best to spend the Nation's transportation dollars.

Under present rules in the House, each mode of transportation is dealt with by a different, or two, committees. This method of considering transportation problems has resulted in a classic case of the right hand never knowing what the left hand is doing. What I am proposing today is to place all forms of transportation under one single committee, charged with consideration of transportation matters—all transportation matters.

Certainly, I think we would all agree that every mode of transportation has its place in a balanced, orderly, and efficient system. As a result of congressional confusion, however, we have miles of roads, and many automobiles, while one of the cheapest and most efficient ways of carrying people from place to place—the railroad, has been almost completely ignored, both in terms of long distance and commuter service. Consequently, our railroads are in desperate financial shape, and our commuters are flooding the highways for lack of train service.

It is my belief that if we are ever to relieve the enormously complicated, ever deepening transportation crisis which has struck this Nation, the best way to move is toward a single committee, which can see all aspects of that crisis—as it relates to roads, trains, planes, and ships. Acceptance of this legislation will result in the Congress having a cogent, coordinated, and enlightened view of our transportation system.

In this way too, we will take a long overdue step in keeping pace with the executive department, which has a Department of Transportation, as well as many of our States, which have set up their own departments of transportation. Certainly this would make coordination of transportation legislation and planning with the Federal and State needs much more efficient.

Passage of this legislation will make a simple, but very important change; one which, I believe, is vital to the Nation.

The articles follow:

[From the Daily Register, Dec. 16, 1970]

AN ANSWER TO TRANSPORTATION WOES

Rep. James J. Howard's proposal to create a House Committee on Transportation makes such good sense that he will probably have a difficult time in convincing his colleagues to adopt it.

What Mr. Howard is suggesting is "a coordinated, rational way for the Congress to decide how best to spend the transportation dollar because no one committee has an overall picture of our nation's transportation situation."

He explains that under the present system, merchant marine legislation goes to either the House Committee on Interstate and Foreign Commerce or the House Committee on Merchant Marine and Fisheries.

Legislation dealing with mass transit and commuters goes either to the Committee on Banking and Currency or the Committee on Interstate and Foreign Commerce.

Railroad legislation is under the jurisdiction of the Committee on Interstate and Foreign Commerce, but highway legislation and other road-related matters are handled by the House Committee on Public Works.

Mr. Howard is a member of the House

Committee on Public Works, its subcommittee on roads and its special subcommittee on the federal highway aid program.

What he is asking is that Congress should keep pace with progressive actions of some states, such as New Jersey, which have set up a separate Department of Transportation, as well as the federal government, which has its Department of Transportation.

His constituents in Monmouth County certainly will support the legislation he is offering. The problems of mass transit, for instance, can be solved if highway construction is planned to accommodate rather than compete with it. On the matter of interstate transportation, via water, roads, rails or air, coordination of governmental agencies is vital.

The Cahill Administration is committed to a better tie-in of transportation facilities, as evidenced by the governor's demand that the Port of New York Authority revise its planning and spending so that future projects relieve congestions rather than add to them.

The governor should enlist the aid of the entire New Jersey congressional delegation in supporting Mr. Howard's bill. The congressman will need a lot of help, because, as he admits, he is "not unaware of the political realities," which means that congressmen who head the variety of committees will be reluctant to relinquish their authority.

At present, those committees are performing without knowing what others involved in transportation legislation are doing. There undoubtedly are many duplications of efforts, not to mention duplications of spending.

Mr. Howard's plan is sound. It should be put into effect.

[From the Asbury Park Press, Dec. 8, 1970]

TRANSPORTATION DOLLARS

Rep. James J. Howard points to a flaw in the method the Congress employs in deciding how best to spend public money for transportation.

There is no single committee in the House of Representatives that has control over all forms of transportation. He cites this in contrast to the fact that many states, including New Jersey, have set up their own departments to coordinate transportation expenditures. The executive branch of the federal government has done the same through creation of a transportation department that has cabinet rank.

Rep. Howard proposes that the House create a standing committee on transportation. The present system is erratic, he says, because each form of transportation is dealt with by a separate committee.

His call for a single committee deserves early and favorable consideration. Each form of transportation, including waterways, highways, rail, air, and interstate buses, promotes its special interests in Congress through different committees.

Congress has complained for years that its powers have been chipped away by the executive branch. The situation which Rep. Howard cites indicates that if the House wants to keep pace with the executive branch it should create one committee that will have an over-all picture and exert better control over federal funds spent on all forms of public transport.

[From the Traffic World magazine, Jan. 4, 1971]

NEW TRANSPORTATION COMMITTEE IN CONGRESS NEEDED

Addressing his colleagues in the House of Representatives in Congress on December 3 (T.W., Dec. 7, p. 14), Representative James J. Howard (D-N.J.), said:

"With transportation—in all forms—being one of the most crucial problems facing the nation today, it strikes me as unfortunate

that the House does not have a standing committee on transportation. . . . I am planning to have legislation drafted which will create a standing committee on transportation in the House. I will introduce that measure when the Ninety-second Congress convenes. . . . I believe that the Congress is partly responsible for the erratic system of transportation we have now because each form of transportation is dealt with by a separate committee.

"As an example, merchant marine legislation goes to either the House committee on interstate and foreign commerce, or the committee on merchant marine and fisheries. Legislation dealing with mass transit and commuters goes to either the committee on banking and currency or the committee on interstate and foreign commerce. Railroad legislation is under the jurisdiction of the interstate and foreign commerce committee, while the House committee on public works, of which I am a member, deals with the Interstate Highway System and other road matters. This divided jurisdiction means that each committee is working without knowing what the others involved in transportation legislation are doing. . . . There is no coordinated, rational way for the Congress to decide how best to spend the transportation dollar. No one committee has an over-all picture of our nation's transportation situation. . . . I believe that all transportation legislation should be dealt with by a new standing committee on transportation, appropriately staffed and equipped to make proper decisions about transportation priorities. . . ."

Assertions similar to those we have excerpted here from Mr. Howard's speech in the House have been made at various times in the past on the editorial page of this magazine. It's encouraging to us that at least one member of the House recognizes the inadequacy of the present arrangements, on that side of the Capitol, for giving proper attention and treatment to legislative proposals designed to relieve or solve transportation problems. But since the chairmen of the existing House committees are not apt to be receptive to the making of changes that would take away any part or parts of their present jurisdictional "empires," it does not appear probable that the legislation Mr. Howard plans to introduce early in the next Congress will progress beyond the assignment-to-a-committee stage.

Legislative areas over which the House interstate and foreign commerce committee has jurisdiction are these: (1) Interstate and foreign commerce generally; (2) regulation of interstate and foreign transportation, except transportation by water not subject to the jurisdiction of the Interstate Commerce Commission; (3) regulation of interstate and foreign communications; (4) civil aeronautics; (5) Weather Bureau; (6) interstate oil compacts, and petroleum and natural gas, except on the public lands; (7) securities and exchanges; (8) regulation of interstate transmission of power, except the installation of connections between government of water projects; (9) railroad labor and railroad retirement and unemployment, except revenue measures relating thereto; (10) public health and quarantine, and (11) inland waterways.

Subjects covered by the jurisdictional authority of the Senate committee on commerce include items (1), (2), (3), (5) and (11) in the above list, item (4) with the exception of "aeronautical and space activities of the National Aeronautics and Space Administration," and in addition, such subjects as these: Merchant marine generally; navigation and the laws relating thereto, including pilotage; Coast and Geodetic Survey; the Coast Guard; the Panama Canal and interoceanic canals generally; fisheries and wildlife, and the Bureau of Standards.

Congressional committees primarily concerned with transportation matters ought not to have to sidetrack their responsibility

ties in those areas in order to attend to legislative needs in such other fields as the marketing of securities and the protection of the public health. Those latter areas seem to us to be important and extensive and/or complex enough in themselves to require full-time attention by separate standing committees.

Commendation is due the commerce committees of both chambers of the Ninety-first Congress for getting more legislative work done with respect to transportation in these last two years than those committees ordinarily are able to produce. About a dozen major transportation bills will have become law when this second session of the Ninety-first Congress is ended, some time before January 3. (The Twentieth Amendment to the federal Constitution provides among other things, that terms of senators and representatives elected to the Congress shall begin on January 3). But there were also some important transportation bills that at least should have been considered in the public hearings by Senate and House committees but were shoved aside such "shelving" probably being due, in several cases to a feeling by the committee chairmen that the contents of those bills and the issues they involved were too complex to be clarified in the time available for hearings on them.

Perhaps a House committee on transportation (and a counterpart of it in the Senate) as proposed by Representative Howard would be just as busy as or even busier than the existing commerce committees. The noteworthy point in Mr. Howard's argument in support of creation of congressional committees on transportation, however, is that there is truly a need, in each house of Congress, for one committee that has "an over-all picture of our nation's transportation situation," so that the present deplorable situation in which none of the several committees working on transport legislation matters knows what the other committees are doing can be corrected.

[From the Wall Street Journal]

GETTING TOGETHER ON TRANSPORTATION

Among the major causes of the nation's transportation problems are the Government's piecemeal efforts in the area. For much too long Congress and the agencies have stumbled along without any clear view of the broad situation.

The Transportation Department is at least an effort to pull together the relevant administrative agencies, although too much policy in the field is still made outside the department. Now Rep. James J. Howard proposes that Congress should also try for some coordination.

In a speech on the floor the New Jersey Democrat said, "Merchant marine legislation goes to either the House Committee on Interstate and Foreign Commerce, or the Committee on Merchant Marine and Fisheries. Legislation dealing with mass transit and commuters goes to either the Committee on Banking and Currency, or the Committee on Interstate and Foreign Commerce.

"Railroad legislation is under the jurisdiction of the Interstate and Foreign Commerce Committee, while the House Committee on Public Works, of which I am a member, deals with the Interstate Highway System and other road matters. This divided jurisdiction means that each committee is working without knowing what the others involved in transportation legislation are doing."

To ease the resulting difficulties Mr. Howard plans to introduce next year a bill to set up a single Committee on Transportation, which would deal with all transportation legislation. While national rail strikes and other transportation problems won't be solved merely by creating a new committee, the Congressman's proposal does seem a sensible step.

PROPOSED COMPREHENSIVE FOWERPLANT SITING LEGISLATION

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

Mr. GUDE. Mr. Speaker, the President has proposed comprehensive powerplant siting legislation designed to help reconcile energy and environmental needs before the lights go out. The proposal would establish a national framework providing for State, regional, or Federal certifying agencies to hold hearings and make decisions on plant sites, construction plans, and routing of transmission lines. Long-range planning by the utilities is required. Early and systematic review of the need for new power facilities and their impact on the environment could go far to eliminate recurrent wrangles over essential facilities and to reduce the damage power facilities do to our surroundings.

But in my opinion, it will not be enough to concentrate exclusively on new ways of providing great increases in the supply of electricity. We need to take a closer look at the elements of skyrocketing demand. In an address to the National Association of Regulatory Utility Commissioners last November, Mr. S. David Freeman, Director of the Energy Policy Staff of the Office of Science and Technology called for "a war on waste in the use of energy and the beginning of an era of conservation in its use." He has many perceptive comments to make on the impact of rate design on energy use, and the possibilities for adjustments in rate structures which would encourage conservation of power. In addition, Mr. Freeman stresses the need for new technology to eliminate powerplant pollution and to maximize efficiency. Greater expenditures for research and development should be shouldered by the utilities and reflected in the price of power as a real cost of power generation.

He concludes with the observation that there is as much public concern about powerplant pollution as there is about rate increases. We in Congress know this is true.

I commend Mr. Freeman's remarks to the attention of my colleagues, and hope that the Congress will take up the President's powerplant siting legislation as promptly as possible:

ENERGY USE AND ENVIRONMENTAL PROTECTION—ISSUES FOR THE REGULATORS

(By S. David Freeman)

The coming years are not apt to be happy times for the regulatory agencies who fix rates for energy. Energy shortages, rate increases, and increasing concern about pollution seem to be the order of the day. It's a combination of events calculated to keep the regulatory agencies in the limelight or perhaps more accurately on the "hot seat."

Other speakers on this panel will no doubt discuss our energy supply problems and means to facilitate greater supply. It therefore may be useful if I discuss the demand side of the equation. I want to suggest some measures that I think can be taken in that area to achieve a balance.

The past few decades have witnessed enormous growth in the use of energy. And the nation's use of energy continues to grow as fast as ever, and perhaps even faster. Up to now we have equated such growth with prog-

ress and prosperity and encouraged it through government policies, promotional rate structures and advertising. In fact, the title of this panel discussion—"Meeting America's Commitment to High Energy Use and Environmental Protection"—reveals that high use persists as a major goal in the minds of many if not most of those associated with the energy industries.

But in the past year the alarm bells have begun to ring. And we fail to listen to them at our peril. Demand for energy is growing almost faster than we can extract it from the ground and convert it to usable form. The result is shortages which in my view are apt to persist and get worse unless we take remedial action. One reason the shortages may get worse is that we are only beginning to implement newly enacted air and water pollution controls and health and safety measures.

It's going to take a variety of actions to increase the supply of energy in the coming years—R&D to develop technology to use our energy more efficiently and in a cleaner form, longer range planning and more orderly siting of power plants and transmission lines, more imports of natural gas, oil, and in the future uranium, revised programs for leasing federal lands and a reshaping of federal regulatory programs dealing with oil and gas. And there are no doubt other measures as well.

But up to now we have been concentrating only on the supply side and trying to catch up with what appears to be almost a runaway market for energy. What I am suggesting this morning is that we take a harder look at the growing demand for energy to determine whether the rate of growth really needs to be as high as we are currently experiencing and projecting for the future. After all, it's not kilowatt hours or gallons of oil that society needs but warm homes in winter, adequate transportation, and the other services for which energy is essential.

If we can meet the essential needs of society in the future with fewer kilowatt hours or barrels of oil, we can help balance supply and demand in a much more effective way than speeding the exhaustion of our fuel resources.

What I am suggesting is a war on waste in the use of energy and the beginning of an era of conservation in its use. And if anyone thinks we are not wasting a sizeable percentage of the energy we consume, just go outside and walk the streets of Las Vegas. We've stopped flaring natural gas at the wellhead in Texas or Louisiana, but we are moving it hundreds of miles across the country and flaring it in front of hotels and homes. The amounts involved in gas lights and huge neon signs may not be staggering, but the energy that goes out the windows and through poorly insulated walls and ceilings of homes and buildings is sizeable indeed. Experts say that with full insulation in homes and buildings we could cut down on heating fuels by 20% or more—and this same insulation would make comparable savings in air conditioning loads in the summer.

In addition, there are opportunities for energy conservation in our habits of use. We may joke about turning off the lights when we leave a room, but the savings in turning down the thermostat at night is not to be laughed at.

The automobile, I guess, really highlights our waste of energy. We power a two-ton vehicle which is less than 10% efficient in the use of energy to transport a single person. We need more electric cars—large ones on tracks called mass transit—to conserve the massive resources now being wasted in transportation that is jamming our cities' streets and polluting the air more than any other source.

You may well be thinking that all this is interesting and maybe there is even some-

thing to it but what can utility commissioners do about it? It seems to me that there is quite a bit you can do to move America's utilities from a policy of promotion to one of conservation, environmental protection, and a stronger sense of responsibility as good citizens in the communities they serve. I want to discuss the subject of rate design because the design of rates is a regular responsibility which is a major tool for shaping the present pattern of growth and a new look at rate design can make a major contribution to helping balance supply and demand in the future.

At present electric power and to a lesser extent natural gas, water, and other utility services are sold under rate schedules that provide for sharply reduced unit prices as the volume of use increases. These rates schedules are called what they are—promotional rates. They reflect the fact that to some extent unit costs go down with increased volume. There are also special discounts which are used to encourage off-peak uses. But whatever the justification, the fact is that a person who uses only 250 kwh per month pays on the average about 3 cents per kwh, while a person using 750 kwh pays less than 2 cents per kwh.

It cannot be denied that these promotional rates have been a major factor in bringing about the present enormous use of electricity. And when the major thrust of economic policy was to spur growth and facilitate the economics of scale, they served a useful purpose.

But now we've got all the growth and "scale" we can handle and in many sections of the country, more than we can handle. The question is now that we face shortages whether we should continue to keep our foot on the pedal to accelerate growth. The economy is apt to generate demands for energy that will be difficult to meet even without rate structures that add to the problem by encouraging faster growth. With fuel costs rising by leaps and bounds, new plants costing much more than existing facilities, gains in efficiency at a halt and even slipping, the cost of new money double the embedded cost of capital, and new plants requiring expensive environmental protection, I believe it is fair to suggest that the faster we grow the faster rates will go up.

Rate increases seem inevitable in coming years, but the necessity to increase rates will give the utilities and the regulatory agencies a chance to re-examine utility rate structures. As a general pattern, I believe we should give serious consideration to adding these increased rates to the rate blocks for higher use. There seems to me to be several good reasons for doing so. With increased fuel costs and the relative low load factor of the air conditioning load which is a major factor in growth, there is reason to believe that the tall blocks should bear the increases on a cost of service basis.

But there are perhaps even more important public policy reasons for adding the increases to the volume users. What better way is there to give people an incentive to conserve energy than make them pay more for wasting it? In addition to making volume consumers bear the brunt of rate increases, there are other rate making techniques that bear investigation and are already being used in some areas. Surcharges in peak months are not popular but they make sense. Perhaps we should consider two part rates for residential consumers as well as industry. And interruptible service to a greater number of industries should be explored to try to shave the peak loads which we seem to be having so much trouble meeting. We might even question whether rolled in average costs are the appropriate basis for rates to new large loads when the cost of the new facilities greatly exceeds such average costs.

I have tried to mention only a few of the more obvious possibilities. The whole sub-

ject of rate design which has received relatively little attention from regulatory officials in the past must now be a major concern of yours. And it is not only a question of providing incentives to conserve power, but also a matter of equity and justice between classes of consumers.

The low-income citizen who cannot afford air conditioning, who doesn't have a large house and who uses electricity only for lighting, cooking and perhaps hot water heating, is not the person responsible for our power shortages. He uses about 250 kwh per month. In fact, the average use per residential customer in most big cities is less than 300 kwh per month. The cash outlays this low-income consumer makes for energy is a significant item in his budget. If rates for electricity increase by 50 percent in the next five years—which I believe is a real possibility—and the increases are added equally to all rate blocks, it could well impose a real hardship on low-income consumers. And since their use of electricity is small, and for basic necessities, there is little scope for reducing the volume.

On the other hand, redesigning rates and requiring the larger volume users to absorb the coming rate increases would alleviate the hardship on small consumers and provide real incentives to achieve greater efficiencies. And after all, it is the volume users whose growth is a primary cause of the increased costs for which the increases are needed.

Of course I recognize that on a strict cost basis there is a basis for higher rates to small consumers. And some may say that rates should strictly reflect costs and that matters of ability to pay are not relevant. This is a matter, of course, for each commission to decide for itself and having worked for one commission, I know that even that can be a difficult task. However, my own view is that the nation crossed the road of pricing electricity on an ability to pay decades ago when we decided, and I believe correctly so, that we should facilitate the electrification of rural America with a two percent loan program. What I am suggesting here is that we reduce the discount that volume users now receive, a far milder step.

Of course, rate design, as all other issues, must be decided on the record in each case and no general approach can cover all situations. However, meetings such as we are having today, are opportunities to explore general problem areas. And I think a new look at rate design along the lines I have outlined could be useful to help balance supply and demand in an equitable manner.

In addition to rate design, there are other important areas in which the public utilities commissions can make a major contribution to an adequate supply of clean energy. And make no mistake, no matter how successful we are in increasing efficiency, we are going to need a steady increase in the supply of clean energy. I refer to the urgent need for a much stronger R&D effort in the energy field. The need is for new technology to provide fuel in a clean form and with greater efficiency.

The urgent programs range from the nuclear breeder reactor to sulfur oxide removal technology to enable us to utilize our coal reserves. We need to supplement natural gas with gasified coal and we need to learn how to place high voltage power lines underground, and there are other urgent needs. At present these projects are not being developed as fast as needed for lack of funds. Utility funding of R&D is inadequate and the federal budget cannot reasonably supply all the needed funds. In fact, it seems to me more desirable that utilities and their consumers fund the necessary research for these commercial type projects because the demands on the government in areas where there is no commercial market should have first claim on federal funds. Also it is important that the price of power include all its

costs to society, including the cost of R&D so that rates of use will reflect true costs.

New mechanisms are needed to obtain the needed funds. The regulating agencies should certainly make clear that R&D by the utilities is desirable and encourage, and perhaps even require, greater R&D expenditures. As long as utility expenditures on advertising and sales greatly exceed expenditures on R&D, there is good reason to question whether utilities and those that regulate them are hearing the voice of the people on this issue.

My final point is a personal one based on my own experience in a regulatory agency and noting the attitude of the general public as to these agencies from my present position. The general public has an inadequate knowledge of the workloads and problems of utility commissions and of their efforts on behalf of consumers. Nevertheless, or perhaps for that reason, utility commissions are in constant danger of being considered as merely an extension of the industries they regulate. And commissions tend to confirm this public attitude when they take a narrow view of their responsibilities. Let's face it, there is at least as much, if not more, public concern about the environmental pollution caused by a utility than there is about rate increases. And in our cities especially, there is as much public concern about the fair employment practices of utilities and their deposit policies as there is about fuel shortages. My advice to the utility commissions is to concern yourself with these broader issues which are of such great importance to our nation. If your present statutory authority does not permit you to take remedial action in the fields of environmental protection and discrimination in employment, then you should seek new legislative authority. But opinions simply saying "it's not my department" will only erode your public support and undermine public confidence.

Some state commissions have already taken the lead in requiring the utilities they regulate to invest more heavily in research and development and environmental protection, to root out racial discrimination, and on the question of rate design I have discussed. I trust that in the coming year we will all join in the theme of this panel to assure adequate supply of clean energy and make progress in improving the quality of life in our nation.

PROPOSED RESTORATION OF THE INVESTMENT TAX CREDIT FOR A LIMITED PERIOD

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

Mr. TIERNAN. Mr. Speaker, for many months now, the American public has been entertained by periodic reports of changes in the administration's economic game plan. While reassuring the public that the administration was taking firm action both fiscally and monetarily to achieve a balanced economy, that same economy has moved in fits and starts along a path which virtually defies accurate prediction or projection. Claiming that the transition from a wartime economy to a peacetime economy is responsible for the current economic conditions does little to satisfy the millions of Americans who are seeking employment and cannot find it.

Under the Nixon game plan, we have been witness to an economic tripleplay—a high rate of inflation, high interest rates, and a high unemployment rate.

This combination of events is a result of that game plan and of the mistaken notion that the economy of the Nation and, therefore, the lives of more than 200 million Americans are to be manipulated as football players on the gridiron. The inevitable, disastrous results of these economic policies is a gross national product which registers growth in terms of dollars but not in terms of output. What these policies have achieved is a slow-down with no solid indication of significant growth.

Indeed, economic indicators tend to paint a confused picture for the immediate future. For example, while the sale of automobiles appears to be strong, retail sales of goods other than autos were more sluggish in the first 2 months of this year than they had been late in 1970. Nondurable goods sales climbed at a seasonably adjusted annual rate of more than 9 percent between the third and fourth quarters of last year, yet it seems possible that they will show no gain at all in the first quarter of this year. In the case of durable goods, new orders for the month of February ran 2 percent below January, reversing a 4-month pattern of increase.

In order to alleviate the high interest rate-tight money conditions, the Federal Reserve Board has acted over the past several months to effect lower interest rates and to expand the money supply. Such actions, however, have not been sufficient to stimulate a stagnant economy. Although the Nation's banking system and credit markets are amply supplied with funds, economic expansion is not the order of the day.

The lack of public confidence in the economy acts as a brake on the chances for demand-inspired economic recovery. Private spending has been reduced and liquid assets accumulated as a hedge against an uncertain future, whether the uncertainty of prices or the uncertainty of employment.

As if the uncertainties in the economy were not enough, the administration adds to these uncertainties by its inconsistent policy and pronouncements. The enactment of the 10-percent increase in social security benefits retroactive to January 1 is estimated to add \$3.5 billion to disposable income this year. This sum will provide some stimulus to the economy although it is far from satisfactory. Nevertheless, while Mr. Nixon approved the increase in benefits, he chided Congress for not increasing social security taxes proportionately to cover the additional costs. Any increase in social security taxes at this time would negate the effects on the economy of an increase in benefits, whereas a postponement until January 1972 will provide a needed boost to the economy now. But recognition of this Keynesian principle seems to have escaped the President, although not his economic advisers. They have suggested the possible need to accelerate the application of the Tax Reform Act of 1969, implementing the increase in exemptions and deductions on personal income this year instead of as scheduled in 1972 and 1973. But the administration only hints at this possibility; it makes no straightforward assess-

ment as to the state of the economy, except to speak in its customary optimistic tones, offering little definite information and less hope of strong economic recovery.

There can be little doubt at this time, as one city after another is added to the already large list of cities with excessive unemployment rates, that some definite fiscal action must be taken immediately to encourage not just dollar growth but real growth in the gross national product. It is in this spirit then that I introduce legislation today to amend the Internal Revenue Code restoring the 7-percent investment tax credit for a limited period.

This bill would encourage the long-term investment in plant and equipment so vital to a strong economy. It would provide some measure of hope for those currently out of work and those about to enter the job market that they can be gainfully employed. It would also indicate to the public that the Federal Government can and will take the necessary steps to stimulate the economy thus making full employment a possibility and not just a legislative idea.

Most important to the restoration of the investment tax credit at this time is the provision which limits the duration of the tax credit. I have proposed that we limit it to 9 months of the current calendar year, retroactive to January 1, 1971 and terminating on September 30, 1971. It is a one-shot deal, designed to help turn around the rising unemployment rate and to reverse the decline in our industrial production. I believe that we must utilize all of the tools necessary to bring us out of the economic doldrums. Restoration of the investment tax credit for a limited, brief time is one of those instruments. I urge that the Congress act now.

Mr. Speaker, I include as part of my remarks a copy of this legislation:

H.R. 7304

A bill to amend the Internal Revenue Code of 1954 to restore the investment tax credit for a limited period

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that (a) section 49(a) of the Internal Revenue Code of 1954 (relating to general rule for termination of investment tax credit) is amended by inserting after "pretermination property" the following: "or restoration period property".

(b) Section 49 of such Code (relating to termination of credit) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

"(d) Restoration Period Property Defined.—For purposes of this subsection, the term 'restoration period property' means property—

"(1) the physical construction, reconstruction, or erection of which (A) is begun during the restoration period, or (B) is begun, pursuant to an order placed during such period, or

"(2) which (A) is acquired by the taxpayer during the restoration period, or (B) is acquired by the taxpayer, pursuant to an order placed during such period.

For purposes of this subsection, the term 'restoration period' means the period beginning on January 1, 1971, and ending at the close of September 30, 1971."

SEC. 2. Section 46(b)(5) of such Code

(limiting investment credit carryovers for certain post-termination taxable years) is amended by adding at the end thereof the following:

"This paragraph shall not apply to any taxable year which includes any part of the restoration period (as defined in section 49(d))."

INSTRUCTIONAL SUPPORT FOR THE LAND-GRANT COLLEGES

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

Mr. TIERNAN. Mr. Speaker, one hundred and nine years ago, the Congress extended to the States an opportunity to become associated with the Federal Government in a unique experiment—an experiment that was destined to change the whole pattern of higher education in the United States and, in so doing, to affect for the better the lives of Americans for generations to come.

The invitation to this outstandingly successful partnership was embodied in the language of the Morrill Act, signed into law by President Lincoln July 2, 1862. This act offered to subsidize the establishment and endow the operation in every State of a college for the common people. The funds were to be raised by the sale of public lands—30,000 acres or the equivalent in land scrip for each Senator and Representative in Congress to which the State was then entitled. The proceeds of the sales were to be used by each State for the endowment of at least one college, "in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life." Without excluding other subjects, the institutions were specifically required to offer instruction in agriculture, the "mechanic arts," and military tactics.

This offer of Federal-State partnership, as put forward in the Morrill Act, was of tremendous significance. It established a new concept of Federal support for education by providing a continuing endowment of these new colleges. It established a classical pattern of Federal support without Federal control by leaving to the States the control of their land-grant colleges without interference from the Capital, the only requirement being that the colleges submit evidence that the funds are used for the purposes intended.

Most important, the Morrill Act signified the completion of a revolution in higher education—the overthrow of the aristocratic tradition imported from Europe and the substitution of an American concept purely democratic in character. Before this, American colleges and universities had been dedicated to teaching the classics and preparing young men for the professions of law, medicine, and the ministry, just as their European models had been doing for century after century. Perhaps this type of education was well adapted to the stable, aristocratic societies of Europe, but it was not all suited to serve the needs of a muscular young democracy restless to get on with the business of carving a civilization out of the wilderness.

The Morrill Act changed this. Hereafter, higher education was to be available not only to the rich but also to the people who had to work for a living. Hereafter, the daily needs of living people were to be considered as fit subjects for study as the lives of the Roman emperors and the writings of the Greek philosophers. Hereafter, the teaching of methods to bridge American rivers, dig American canals, and build American railroads was to be a proper subject for higher education along with the remarkable accomplishments of da Vinci. Hereafter, the conquest of the West with the plow was to be accorded its proper importance along with Caesar's Gallic Wars.

The fundamental soundness of the concept of a national system of State colleges and universities was demonstrated so convincingly and so quickly that there has never been a serious challenge to its validity, no effort to change the pattern, up to the present day. Rather, the original idea has been built upon over the years until our country today has a far larger, far better structure than was first contemplated, and the benefits have been correspondingly greater.

The Hatch Act of 1887 extended the partnership principle to agricultural research, and the Smith-Lever Act in 1914 extended it to the great agricultural extension program that we have today. Together with the Morrill Act, these formed a trilogy of support for instruction, for research, and for extension that provided the foundation for a system that constitutes America's greatest contribution to education.

By 1890, all States and territories had established the "one or more" colleges called for by the act of 1862, and it was increasingly clear that the original Federal endowment was wholly inadequate for the support of instruction in them. Although the States were increasingly providing instructional support, the need for additional support was clear and the feeling that the Federal Government had fallen far behind the States in its relationship with the institutions was strong. Senator Morrill sponsored a supplementary act providing for a permanent annual appropriation for each State for the "further endowment and support" of its designated college or colleges.

The 1890 act provided \$25,000 annually for each State for the support of the instructional function of the land-grant colleges and universities. Passage in the Senate was unanimous, and in the House by a 5 to 1 margin. The Senate report, which was adopted by the House with an additional statement, stated that:

The object of the bill is to place the system of colleges for the benefit of agriculture and the mechanic arts, established under the law of July 2, 1862, upon a basis of assured support for all time. . . . The passage of this measure, which is introduced by the distinguished founder of this system of colleges, will place them on a sure foundation so long as we are a Nation and link his name with theirs in one common immortality.

The House report additionally noted that:

The theory of this provision (which is repeated in the present bill) evidently was that the States should furnish the material plant required for the proposed institutions, while the fund contributed by the United States was intended to make adequate provision for the actual cost of instruction. . . . The States have done their part well. . . . Your Committee believe it a matter of the soundest public policy, and even of good faith with the States, that Congress should increase the provision for the annual maintenance of these institutions somewhat in proportion to the growing demand upon them.

In 1907, an amendment to the 1890 act increased the annual "further endowment fund" for each State to \$50,000. In justification for the equal distribution of funds among the States, it was noted that the original Morrill Act favored the then more populous States.

Through the Bankhead-Jones Act of 1935, the funds were again increased by unanimous act of both Houses of the Congress, with the funds under the act to be allocated to the States on the basis of relative population. Again, in 1960, the program was reviewed and, again by unanimous act of Congress, increased to their present level.

Last year, the administration proposed to eliminate entirely these Bankhead-Jones funds, and may well do so again this year. In justification, the budget referred to the program as an "anachronism" and suggested that the modest sums provided to the institutions receiving them were no longer of any real value to the institutions.

Nothing could be further from the truth.

These funds are, at none of the institutions that receive them, unimportant or minute. The presidents of the land-grant institutions consistently report that, dollar for dollar, they are the most valuable and useful funds they receive from Federal sources. Former President Fred Harvey Harrington, former president of the University of Wisconsin, for instance, has said that this program is an essential source of funds for undergraduate teaching where even more funds are badly needed. It also serves as a model for institutional support, which is the valuable type of government aid. President Glenn Terrell of Washington State University has stated that the loss of these funds—plus the existing shortage of funds from State sources—is more than we can cope with in the face of increasing enrollments without serious and immediate erosion of our university. President Marshall T. Hahn, Jr., of the Virginia Polytechnic Institute, states that:

Failure to restore these funds could signal the demise of a historic relationship with the Federal government that has helped countless thousands of young people secure higher education and increase their contribution to our nation and society.

These resident instruction funds have been for more than a century the cement that holds together the land-grant colleges and universities as a unique national system of State-controlled universities, unmatched in the world either for

their philosophy or their contributions to the welfare of those they serve.

To dissolve that bond would involve consequences so serious that any such proposal deserves long and careful consideration. It should be remembered, for instance, that this Federal endowment for instruction is, in the last analysis, a recurring declaration of faith in the worth of the individual, in the principle that he is trained, not for his personal benefit, but to enable him to contribute more, through his life work, to the society in which he lives. Long gone are the days in which an aristocracy of the educated would be tolerated in America. Land-grant colleges and universities stand as living memorials to the philosophy that every American is entitled to develop his native talents and abilities to the limit, and to the belief that as each individual grows and develops and prospers, the Nation becomes stronger, more powerful, more wealthy in terms of lasting values.

Nor is it to be forgotten that the land-grant colleges and universities have always been quick to discharge their national obligations. They have trained the bulk of the officers who have served our country so well; they have supplied the technicians who today are even serving in scores of foreign lands, helping through their scientific knowledge and practical experience to combat the poverty and famine on which communism thrives.

One further point needs to be made. Of sheer necessity, tuition and fee charges are rising so rapidly that, if the trend continues for even a few years, students from middle-class families will be squeezed out, leaving only the sons and daughters of the very rich and of the very poor, aided through scholarships, work-study programs, and low-interest loans.

Most of the Federal programs have tended to accelerate this trend toward higher tuition charges, by imposing additional burdens on the colleges and universities through required matching funds, failure of the Federal agencies to pay full cost to the universities for the programs supported, and the like. Present efforts to direct Federal support funds through the students by means of long-term loans would greatly increase this trend, with the institutions almost forced to reclaim at least some of these funds through even greater increases in tuition and fees are in order, if nothing else, simply to provide the space and instructors to take the students for whom college would be made possible through the loan programs.

Almost the only Federal program that today helps the colleges and universities keep their tuition charges to students down is the Morrill and Bankhead-Jones program. It does this through the actual subsidy of the basically fundamental instructional function at the land-grant institutions. If we are to prevent the gradual erosion of the middle class from the ranks of college students, we very much need to expand and extend this type of program, not cut it back or reduce it.

The comparatively small amounts contributed to the Federal Government to the endowment and support of these institutions earn dividends so tremendous as to be beyond calculation. This group of colleges and universities might well invite a challenge to show where the investment of any comparable sum by the Federal Government brings, or has ever brought, comparable returns in terms of educational, economic, social, and political gains for the American people.

Last year the Senate, on the recommendation of its Appropriations Committee, restored the funds for the program to the full authorized level. In commenting on the committee's recommendation, Senator MAGNUSON said that—

To adopt this method of repeal of existing law by lack of appropriations is unconscionable to me. If the President wants to repeal the Bankhead-Jones Act, then suitable legislation should be introduced and acted upon by the appropriate legislative committee.

Senator MAGNUSON also observed accurately that the proposal to eliminate the program was made "precipitiously, without consultation or warning to the land-grant institutions. . . . or even consultation with the Congress."

The House, in acting on the appropriations bill restored a substantial proportion of the appropriation, which had throughout its 80-year history, been funded each year at the full authorized level, but left the door open for the inference, at least, that this was prelude toward its gradually being reduced, rather than eliminated at one fell swoop.

The conference committee compromised the difference between the amounts recommended by the House and by the Senate. However, during floor action on the compromise version, several Senators took the floor to record statements that they hoped it was the clear understanding of the Senate that the reduction in the land-grant teaching funds was simply a temporary concession to the present difficult budget situation and was not to be interpreted as the first step in an eventual phaseout of the program, and all objected to legislation by the appropriations route.

Senator Moss said:

I must . . . express disappointment that the conference committee did not allow the full authorized amount—approved by the Senate—for the Bankhead-Jones Land-Grant teaching funds. This program represents the oldest and by all means the soundest partnership between the Federal government and the states in providing educational opportunities for American youth. This principle should be expanded and extended, not curtailed and weakened. This is why I sponsored the bill that would, if approved in the House, provide Land-Grant status for the College of the Virgin Islands and the University of Guam. This bill, if enacted, would end a long-standing inequity of these areas as the only remaining ones in the United States that do not have the advantages of a land-grant college.

This is why, Mr. President, I would hope it would be clearly understood that the \$2 million cut in the Bankhead-Jones funds proposed in the conference committee report is occasioned by the difficult fiscal situation, rather than as an opening step in the phasing-out of this historic and fundamentally important program.

These funds have long been the cement that helps hold together the land-grant colleges and universities as a unique national system of higher education in this country, unmatched in the world for its philosophy of service to society or its contribution to the welfare of those it serves. The land-grant system has been termed America's greatest contribution to the history of higher education in the world, and is presently one of our most significant export items.

I agree with the distinguished chairman of the Senate Appropriations Committee that to adopt a method of repeal of existing law by lack of appropriations is "unconscionable," and I would note that the last full-scale review of this program by the appropriate legislative committee was carried out 10 years ago—in 1960. Distribution of these funds is based, in part, on population, and, of course, our population has increased during those 10 years. It is clear, therefore, that funds for the program, by virtue of this increase, have already been reduced.

I, therefore, urge, that before this body is again called upon to act upon an appropriation measure for this vitally important program a detailed reassessment is made of it by the legislative committee with jurisdiction so that my colleagues and I might have before us at that time recommendations based upon a full and open study of a program I consider to be of unique importance to the past and future development of this country.

We agree fully with Senator Moss. It would be well to think long and hard before breaking, or even relaxing, the tangible bond that binds these universities together in the national service and that serves as the best living model of sound, effective Federal support for higher education in this country.

HIGHER EDUCATION LEGISLATION

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, authorization of existing higher education legislation expires on June 30, 1971. Today I am introducing, with the distinguished chairman of the Education and Labor Committee, Representative CARL PERKINS, and with the cosponsorship of Mr. BURTON, Mr. DENT, Mr. DANIELS of New Jersey, Mr. PUCINSKI, Mr. BRADEMAS, and Mr. SCHEUER, the Higher Education Act of 1971. It will extend existing programs for a period of 5 years. In most programs the bill transforms existing fixed-sum authorizations into open authorizations phrased as "such sums as may be necessary." In student-aid programs, set forth in title IV of the bill, authorizations continue to be described as fixed sums for the first year and some of them require dollar authorization for all 5 years.

Title I continues existing community service and continuing education programs.

Title II continues existing programs, with minor amendments designed to obtain more flexibility. It rejects the administration proposal to transfer jurisdiction from Office of Education to the

Library of Congress of the Library of Congress programs for foreign acquisition of books and for cataloging. Both of those programs are necessary to the support and operation of university library systems. The Library of Congress is also required to make an evaluation report on those programs which it is hoped will focus attention on delivery problems.

Title III continues existing programs to strengthen developing institutions, and funds them at the level of \$120 million. It continues the present 23 percent set aside for community colleges. For them it lifts the requirement of 5 years' operation. The change recognizes the newness of many of our community colleges.

The bill also allows teachers at predominantly black colleges to qualify as professors emeritus, and thus removes an unintended discrimination.

Title IV continues existing student-aid programs but focuses them so as to encourage self-help and so as to place in the hands of college financial aid officers much greater discretion in packaging aid for the individual student. The purpose is to allow greater flexibility in melding Federal-aid programs with grants and aid provided by States and institutions. The result should be greater ability to meet the individualized needs of the student applicant.

The qualification of need for aid is rephrased so as to emphasize the need of the particular student applicant for aid in order to attend that college. This contrasts to the administration's proposal to categorize students according to family incomes and to disregard the needs of students from middle-income families. To the extent that each applicant can draw upon actual help from his family, such help will continue to be considered. He will not, however, be included or excluded from aid because of assumed membership in any social category. The bill recognizes the fact that because of inflation and the extraordinary rise in college costs, few families can now afford to send their sons and daughters on to college and that aid in some measure is necessary for most students.

Self-help is encouraged. The bill will make student aid available to part-time students who typically must work their way through higher education while meeting personal or family obligations that cannot be postponed.

All financial aid programs will be made available to students at accredited proprietary schools. Such students traditionally are striving directly to prepare themselves for the job market. Such self-help efforts should be encouraged.

At the present time a student qualifies for an EOG if his family income is low enough. His own earnings are included in his family income. If he tries to help himself by working, his earnings may raise his family income so as to disqualify himself from aid—an example of the reverse incentive that we so perversely build into many of our programs. The bill would correct this situation by an express provision that an applicant may not be disqualified from receiving aid on account of his earned income if income from other sources does not disqualify him.

The requirement of need is set higher for educational opportunity grants than for the other programs. It is phrased as "exceptional financial need." In the other programs, work-study, NDSL, and the subsidized guaranteed student loan program, the eligibility for aid is in terms that fit each individual; that is, "but for" the aid he could not go to college.

The aid programs are also simplified procedurally as much as possible. The only member of the bureaucracy actually in touch with the student is the student aid officer who executes aid policies determined by his institution. The bill gives him great discretion subject only to the requirements that he provide full information on his decisions and that he be subject to audit. Funds in the EOG and work-study programs are made freely transferable in both directions. The same formula is used for Federal allocation of funds in EOG, work-study, and in the NDSL programs. The institutional matching requirements are eliminated, thus freeing up institutional resources for other purposes.

The period of eligibility of a student for a grant is extended for an additional academic year. This is consistent with making part-time students eligible.

The distinction between initial-year appropriations and later-year appropriations in the EOG program is abolished. Eligibility for an EOG will be determined annually. A "grandfather clause" preserves the rights of those students who are now receiving grants under what is essentially a 4-year program.

The bill introduces a new form of student aid. It is described in subpart 2 of the education opportunity grant program. It makes a self-supporting student eligible for a grant in an amount equal to the income tax on his earnings but not more than \$400. It has always seemed to me most inequitable that we should tax a self-supporting student in order to provide a tax-free grant to another student who by definition does not need help any more than the self-supporting student.

Consistent with the general principle of favoring self-help, the bill emphasizes work-study. That emphasis is consistent with the general approval by colleges and universities of work-study as the best form of student aid. Work-study enables the student to pay as he goes. It has a valuable educational aspect. It also allows a great deal of necessary work to be done on and off campus that is socially valuable.

In institutions of higher education located in communities in which for such reasons as small population few opportunities for work-study exist, such institutions may use work-study funds to make awards in the form of grants. Conversely in large cities an institution may prefer to transfer EOG money to work-study.

The National Defense student loan program is continued. Those loans made out of appropriated funds allow colleges an independence from the difficulties of the money market which is not available in the guaranteed student loan program. The maximum annual national defense student loan is raised from \$1,000 to

\$1,500 and the maximum total loan is raised from \$5,000 to \$6,000. Important steps are taken in the bill to make the loan a truly revolving fund.

The maximum loan in any year is increased from \$1,500 to \$2,500 in the guaranteed student loan program. The maximum total loan is increased from \$7,500 to \$10,000. The term for repayment is retained at 10 years where it is now. The administration proposes to increase the amount of the loan to a possible \$17,500 and to lengthen the term of repayment to 20 years which imposes simply too great a burden on a student for much too long a time. Under the administration's proposal the amount including interest to be repaid might run as high as \$50,000 and the age of the borrower when he finishes repaying might be in the 50's. Authorization for paying special allowances to the lender—(up to 3 percent additional interest)—is extended for 5 years. Although interest rates have dropped continuation of the possibility of paying such special allowances should be continued for a few more years.

At the present time, guaranteed student loan program has subsidized and unsubsidized aspects. A subsidized loan is available to student applicants with an adjusted family income of less than \$15,000. That qualification is dropped in favor of an institutional determination of need. It is better to place the policy decision in the hands of the institution to be carried out by student financial aid officers.

The bill contains secondary market and warehousing provisions for the guaranteed student loans under a Student Loan Market Association. The Student Loan Market Association—"Sally Mae"—will provide the same liquidity that "Fannie Mae" provides in the home mortgage market.

In title V the bill extends the Education Professions Development Act with minor changes.

In title VI it extends other provisions of the law such as international education, acquisition of equipment, networks for knowledge, public service education, and others. Provisions requiring matching funds are modified so as to allow waiver by the Commissioner in appropriate circumstances.

Title VII continues the Higher Education Facilities Act. It also contains a mortgage guarantee provision that is hoped will support the efforts of institutions of higher education to finance their own physical expansion.

Title VIII is an extremely important new provision designed to meet the present emergency in the finances of both public and private higher education institutions. Testimony of witnesses before the subcommittee indicates many institutions are now in a deficit condition consuming endowments and capital assets for current operation expenses. The bill recognizes this emergency and authorizes aid to institutions upon application in an amount equal to \$100 per student in lower division courses, \$150 per student in upper division courses, and \$200 for each graduate student. This

will be based on full-time equivalency on the basis of credits earned in the previous year. There is a weighted factor designed to help small private nontax-supported institutions. For the first 200 students out of the enrollment, each student would be counted at \$300. For the next 200 students, each student would be counted at \$200.

In my judgment, the administration has disregarded storm signals on the academic front. The need for aid is very great. Without such aid, we can be assured that many institutions will fail. Even with such aid there is still a question of the survival of many institutions.

Title IX sets up a new program of interns for political leadership. It has long seemed to me that the young people should have an opportunity to observe and participate in the political process. This program will allow undergraduates to work in city and State governments and in the last year to come to Washington and work in the offices of Representatives and Senators.

Title X sets out provisions which I hope will be of some help in alleviating discrimination against women in our society—and most specifically in our institutions of higher education.

The legislation would amend the Civil Rights Act to prohibit discrimination on the basis of sex in federally financed programs, and would remove the exemption presently existing in title VII of the Civil Rights Act with respect to those in education. It would authorize the Civil Rights Commission to study discrimination against women and would remove the exemption of executive, administrative, and professional employees from the equal pay for equal work provision of the Fair Labor Standards Act.

In banning discrimination on the basis of sex in programs participating in Federal funding, the legislation exempts institutions of higher education whose student bodies are presently one sex, institutions controlled by a religious organization where application of the discrimination provisions would not be consistent with religious tenets, and allows a 5-year period of exemption for institutions changing over from one sex to coeducation status.

Title XI provides programs for mineral conservation education. It has been included at the request of my esteemed colleague, Mr. JOHN DENT, of Pennsylvania, and represents his views with which I concur on the special need for a program which would set up regional centers for education in mineral exploration, production, processing, and control of pollution and related difficulties.

Title XII sets out general contract administration procedures. Within the last several months, I have been engaged in an examination of the contract practices of the Office of Education. I cannot state too strongly my opinion of the generally bad administration in the letting of contracts, review and evaluation that exists today. I am gratified that the administration seems to have recognized the problem. The administration higher education bill—H.R. 5191—includes provisions regarding contract administration

which I was happy to incorporate in this bill as title XII.

Title XIII is included at the special request of my respected fellow committee member, Congressman BURTON of California. It would give the College of the Virgin Islands and the University of Guam the status of land-grant colleges. This provision is long overdue—and as a member not only of the Special Education Subcommittee but as the chairman of the Subcommittee on Trust Territories of the Interior and Insular Affairs Committee, Congressman PHIL BURTON is in a unique position to understand the importance of this provision. I wholeheartedly agree with his recommendation to give both universities land-grant status.

Title XIV requires an evaluation of Federal education programs by the General Accounting Office. It has long seemed to me that much of our money is wasted in badly administered programs or in grants and contracts which produce unusable results. It will be immensely worth while, I am convinced, to authorize the General Accounting Office to make an evaluation of education programs. Such an authorization will provide Congress with an evaluation by an office independent of the office which made the grant or contract.

I commend this bill to the attention of the Members of this House. It is an effort to meet existing and emerging problems in the area of higher education; an area which has received our attention in the past and has frequently been the subject of our concern.

THE ADEQUATE INCOME ACT OF 1971

(Mrs. ABZUG asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. ABZUG. Mr. Speaker, I am introducing today the Adequate Income Act of 1971, a bill which aims at the elimination of poverty once and for all.

This bill guarantees an annual income of \$6,500 for a family of four, which is less than the \$6,900 that the Bureau of Labor Statistics has established as the amount necessary for a lower level of living in an urban area in December 1970.

In addition, the bill provides for work incentives and establishes a system of welfare which guarantees the self-respect and civil rights of the almost one-fifth of our Nation who live in poverty.

For years we have spent billions on welfare for the wealthy in the form of oil depletion allowances, tax loopholes to millionaires and farm subsidies to the undeserving. We have spent billions on welfare payments for the support of corrupt governments around the world.

Large expenditures on welfare are not new. Welfare has not been for the poor, but for the rich and for the corrupt. This bill puts the money in the hands of those who deserve it and need it.

All of the other legislation proposed does little more than perpetuate the vicious and degrading syndrome of poverty. President Nixon and Wilbur Mills

know you cannot support a family on \$2,400 a year.

Critics of this proposal argue that we cannot afford such an expenditure. The question is not what we can afford but what we are willing to spend and on what. We cannot afford a \$76 billion military budget which is not for defense. We cannot afford to continue the illegal, immoral war in Southeast Asia. We cannot afford to spend billions on those projects of the industrial complex which do not benefit the people. It is immoral to provide welfare for the rich.

We have the resources to wipe out poverty; do we have the will? Let the people of this Nation understand that if this Congress does not pass legislation to provide a minimal standard of living for the poor, it is not because it could not afford it but because it did not want to. Inaction would be an embarrassment to the Congress and an act of complete and total disinheritance of the poor. It would be further indication of the callousness and lack of understanding and will on the part of the national leadership.

The priorities should be clear. Children who are forced to go to bed hungry, who do not have decent housing or adequate clothing, men and women who cannot work or who work and cannot make enough to support their families; the elderly and the infirm, this one-fifth of our Nation—they are the priority and not to recognize this is foolish, inhumane, and a disgrace to the Nation.

The people ought to be aware that unlike welfare for the rich, welfare for the poor will help to solve the economic problems we are facing.

The expenditures of this legislation will provide the impetus to make millions of people who are now dependent on the Government, independent. In time it will dramatically decrease Federal, State, and city expenditures on crime control, health care, sanitation, and other services whose costs are so much higher in poverty areas. It will create new revenues through increased consumer potentials and it will provide for increased income tax revenue.

It is time to broaden the national debate on welfare. It is time to discuss welfare in terms that make sense. It is time to reverse the insane priorities of our Nation.

LIEUTENANT CALLEY—AN ACCESSORY TO THE CRIME

(Mrs. ABZUG asked and was given permission to extend her remarks at this point in the RECORD.)

Mrs. ABZUG. Mr. Speaker, we are a nation born out of a revolution to protect the rights of the individual.

Perhaps that is why, as a people, we respond more passionately to the tragedy of an individual, one child, one human being, than to great issues and conflicts that involve thousands or millions.

For the past few days the American people have been all churned up over the fate of Lieutenant Calley, one young soldier convicted of killing 22 people. Some have compared him to Jesus Christ. Others call him a national hero. George Wallace champions him. Regardless of

how they view his acts, most people feel that he is a sacrificial goat, offered up by the Pentagon to deflect attention from its own sins.

I agree with this last point of view. I have joined with 21 other Members of Congress in introducing a resolution proposing a full-scale congressional inquiry into American war crimes and responsibility. I believe that the underlying concept of this war is racist and based on a military strategy of exterminating civilians and destroying the land which sustains the Vietnamese.

I feel, however, that Calley is guilty and deserved to be convicted. For if we believe in the rights of the individual we must also believe in the responsibility of the individual. There were other American soldiers at My Lai who made a decision of moral courage. They decided that they could not shoot down babies. They turned away and would not do it. Calley did.

Are we to tell those American soldiers who knew that it was wrong to kill old men and women and babies that it was really OK? That they are no different or better than Calley? To exonerate Calley is to say that it is all right to follow orders blindly, no matter whether it leads to the murder in gas ovens of millions of Jews, as happened in Nazi Germany, or the torture and murder and indiscriminate slaughter of civilians in Vietnam.

This is not an academic issue. Because while I stand here talking to you today, the war is still going on and other American soldiers are taking orders and following them. And many of them are thinking hard. They are not all following orders. Not any more.

I am talking about the responsibility of the individual, because each one of us has to face in our consciences our personal role in this war.

I saw a news program on TV some time ago that I have never forgotten. It showed a stockholders' meeting of the Dow Chemical Co. They were meeting to hear about their dividends, but some antiwar demonstrators got in and stood in front of the hall, and they held up giant blowups of photographs of Vietnamese babies who had been burned and mutilated by Dow Chemical's napalm.

It was a horrifying sight, but what was most horrifying was that the Dow stockholders did not look at the pictures. They all turned their heads to the side, and would not look, and later they applauded the news of their higher earnings, and went quietly home.

They would not look. This war, which I have opposed from its beginning, has dragged on for 10 years and spread into Cambodia and Laos because the American people have never taken a really full, long look at what has been done in their name.

In the name of America, the White House and the military have been systematically tearing apart three small countries. In South Vietnam, more than a million civilian casualties and over 4 million refugees, their farms, homes, and rice crops destroyed—mostly by us.

In Cambodia, tens of thousands of civilian casualties and 1½ million refugees out of a total population of 6 million.

And in tiny Laos, with less than 3 million people, our planes have been bombing away—not just in the latest fiasco staged by the Thieu government with the full support of the American high command—but for years.

Out of a population of 3 million people in Laos, almost 300,000 are refugees, thousands live in caves in hopes of escaping American bombs. Thousands have been killed.

The fact is that President Nixon, and before him President Johnson, have been conducting this war on the strategy laid down by Gen. Curtis Lemay some time ago. "War is killing people," said the general, "and when you kill enough people, the other side quits." He is, of course, not just talking about killing soldiers, but about killing civilians.

Killing civilians is U.S. policy in Indochina. It is also policy to have saturation bombings, to designate huge areas of Vietnam, Laos, and Cambodia as free-fire zones in which anything that is seen moving may be shot or machinegunned or napalmed. It is policy to burn down entire villages and use chemicals to destroy all vegetation so that the people can no longer live off the land. And as part of this policy, prisoners whom our forces have captured have been thrown to their deaths out of helicopters. They have been tortured in all the ingenious ways that man can devise. And women have been tortured and killed. Children have been made homeless, robbed of their parents, burned, and mutilated. We know that horrors are committed in all wars, but there is one thing that is different about this war. This time it is our own soldiers who are talking about and confessing to these crimes.

Mr. Speaker, I submit that while Lieutenant Calley is a victim of a sick system whose teachings he did not have the strength to overcome, he is nonetheless a duly convicted murderer whose personal atrocities should not go unpunished. He is not alone, rather, the guilt for this and other atrocities goes much higher up and much lower down the ranks of the military, and the responsibility of this Congress is to investigate so that Lieutenant Calley is not allowed to be offered up as a sacrificial lamb to pay for the crimes of others in addition to his own.

Finally, what should be clear from all of this is that the only way to end the atrocities is to end the war and this we in this Congress must do.

NATIONAL UNEMPLOYMENT

(Mr. MADDEN asked and was given permission to extend his remarks at this point in the RECORD and to include a resolution.)

Mr. MADDEN. Mr. Speaker, the House Democratic Steering Committee met this afternoon and unanimously adopted the following resolution: This legislation will be considered on the House floor on Wednesday after Easter recess.

Be it resolved by the House Democratic Steering Committee that, whereas unemployment now officially stands at 6 percent nationally, and that there is a large backlog of needed local public facilities, all Democratic Members of the House are urged to

support H.R. 5376, reactivating the Accelerated Public Works program and extending the Economic Development Administration, the E.D.A. regional commissions, and the Appalachia Commission.

Prior to the adoption of the resolution, Chairman JOHN A. BLATNIK, Democrat of Minnesota, of the House Public Works Committee, presented a statement in support of H.R. 5376. The members of the steering committee were particularly impressed by charts and statistics presented by Representative BLATNIK demonstrating that any additional cost resulting from the enactment of H.R. 5376 would be substantially offset by a marked decline in welfare and unemployment compensation outlays.

The action of the Steering Committee represents the latest effort on the part of House Democrats to counteract the effect of President Nixon's economic policies which have at one and the same time resulted in 6 percent unemployment and galloping inflation.

MISS NANCY HANKS

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

Mr. PEPPER. Mr. Speaker, on the evening of March 25, at the Third Annual Cultural Award Dinner by the Recording Industry Association of America, at the Washington-Hilton Hotel, the lovely and talented Miss Nancy Hanks, Chairman of the National Endowment for the Arts, was the recipient of this coveted annual cultural award of the Recording Industry Association of America. I was particularly pleased to see Miss Hanks receive this award because since her girlhood she, her distinguished father and her lovely mother, have been our friends. Before coming to the chairmanship of the National Endowment for the Arts, she had a distinguished career in contributing to our country's creative and performing arts. She has given inspirational leadership to the National Endowment for the Arts which has made such meaningful contributions to the Endowment's cultural programs at a nationwide grassroots level and for the initiation of new programs of significance to the cultural character of our country. Miss Hanks has had the vision to see what can be done to promote understanding and appreciation of the creative and performing arts by the masses of the people of our country. She has enriched the lives of innumerable people in what she, as Chairman of the National Endowment for the Arts in concert with those working with her, has been able to do. What Miss Hanks has done is simply to further the effort and the ambition of Thomas Jefferson that all the people of America should have a chance to get an education to include an education in the creative and performing arts.

The citation presented to Miss Hanks when she received the award aptly described and recognized what she has meant in her great work to our country.

Mrs. Richard Nixon, our beloved First Lady, also wrote a letter to Miss Hanks upon the occasion of the award expressing her pleasure that Miss Hanks was

receiving this meaningful award and warmly congratulating her upon its receipt.

On the day following the award the Washington Post in an article by Sarah Booth Conroy vividly described the award and the occasion upon which it was presented, as did Mary Anne Dolan of the Evening Star on the same day. Following the award, which she graciously received to the warm applause of the hundreds present, Miss Hanks delivered a very eloquent and informative address in which she told something of the work she has done and our country is doing, and she pointed up high and challenging goals for the National Endowment for the Arts and for our country.

Mr. Speaker, while many Members of Congress, such as the Honorable FRANK THOMPSON, Jr., of New Jersey and others who have so warmly supported Federal legislation providing for and sustaining with evergrowing support the National Endowment for the Arts, were present on this happy occasion, I feel that all the Members of Congress and the people of the country who read this RECORD will benefit from the reading of Miss Hanks' address and the other material which I insert in the RECORD immediately following these remarks:

THIRD ANNUAL CULTURAL AWARD DINNER

Not so very long ago an award given to anyone having anything to do with the arts, if it came in the shape of a tower, would probably have been made of ivory.

Things are different now. One common thing about the arts in America today is that they are so much a natural part of the everyday lives of so many of us. Another common thing about them is their high quality. When quality in art is common you have something to cheer about. We've reached an extraordinary state of affairs when we can count on more quality in the arts than we can expect in the more mundane mechanical objects and services that so frequently frustrate, incapacitate or otherwise daze and craze us.

There isn't any area of the arts today—fine, performing and popular—in which we as a nation are not, at the very least, the peer of any country in the world, if not the leader.

Images however, continue to persist, especially if they are stereotyped ones, long after facts have proven them wrong. There is still loose in the minds of many, a portrait of the American as Babbit, soaking his tired museum-weary feet and groaning to his wife, call her My Gal Sal, that, no, he doesn't want to be dragged to any more of them nutty operas.

And yet, when Americans travel abroad it is to the museums, the concert and opera halls, the theaters, the churches and other great monumental public buildings they flock.

What has come as a sudden surprise is the realization, in stunning magnitude, that we are really little different at home than we are abroad.

Of course, we are sports addicts and we go to the movies, and not always the best ones, and we look greatly at television, and not always at the best that has to offer either.

But we also last year alone clocked through the doors of the nation's museums 600 million times. That is the kind of figure which should make those of us who are interested in museums and what they do for people shout with joy. It says something formidable about how we choose to spend our time.

Nobody forced us through those stately doors. We went because we wanted to.

If we go by attendance—what better index of genuine interest is there in a society in which people make up their own minds as to how they want to spend their free time—we are developing into one of the leading art-conscious nations of the world.

The fact that the studio estates of some 1,500 oils, water-colors, drawings and prints of the great American artist Edward Hopper was just left to the Whitney Museum is front page news—as it would not have been only a few years ago—is a testament to how, at last, America regards its cultural heritage.

We have not yet arrived at the position of Japan which declares its major artists to be "living cultural assets" of the nation. But, for over five years now, since the National Endowment for the Arts was established by an act of Congress, this nation has formally expressed its will to support and encourage the arts and artists of America.

We are concerned, as we should be, with the deteriorating environment, but, within that environment, as we seek to improve it, is an atmosphere of purity and sensibility, the effect of the arts in our daily lives.

A proper portrait of the American today would have to include the essential fact that:

Receipts from admissions to the performing arts organizations have soared from \$356 million in 1960 to \$676 million in 1969;

That, in 1958-59, 24 of our major orchestras gave 2,406 concerts and that ten years later the same 24 orchestras had upped their output by two-thirds, to 4,010 concerts;

That, of our 27 major classic and modern dance companies, four were just getting started 10 years ago and eight others didn't even exist;

That private giving to the arts from foundations, business, and the public has risen steadily, although, so have costs.

In the arts, very unlike all other economically measurable enterprises, increased production does not mean profit or even financial stability. In fact, it can mean the opposite. Admissions cover less than half the total costs of any arts organizations. As more and more Americans visit galleries and museums, as orchestras, operas, theatre and dance companies extend their services to reach an ever greater audience, as the arts expand, so too, in rising disproportion, do expenses and the consequent gap between income and costs.

There are attendance figures at museums, symphonies, opera, rock and roll, pop and folk, and country and western events and festivals that are staggering. But, is there anything more convincing of the fact that the arts are truly a basic part of American life today than the fact that their costs are rising?

The problem is that you cannot increase the prices to pay for them without drastically decreasing your audiences. And, you can't cut costs, which are largely salaries, because for the greater part by far, performers are already vastly underpaid.

Measured in precisely the same way as the costs per man hour to produce a spark-plug or a loaf of bread, we know that the arts are affected by a paradoxical law of inequity.

If you make and sell more spark-plugs your costs per unit in man hours involved decrease and you make more money. You can even make more money while charging less for your product. But no one has yet, fortunately, discovered how to convert a Verdi duet into an aria for solo soprano, or how to trim down a Schubert quintet so that two players can get through it in five minutes. Moreover, if your attendance increases over a season of concerts you do not make more money; rather, the gap between your costs and income grows greater.

What we have begun to recognize is that there is a strict law of diminishing returns which dictates inexorably that as popularity increases and costs rise with it, returns decrease. Nowhere is the description of economics as the "dismal science" more evident than in the performing arts.

But nowhere is the need for them, and the joy in them, and the growing support for them, more clearly apparent than in our country today.

The arts are not, more and more of us are learning, merely embellishments, decorations, pastel icing and entertainment, although they are that too, and it is good that they should be. They are necessary elements, vital to the continuance and enrichment of our individual lives and of our civilization. They are, in fact, the lasting marks of our civilization, the identifying insignia of our nation. Our technical and scientific advances are immense and that is part of our achievement, but the practice, the development and the quality of our arts is our glory.

In the transmission of so substantial a part of that achievement, which is music, your organization, the Recording Industry Association of America, plays no small part. Because of your work we've all got music, and who could ask for anything more, except poetry, drama, and the recorded spoken word, and you supply that too.

The National Endowment for the Arts is honored, and I am grateful, for the distinction of having been selected to receive this beautifully radiant award.

THIRD ANNUAL RIAA CULTURAL AWARD IS PROUDLY PRESENTED TO NANCY HANKS

In recognition and appreciation of her contributions to our country's creative and performing arts. Her exemplary and inspirational leadership as Chairman of the National Endowment for the Arts is in large measure responsible for the extension of the Endowment's cultural programs to a nationwide, grass-roots level, and for the innovation of new programs sponsored by the Endowment. Under her direction there has been initiated a program of grants to 67 symphony orchestras throughout the country. The first program of assistance to the nation's museums has been instituted. Jazz, one of our nation's indigenous musical forms, is being aided and encouraged. In cooperation with the U.S. Office of Education, a nationwide program has been instituted for poets, painters, sculptors, writers, dancers, musicians and actors to bring their art to elementary and secondary school students and teachers. Her personal enthusiasm and love of the arts and her conviction that Government shares with industry, private endowments and individual citizens the responsibility for sustaining artistic and cultural life in the country, helped induce the Congress to grant President Nixon's request that the Endowment's appropriation be doubled. She is truly your nation's First Lady of the Arts and, as such, has earned for herself the everlasting gratitude of the recording industry.

THE WHITE HOUSE,

Washington, D.C., March 25, 1971.

HON. NANCY HANKS,
The Recording Industry Association of America, Inc., Annual Cultural Award Dinner,
Washington Hilton Hotel, Washington, D.C.

DEAR NANCY: Both of us are greatly pleased that you are being honored tonight by The Recording Industry Association of America in receiving their third annual cultural Award.

Through your own appreciation and extensive knowledge of American Art in all its forms, the Nation has benefitted immeasurably

ably by the outstanding contributions you make in bringing to others a more meaningful understanding of our country's rich cultural heritage.

We are happy to send our warm congratulations for this well deserved national tribute which also reflects our own deep personal pride.

Sincerely,

PATRICIA NIXON.

[From the Washington Post, Mar. 26, 1971]

CULTURAL AWARD TO NANCY HANKS

(By Sarah Booth Conroy)

Nancy Hanks, chairman of the National Endowment for the Arts, last night received the E crystal representation of the Washington Monument, which is the Recording Industry Association of America's Cultural Award.

Some 550 people, including congressmen and recording industry executives saw Miss Hanks honored for "cultural programs to a nation-wide, grass-roots level, and for . . . new programs."

Accepting the award, she said she appreciated the "wonderful support that this administration has given for the arts. Not only has the President accomplished a doubling and a doubling again of a budget appropriations for the arts, but he has also honored the arts by entertaining the great jazz musicians in the White House.

Sitting at her table at the dinner last night at the Washington Hilton was Leonard Garment, the President's art adviser. "Leonard," she said, "wanted to play the clarinet, but they didn't invite him."

Also at her table was Rep. Claude Pepper (D-Fla.), who introduced the first bill in support of the arts in 1938. "He says it takes at least 25 years to get a new bill through Congress. I remember vividly the 1954 bill in support of the arts. I typed it. It was beautifully typed. It was labeled "The Toe-Dance Bill."

Now, she said, "we see the move from the remoteness of an ivory tower to the crystal-clear opportunities of everyday life."

Stanley Gortikov, president of Capitol Records, in making the award, cited the endowment innovations of a program of grants to 67 symphony orchestras throughout the country, the first federal aid to museums, and the cross-country program to bring professional artists into the schools.

The award went last year to Willis Conover of the voice of America and, in 1969, to Sen. Jacob Javits (R-N.Y.). The award, made by Steuben Glass Company, is a "star obelisk." It looks like a crystal Washington Monument, engraved with a star design.

The guests ate fried banana fritters, fondue bourgignon, quiche lorraine, and egg rolls before sitting down to a dinner of shrimp, filet of beef, and Souffe Alaska with cherries jubilee.

Guests at the formal affair wore everything from Miss Hanks' chaste pink satin, with high neck and long sleeves, to hot-pants—short shorts with high boots and black stockings, covered by a white, see-through, crocheted, knee-length vest.

[From the Evening Star, Mar. 26, 1971]

NANCY HANKS RECEIVES AWARD

(By Mary Anne Dolan)

She was called the "Nation's First Lady of the Arts," was given a reception, a dinner, an armful of roses and a Steuben glass sculpture; received a letter from Mrs. Nixon and phoned congratulations from the President; was applauded by congressmen, senators and corporate executives and entertained by top recording stars.

And after five straight hours of testimonial, the Recording Industry Association of America still wasn't through with Nancy Hanks.

Miss Hanks, who since 1969 has been chairman of the National Endowment for the Arts and the National Council on the Arts, was the recipient last night of the RIAA's third annual cultural award.

Claiming that she "can't play the piano and can't carry a tune," the relaxed Miss Hanks humbly thanked her audience of some 600 guests gathered in the grand ballroom of the Washington Hilton, specifically the "new forces of support for the arts" (some of them gathered at her own table):

"Len Garment (the President's assistant for the arts), who had a little trouble keepin' at the table 'cause he wanted to get up on stage and play the clarinet. . . .

"The President, who seems to love entertaining the great artists at the White House . . . he claimed that his great public speaking ability goes back to early musical training. . . .

"Claude Pepper (congressman from Florida), who introduced the first bill in support of the arts in Congress in 1938. . . .

"Sid Marlin, the commissioner of education," for his support of arts in the schools. . . .

"And the nation's press . . . we're off the society pages now and on the front pages."

DEDICATION OF NATIONAL GREEK ORTHODOX MEMORIAL SHRINE OF ST. PHOTIOS IN THE HEART OF OLD ST. AUGUSTINE, FLA.

(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, last Saturday, April 3, in St. Augustine, Fla., an event of great historical significance took place. At that time representatives of the great Greek communities of Florida dedicated the National Greek Orthodox Memorial Shrine of St. Photios in the heart of old St. Augustine.

The first Greeks came to this country in 1767 and first established themselves in what is now Volusia County near New Smyrna. They later moved to St. Augustine and expressing the strong spiritual influence which has ever prevailed in their lives they established the place of worship of the first permanent settlement of Greeks on this continent.

The Greek Americans of our country have long been among our most dedicated and distinguished citizens. They are industrious, law abiding, honorable, and able. It is inspiring that the Greek Americans of Florida of today still cherish this ancient Greek shrine and now, especially dedicated, as an ancient yet living symbol of the religious devotion of these great citizens.

The Governor and the members of the cabinet of the State of Florida on the 9th day of March 1971, passed a resolution commending the dedication of this shrine by the Greek Americans of Florida and paid high tribute to what Greek Americans have contributed to Florida and to America.

Mr. Speaker, I include in the RECORD immediately following my remarks, the resolution adopted by the Governor and the cabinet of the State of Florida:

RESOLUTION

Whereas, the State of Florida has achieved a position of national prominence as a result of its cultural, scientific and political contributions to our nation; and

Whereas, we are justifiably proud of the

rich heritage and background which belong to all of Florida and which has proven to be the mainstay and leveling influence in the orderly growth and progress enjoyed by Florida; and

Whereas, the members of the Greek-American communities of Florida, whose ancestors first came to this country in 1767, having distinguished themselves by their service to their state and nation in all walks of life; and

Whereas, it is with a deep sense of pride and appreciation that we note the establishment in Saint Augustine, Florida, of the National Greek Orthodox Memorial Shrine of St. Photios commemorating the place of worship of the first permanent settlement of Greeks on this continent.

Now, therefore, be it unanimously resolved by the Governor and the Florida Cabinet in meeting duly convened in Tallahassee, Florida, on the ninth day of March, 1971, that we do join with our Greek brethren in their moment of pride and sense of accomplishment on the momentous occasion of the dedication of the National Greek Orthodox Memorial Shrine of St. Photios to be held in Saint Augustine, Florida, on the third day of April, 1971.

Be it further resolved that the Honorable Tom Adams, Lieutenant Governor, and the Honorable Richard (Dick) Stone, Secretary of State, shall attend the dedication ceremonies as official representatives of this Cabinet and the State of Florida.

Witness the signatures of the Governor and members of the Cabinet of the State of Florida and the affixing hereto of the Great Seal of the State of Florida this 9th day of March, 1971.

REUBIN O'D. ASKEW,
Governor.

GREAT ACCOMPLISHMENTS OF AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation.

America has a great engineering record. The Verrazano-Narrows Bridge, between Staten Island and Brooklyn, N.Y., has a suspension span of 4,260 feet—the longest in the world.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FOUNTAIN (at the request of Mr. PEPPER), for today from 12 noon to 1 p.m., on account of official business.

Mrs. HICKS (at the request of Mr. O'NEILL of Massachusetts), for April 6 and 7, on account of official business.

Mr. MURPHY (at the request of Mr. O'NEILL of Massachusetts), for April 6 and 7, on account of official business.

Mr. JONES of Tennessee (at the request of Mr. O'NEILL of Massachusetts), for April 6 and 7, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GONZALEZ, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. RYAN, for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. RUTH) and to revise and extend their remarks and include therein extraneous matter:)

Mr. BRAY, for 10 minutes, on April 6.

Mr. BELL, for 20 minutes, on April 6.

Mr. HORTON, for 15 minutes, today.

Mr. MIZELL, for 5 minutes, today.

Mr. VANIK, for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. BERGLAND) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 30 minutes, today.

Mr. KASTENMEIER, for 10 minutes, today.

Mr. BIAGGI, for 30 minutes, today.

Mr. O'HARA, for 30 minutes today.

Mr. HAGAN, for 5 minutes, today.

Mr. PASSMAN, for 10 minutes today.

Mr. RARICK, for 15 minutes, today.

Mr. CORMAN, for 60 minutes, on April 29.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FRELINGHUYSEN and to include extraneous matter.

Mr. MICHEL and to include extraneous material, today, during consideration of education appropriation.

Mr. BENNETT and to include extraneous material.

Mr. SMITH of Iowa to include tables with his remarks made today in the Committee of the Whole.

Mr. FLOOD to revise and extend remarks made in Committee of the Whole and include extraneous matter and tables and charts.

Mr. SHRIVER to revise and extend remarks made in Committee of the Whole and include extraneous matter.

(The following Members (at the request of Mr. RUTH) and to include extraneous matter:)

Mr. MINSHALL in six instances.

Mr. BROOMFIELD.

Mr. MCKINNEY.

Mr. ESCH.

Mr. BOB WILSON in four instances.

Mr. BRAY in two instances.

Mr. SCHWENGL.

Mr. WYMAN in two instances.

Mr. TERRY.

Mr. KEMP in three instances.

Mr. BROWN of Michigan.

Mr. SCOTT.

Mr. MCCOLLISTER.

Mr. DENNIS.

Mr. ERLNBORN.

Mr. DELLENBACK in two instances.

Mr. ROUSSELOT.

Mr. SCHMITZ.

Mr. ASHBROOK in two instances.

Mr. WHITEHURST.

Mr. SPRINGER.

Mr. SANDMAN.

Mr. HALPERN.

Mr. COLLINS in five instances.
 Mr. GOODLING.
 Mr. FRENZEL.
 Mr. McCLORY in two instances.
 Mr. GUDE.
 Mr. MIZELL.
 Mr. HOSMER in three instances.
 Mr. ARENDS in three instances.
 Mr. LENT in two instances.
 Mr. ROBISON of New York.
 Mr. PELY in three instances.
 (The following Members (at the request of Mr. BERGLAND) and to include extraneous material:)
 Mr. BOLLING.
 Mr. GREEN of Pennsylvania in four instances.
 Mr. BYRON in six instances.
 Mr. EDWARDS of California in two instances.
 Mr. JAMES V. STANTON in two instances
 Mr. BIAGGI in 10 instances.
 Mr. GALIFIANAKIS in two instances.
 Mr. STUCKEY.
 Mr. KARTH.
 Mr. WALDIE in three instances.
 Mr. RODINO in three instances.
 Mr. RARICK in three instances.
 Mr. GONZALEZ in two instances.
 Mr. ROSTENKOWSKI in two instances.
 Mr. STOKES in three instances.
 Mr. COTTER.
 Mr. ANDREWS of Alabama.
 Mr. UDALL in six instances.
 Mr. EVINS of Tennessee in two instances.
 Mr. FOUNTAIN in two instances.
 Mr. KLUCZYNSKI in two instances.
 Mr. EDMONDSON in three instances.
 Mr. ANDERSON of California in five instances.
 Mr. CARNEY in two instances.
 Mr. MIKVA in two instances.
 Mr. HUNGATE in two instances.
 Mr. CONYERS in two instances.
 Mr. GAYDOS in six instances.
 Mr. BADILLO in two instances.
 Mr. DANIEL of Virginia in two instances.
 Mr. WILLIAM D. FORD in three instances.
 Mr. ANDERSON of Tennessee in three instances.
 Mr. FASCELL in two instances.
 Mr. CORMAN.
 Mr. EVANS of Colorado.
 Mrs. ABZUG.
 Mrs. GRIFFITHS.
 Mr. DANIELS of New Jersey.
 Mr. BRADEMAS in eight instances.
 Mr. FRASER.
 Mr. WOLFF in two instances.
 Mr. MINISH.
 Mr. ADAMS.
 Mr. BINGHAM.
 Mr. ICHORD.
 Mr. BURLISON of Missouri.
 Mrs. SULLIVAN in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 484. An act to authorize and direct the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forests, in Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 581. An act to amend the Export-Import Bank Act of 1945, as amended, to allow for greater expansion of the export trade of the United States, to exclude Bank receipts and disbursements from the budget of the U.S. Government, to extend for 3 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves and against full reserves, insurance and guarantees, to authorize the Bank to issue for purchase by any purchaser its obligations maturing subsequent to June 30, 1976, and for other purposes; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. BERGLAND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 22 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 7, 1971, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

532. A communication the President of the United States, proposing a supplemental appropriation for the Department of Transportation for fiscal year 1971, together with a letter from the Director of the Office of Management and Budget (H. Doc. No. 92-82); to the Committee on Appropriations and ordered to be printed.

533. A letter from the Administrator of Veterans' Affairs, transmitting the annual report of the Veterans' Administration for fiscal year 1970, pursuant to 38 U.S.C. 214 (H. Doc. No. 92-83); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

534. A letter from the Deputy Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of molybdenum from the national stockpile; to the Committee on Armed Services.

535. A letter from the Deputy Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

536. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to provide Federal revenues to State and local governments and afford them broad discretion in carrying out community development activities and to help States and localities to improve their decisionmaking and management capabilities; to the Committee on Banking and Currency.

537. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen education by providing a share of the revenue of the United States to the States and to local educational agencies for the purpose of assisting them in carrying out education programs reflecting areas of national concern; to the Committee on Education and Labor.

538. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the settlement of certain land claims of Alaska natives, and for other purposes; to the Committee on Interior and Insular Affairs.

539. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the assumption of

the control and operation by Indian tribes and communities of certain programs and services provided for them by the Federal Government, and for other purposes; to the Committee on Interior and Insular Affairs.
 540. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204 (d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

541. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

542. A letter from the Chairman, American Revolution Bicentennial Commission, transmitting a draft of proposed legislation to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended; to the Committee on the Judiciary.

543. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to retain coverage under the laws providing employee benefits, such as compensation for injury, retirement, life insurance, and health benefits for employees of the Government of the United States who transfer to Indian tribal organizations to perform services in connection with governmental or other activities which are or have been performed by Government employees in or for Indian communities, and for other purposes; to the Committee on Post Office and Civil Service.

544. A letter from the Administrator of General Services, transmitting the 1970 annual report of the General Services Administration, pursuant to 40 U.S.C. 610(a); to the Committee on Public Works.

545. A letter from the Acting Administrator of General Services, transmitting a prospectus proposing the construction of an annex to the Foley Square Courthouse in New York City, pursuant to 73 Stat. 480; to the Committee on Public Works.

RECEIVED FROM THE COMPTROLLER GENERAL

546. A letter from the Comptroller General of the United States, transmitting a list of General Accounting Office reports issued or released in March 1971, pursuant to section 234 of the Legislative Reorganization Act of 1970; to the Committee on Government Operations.

547. A letter from the Comptroller General of the United States, transmitting a report on opportunities for improvement in the development and evaluation of design alternatives for Federal water resources projects by the Corps of Engineers, Department of the Army and the Bureau of Reclamation, Department of the Interior; 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. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 6444. A bill to amend the Railroad Retirement Act of 1937 to provide a 10-percent increase in annuities; with an amendment (Rept. No. 92-115). Referred to the Committee of the Whole House on the State of the Union.

Mr. KASTENMEIER: Committee on the Judiciary. H.R. 234. A bill to amend title 18, United States Code, to prohibit the establish-

ment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the United States Government except in conformity with the provisions of title 18; with amendments (Rept. No. 92-116). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 373. Resolution providing for the consideration of H.R. 5376, a bill to extend the Public Works Acceleration Act, the Public Works and Economic Development Act of 1965, and the Appalachian Regional Development Act of 1965 (Rept. No. 92-117). Referred to the House Calendar.

Mr. YOUNG of Texas: Committee on Rules. House Resolution 320. Resolution transferring jurisdiction of the Subcommittee on Foundations of the Select Committee on Small Business to the Committee on Banking and Currency (Rept. No. 92-118). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE 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. SMITH of New York: Committee on the Judiciary. H.R. 1836. A bill for the relief of Ruth V. Hawley, Marvin E. Krell, Elaine E. Benic, and Gerald L. Thayer (Rept. No. 92-107). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 1890. A bill for the relief of Robert F. Cheatwood, Walter R. Cottom, Kenneth Greene, Kenneth L. March, Ernest Levy, and the estate of Charles J. Hiler (Rept. No. 92-108). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 2246. A bill for the relief of Charles C. Smith; with amendments (Rept. No. 92-109). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 3749. A bill for the relief of Richard C. Walker; with amendments (Rept. No. 92-110). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 3753. A bill for the relief of Sgt. Ernie D. Bethea, U.S. Marine Corps (retired); (Rept. No. 92-111). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 5657. A bill for the relief of William D. Pender; (Rept. No. 92-112). Referred to the Committee of the Whole House.

Mr. SANDMAN: Committee on the Judiciary. H.R. 5900. A bill for the relief of John Borbridge, Jr.; with an amendment (Rept. No. 92-113). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary. H.R. 6100. A bill for the relief of Janis Zalcmanis, Gertrude Jansons, Lorena Jansons Murphy, and Asja Jansons Lidars; (Rept. No. 92-114). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 7209. A bill to amend the Airport and Airway Development and Revenue Acts of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes;

to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS:

H.R. 7210. A bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes; to the Committee on Agriculture.

By Mr. ASPINALL (for himself, Mr. BARING, Mr. TAYLOR, Mr. UDALL, and Mr. KYL):

H.R. 7211. A bill to establish public land use policy, to establish guidelines for its administration, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BADILLO:

H.R. 7212. A bill: Urban Education Improvement Act of 1971; to the Committee on Education and Labor.

H.R. 7213. A bill to regulate the election of Members of Congress by prohibiting the imposition of durational residency requirements as a condition of voting for such officers, and providing a procedure for absentee voting and registration; to the Committee on House Administration.

By Mr. BROOMFIELD:

H.R. 7214. A bill to terminate all price support programs for tobacco beginning with the 1972 crop of tobacco; to the Committee on Agriculture.

By Mr. BUCHANAN:

H.R. 7215. A bill to amend the Internal Revenue Code of 1954 to provide for the amortization of facilities used for the recycling, reprocessing, or reclamation of ferrous metal; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 7216. A bill to provide maternity benefits for pregnant wives of certain former servicemen; to the Committee on Armed Services.

By Mr. CONABLE:

H.R. 7217. A bill to protect ocean mammals from being pursued, harassed, or killed; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CRANE:

H.R. 7218. A bill to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft; to the Committee on Merchant Marine and Fisheries.

H.R. 7219. A bill to repeal certain provisions of law relating to the private carriage of letters, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DE LA GARZA:

H.R. 7220. A bill to amend the Fishermen's Protective Act of 1967 to expedite the reimbursement of U.S. vessel owners for charges paid by them for the release of vessels and crews illegally seized by foreign countries, to strengthen the provisions therein relating to the collection of claims against such foreign countries for amounts so reimbursed and for certain other amounts, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DELLENBACK:

H.R. 7221. A bill to authorize the Secretary of the Interior to engage in a feasibility study of a water resource development; to the Committee on Interior and Insular Affairs.

By Mr. DEVINE:

H.R. 7222. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. DULSKI:

H.R. 7223. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in mak-

ing repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. FORSYTHE:

H.R. 7224. A bill to provide for Government guarantee of private loans to certain motorbus operators for purchase of modern motorbuses and equipment to foster the development and use of more modern and safer operating equipment by such carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H.R. 7225. A bill to authorize the Secretary of the Interior to protect, manage, and control free-roaming horses and burros on public lands; to the Committee on Interior and Insular Affairs.

By Mr. KOCH (for himself, Mr. ANNUNZIO, Mr. BRADENAS, Mr. BURLINSON of Missouri, Mr. COLLINS of Illinois, Mr. CONYERS, Mr. COTTER, Mr. COUGHLIN, Mr. DANIELS of New Jersey, Mr. DERWINSKI, Mr. DIGGS, Mr. DINGELL, Mr. FISH, Mr. GUDE, Mr. HELSTOSKI, and Mr. KEE):

H.R. 7226. A bill to amend title 5, United States Code, to provide that individuals be apprised of records concerning them which are maintained by Government agencies; to the Committee on Government Operations.

By Mr. KOCH (for himself, Mr. KYROS, Mr. LLOYD, Mr. McMILLAN, Mr. MEEDS, Mr. MELCHER, Mr. MIKVA, Mr. MILLER of California, Mr. NEDZI, Mr. NIX, Mr. PATTEN, Mr. PERKINS, Mr. PETTIS, Mr. REUSS, and Mr. SHOUP):

H.R. 7227. A bill to amend title 5, United States Code, to provide that individuals be apprised of records concerning them which are maintained by Government agencies; to the Committee on Government Operations.

By Mr. MCCORMACK:

H.R. 7228. A bill to require the Secretary of Transportation to prescribe regulations requiring certain modes of public transportation in interstate commerce to reserve some seating capacity for passengers who do not smoke; to the Committee on Interstate and Foreign Commerce.

H.R. 7229. A bill to protect ocean mammals from being pursued, harassed, or killed; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MIKVA:

H.R. 7230. A bill to amend the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 7231. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage under that act, to extend its coverage, to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas, and for other purposes; to the Committee on Education and Labor.

H.R. 7232. A bill to provide for the establishment of the Gateway National Recreation Area in the States of New York and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7233. A bill to extend to hawks and owls the protection now accorded to bald and golden eagles; to the Committee on Merchant Marine and Fisheries.

H.R. 7234. A bill to amend part A of title IV of the Social Security Act to make the program of aid to families with dependent children a wholly Federal program, to be administered by local agencies under federally prescribed terms and conditions (embodying the eligibility formulas currently in effect in the several States but designed to encourage such States to apply nationally uniform standards), with the cost being fully borne by the Federal Government; to the Committee on Ways and Means.

H.R. 7235. A bill to amend titles II and XVIII of the Social Security Act to extend medicare benefits, without regard to age, to disability beneficiaries under the OASDI program and all other cash beneficiaries under such program (and the railroad retirement program) whose entitlement is based on disability; to the Committee on Ways and Means.

H.R. 7236. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

H.R. 7237. A bill to assist school districts to meet special problems incident to desegregation, and to the elimination, reduction, or prevention of racial isolation in elementary and secondary schools, and for other purposes; to the Committee on Education and Labor.

By Mr. WALDIE (for himself, Mr. EDWARDS of California, Mr. MCCLOSKEY, Mr. HAWKINS, Mr. DELLUMS, Mr. REES, Mr. HANNA, and Mr. DANIELSON):

H.R. 7238. A bill to amend the National Wild and Scenic Rivers Act of 1968 (Public Law 90-542), to include the Eel, Klamath, and Trinity Rivers as components of the national wild and scenic rivers system; to the Committee on Interior and Insular Affairs.

By Mr. WHITEHURST:

H.R. 7239. A bill to amend the Small Business Act to authorize loans to assist small business concerns in constructing, expanding, or altering facilities to comply with the requirements of newly enacted Federal laws; to the Committee on Banking and Currency.

H.R. 7240. A bill to amend the act of December 5, 1969 (Public Law 91-135); to the Committee on Merchant Marine and Fisheries.

By Mr. WYMAN:

H.R. 7241. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce to avoid compliance with such order; to the Committee on the Judiciary.

H.R. 7242. A bill to amend the act of August 27, 1954 (commonly known as the Fisherman's Protective Act), to conserve and protect Atlantic salmon of North American origin; to the Committee on Merchant Marine and Fisheries.

By Mr. FISH:

H.R. 7243. A bill to authorize the Secretary of Transportation to carry out a special program of transportation research and development utilizing the unique experience and manpower of the airframe and defense industries, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FISH (for himself, Mr. BUCHANAN, Mr. CLEVELAND, Mr. DRINAN, Mr. FRELINGHUYSEN, Mr. FREY, Mr. FULTON of Pennsylvania, Mr. HASTINGS, and Mr. KEITH):

H.R. 7244. A bill to provide for Government guarantee of private loans to certain motorbus operators for purchase of modern motorbuses and equipment, to foster the development and use of more modern and safer operating equipment by such carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 7245. A bill to amend title 38 of the United States Code to provide an alternative method for computing dependency and indemnity compensation in order to insure that in certain instances the survivors of deceased veterans receive an amount of compensation equal to that to which they would have been entitled if such veterans had been civil service employees killed while perform-

ing job-related functions; to the Committee on Veterans' Affairs.

H.R. 7246. A bill to amend title 38 of the United States Code to provide for automatic cost-of-living increases in dependency and indemnity compensation payable thereunder, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GONZALEZ:

H.R. 7247. A bill to amend the Renegotiation Act of 1951, and for other purposes; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon (for herself, Mr. PERKINS, Mr. BURTON, Mr. DENT, Mr. DANIELS of New Jersey, Mr. PUCINSKI, Mr. BRADENAS, and Mr. SCHEUER):

H.R. 7248. A bill to amend and extend the Higher Education Act of 1965 and other acts dealing with higher education; to the Committee on Education and Labor.

By Mr. GREEN of Pennsylvania:

H.R. 7249. A bill to amend the Social Security Act to authorize a family assistance plan providing basic benefits to low-income families with children with incentives for employment and training to improve the capacity for employment of members of such families, to achieve more uniform treatment of recipients under the Federal-State public assistance programs and otherwise improve such programs, to provide on a gradual basis for the full payment of the costs of such programs by the Federal Government, to require the States to share with their political subdivisions the amounts saved as a result of the increased Federal payments, to provide for a program of revenue sharing, and for other purposes; to the Committee on Ways and Means.

By Mr. HANSEN of Idaho (for himself, Mr. HAMMERSCHMIDT, and Mr. PRYOR of Arkansas):

H.R. 7250. A bill to amend the Rail Passenger Service Act of 1970 in order to expand the basic rail passenger transportation system to provide service to certain States; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H.R. 7251. A bill to authorize a program to develop and demonstrate low-cost means of preventing shoreline erosion; to the Committee on Public Works.

By Mrs. MINK:

H.R. 7252. A bill to amend 10, United States Code, to provide that any member of an Armed Force having less than 1 year remaining in his active duty service obligation, shall if he so requests, be assigned to duty near his home of record after serving a tour of duty in a combat zone; to the Committee on Armed Services.

By Mr. PELLY (for himself, Mr. GARMATZ, Mr. VAN DEERLIN, and Mr. BOB WILSON):

H.R. 7253. A bill to amend the Fishermen's Protective Act of 1967 to expedite the reimbursement of U.S. vessel owners for charges paid by them for the release of vessels and crews illegally seized by foreign countries, to strengthen the provisions therein relating to the collection of claims against such foreign countries for amounts so reimbursed and for certain other amounts, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PEPPER:

H.R. 7254. A bill to authorize the payment by the United States of all the financial obligations under existing Federal-State welfare programs under the Social Security Act and waiving matching payments from the respective States for the fiscal year beginning on July 1, 1971, and to replace said programs with a national plan of income to enable the aged, blind, or severely disabled persons and families with children to attain a standard of living sufficient to provide for basic human needs, to provide incentives for employment and training to improve the capacity of em-

ployment of such persons and family members, and otherwise to improve their living conditions, and for other purposes; to the Committee on Ways and Means.

By Mr. PRYOR of Arkansas:

H.R. 7255. A bill to provide that certain expenses incurred in the construction of the Camden High School in Camden, Ark., shall be eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. QUILLEN:

H.R. 7256. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RANGEL (for himself, Mrs. CHISHOLM, Mr. CLAY, Mr. COLLINS of Illinois, Mr. CONYERS, Mr. DELLUMS, Mr. DIGGS, Mr. HAWKINS, Mr. METCALFE, Mr. MITCHELL, Mr. NIX, Mr. STOKES, Mrs. ABZUG, Mr. BADILLO, Mr. HALPERN, Mr. HECHLER of West Virginia, Mr. MIKVA, Mr. PRICE of Illinois, Mr. ROSENTHAL, Mr. ROYBAL, and Mr. RYAN):

H.R. 7257. A bill; the Adequate Income Act of 1971; to the Committee on Ways and Means.

By Mr. SANDMAN:

H.R. 7258. A bill to order the construction of a Veterans' Administration hospital in the southern area of New Jersey; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of California:

H.R. 7259. A bill to authorize the Secretary of Agriculture to cooperate with the States and subdivisions thereof in the enforcement of State and local laws, rules, and regulations within the national forest system; to the Committee on Agriculture.

By Mr. WALDIE:

H.R. 7260. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WHITEHURST:

H.R. 7261. A bill to amend title 10, United States Code, to restore the system of recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. ZWACK (for himself, Mr. CONABLE, and Mr. ANDREWS of North Dakota):

H.R. 7262. A bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes; to the Committee on Agriculture.

By Mr. ABERNETHY:

H.R. 7263. A bill to amend article 52 of the Uniform Code of Military Justice to require the concurrence of all members of a court-martial to convict any person of violating a punitive article under such code; to the Committee on Armed Services.

By Mrs. ABZUG:

H.R. 7264. A bill: The Adequate Income Act of 1971; to the Committee on Ways and Means.

By Mr. BADILLO:

H.R. 7265. A bill: Government Facilities Location Act of 1971; to the Committee on Banking and Currency.

By Mr. BROYHILL of North Carolina:

H.R. 7266. A bill to amend the Airport and Airway Development and Revenue Acts of

1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 7267. A bill to amend the District of Columbia Public Space Utilization Act to provide for the proper disposition of a certain portion of land located along the Potomac River shore; to the Committee on the District of Columbia.

By Mr. BURKE of Massachusetts (for himself, Mr. BURTON, Mr. BYRNE of Pennsylvania, Mrs. CHISHOLM, Mr. HALPERN, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. KOCH, Mr. NIX, Mr. OBEY, Mr. O'KONSKI, Mr. PODELL, Mr. ROSENTHAL, Mr. RYAN, Mr. TIERNAN, Mr. PATTEN, and Mr. ST GERMAIN):

H.R. 7268. A bill to amend title II of the Social Security Act to provide a 50-percent across-the-board increase in benefits thereunder, with the resulting benefit costs being borne equally by employers, employees, and the Federal Government, and to raise the amount of outside earnings which a beneficiary may have without suffering deductions from his benefits; to the Committee on Ways and Means.

By Mr. BURTON:

H.R. 7269. A bill relating to the Trust Territory of the Pacific Islands; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 7270. A bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes; to the Committee on Agriculture.

By Mr. CELLER (for himself and Mr. POFF):

H.R. 7271. A bill to authorize appropriations for the Commission on Civil Rights; to the Committee on the Judiciary.

By Mr. GERALD R. FORD:

H.R. 7272. A bill to amend section 209 (a) and (b) of title 37, United States Code, to provide increased subsistence allowances for Senior Reserve Officers' Training Corps members; to the Committee on Armed Services.

H.R. 7273. A bill to provide subsistence allowances for members of the Marine Corps officer candidate programs; to the Committee on Armed Services.

H.R. 7274. A bill to promote more effective management of certain related functions of the executive branch by reorganizing and consolidating those functions in a new Department of Natural Resources, and for other purposes; to the Committee on Government Operations.

H.R. 7275. A bill to promote more effective management of the executive branch by reorganizing and consolidating certain related functions of the Government in a new Department of Human Resources, and for other purposes; to the Committee on Government Operations.

H.R. 7276. A bill to promote more effective management of certain related functions of the executive branch by reorganizing and consolidating those functions in a new Department of Community Development, and for other purposes; to the Committee on Government Operations.

H.R. 7277. A bill to promote more effective management of certain related functions of the executive branch by reorganizing and consolidating those functions in a new Department of Economic Affairs, and for other purposes; to the Committee on Government Operations.

H.R. 7278. A bill to provide incentives for increasing the amount of information available to consumers respecting consumer products; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 7279. A bill to authorize a White House Conference on Education; to the Committee on Education and Labor.

H.R. 7280. A bill to provide for the arrest and punishment of violators of certain laws and regulations relating to the public lands; to the Committee on Interior and Insular Affairs.

H.R. 7281. A bill declaring a public interest in the open beaches of the Nation, providing for the protection of such interest, for the acquisition of easements pertaining to such seaward beaches and for the orderly management and control thereof; to the Committee on Interior and Insular Affairs.

H.R. 7282. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

H.R. 7283. A bill to amend the Internal Revenue Code of 1954 in relation to expenses for care of certain dependents; to the Committee on Ways and Means.

By Mr. GOLDWATER (for himself,

Mr. GERALD R. FORD, Mr. BELL, Mr. KEMP, Mr. RAILSBACK, Mr. WINN, Mr. QUIE, Mr. HALPERN, Mr. SMITH, of California, Mr. STEIGER of Arizona, Mr. WIGGINS, Mr. SHOUP, Mr. MOSS, Mr. MOSHER, Mr. CORMAN, Mr. BURTON, Mr. DERWINSKI, Mr. BROWN, of Michigan, Mr. LUJAN, Mr. MONTGOMERY, Mr. CAMP, Mr. TEAGUE of California, Mr. ROUSSELOT, Mr. VEYSEY, and Mr. McCLOSKEY):

H.R. 7284. A bill to provide for the arrest and punishment of violators of certain laws and regulations relating to the public lands; to the Committee on Interior and Insular Affairs.

By Mr. GOLDWATER (for himself,

Mr. HARRINGTON, Mr. PETTIS, Mr. MANN, Mr. FORSYTHE, Mr. WARE, Mr. SAYLOR, Mr. DELLUMS, Mr. ZWACH, Mr. HUNGATE, Mr. CLEVELAND, Mr. SEBELIUS, Mr. ST GERMAIN, and Mr. REES):

H.R. 7285. A bill to provide for the arrest and punishment of violators of certain laws and regulations relating to the public lands; to the Committee on Interior and Insular Affairs.

By Mr. GOLDWATER (for himself,

Mr. HALEY, Mr. DON H. CLAUSEN, Mr. DINGELL, Mr. DELLENBACK, Mr. DONOHUE, Mr. ESCH, Mr. DRINAN, Mr. BRASCO, Mr. JOHNSON of Pennsylvania, Mr. PIRNIE, Mr. THONE, and Mr. SCOTT):

H.R. 7286. A bill to provide for the arrest and punishment of violators of certain laws and regulations relating to the public lands; to the Committee on Interior and Insular Affairs.

By Mr. HATHAWAY (for himself and Mr. KYROS):

H.R. 7287. A bill to prohibit trading in Irish potato futures on commodity exchanges; to the Committee on Agriculture.

By Mr. HAWKINS:

H.R. 7288. A bill to amend section 222 of the Economic Opportunity Act of 1964, as amended; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 7289. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage under that act, to extend its coverage, to establish procedures to relieve domestic industries and workers injured by

increased imports from low-wage areas, and for other purposes; to the Committee on Education and Labor.

By Mr. HORTON:

H.R. 7290. A bill to provide a procedure for the exercise of congressional and executive powers over the use of any Armed Forces of the United States in military hostilities, and for other purposes; to the Committee on Rules.

By Mr. KOCH (for himself, Mrs. DWYER, and Mr. YATES):

H.R. 7291. A bill to amend title 5, United States Code, to provide that individuals be apprised of records concerning them which are maintained by Government agencies; to the Committee on Government Operations.

By Mr. LATTA (for himself, Mr. ARCHER, Mr. BROOMFIELD, Mr. BUCHANAN, Mr. COLLIER, Mr. COLLINS of Texas, Mr. DOWDY, Mr. EDWARDS of California, Mr. ESCH, Mr. FORSYTHE, Mr. FRELINGHUYSEN, Mrs. GREEN of Oregon, Mr. HALPERN, Mr. HANLEY, Mr. JONES of North Carolina, Mr. LENNON, Mr. MAZZOLI, Mr. MICHEL, Mr. MILLER of Ohio, Mr. RARICK, Mr. SHERIVER, Mr. WAGGONNER, and Mr. WILLIAMS):

H.R. 7292. A bill to amend article 52 of the Uniform Code of Military Justice to require the concurrence of all members of a court-martial to convict any person of violating a punitive article under such code; to the Committee on Armed Services.

By Mr. McCLURE (for himself and Mr. HANSEN of Idaho):

H.R. 7293. A bill to amend the Water Resources Research Act of 1964 to increase the authorization for water resources research and institutes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McCLURE (for himself and Mr. SIKES):

H.R. 7294. A bill to encourage States to establish motor vehicle disposal programs and to provide for federally guaranteed loans and tax incentives for the acquisition of automobile scrap processing equipment; to the Committee on Ways and Means.

By Mr. MELCHER:

H.R. 7295. A bill to authorize and direct the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forests, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MILLS:

H.R. 7296. A bill to amend section 103 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 7297. A bill to provide that memorial plots and markers be provided for persons otherwise eligible for burial in national cemeteries but whose remains are accidentally lost before such burial is made; to the Committee on Armed Services.

By Mr. PETTIS:

H.R. 7298. A bill to provide for the arrest and punishment of violators of certain laws and regulations relating to the public lands; to the Committee on Interior and Insular Affairs.

By Mr. STAFFORD (for himself, Mr. ANDREWS of North Dakota, Mr. HORTON, Mr. MAILLIARD, Mr. MOSHER, Mr. SCHWENGEL, and Mr. WHITEHURST):

H.R. 7299. A bill to provide for the disclosure of all campaign expenditures, establish one campaign depository, and one campaign treasurer, and for other purposes; to the Committee on Standards of Official Conduct.

By Mr. TALCOTT:

H.R. 7300. A bill to authorize the Secretary of Agriculture to cooperate with the States and subdivisions thereof in the enforcement of State and local laws, rules, and

regulations within the national forest system; to the Committee on Agriculture.

H.R. 7301. A bill to provide for the arrest and punishment of violators of certain laws and regulations relating to the public lands; to the Committee on Interior and Insular Affairs.

By Mr. TALCOTT (for himself, Mr. PETTIS, and Mr. CORMAN):

H.R. 7302. A bill to amend section 3121 (b) (10) (B) of the Internal Revenue Code of 1954, regarding employees of exempt organizations; to the Committee on Ways and Means.

By Mr. TAYLOR (for himself, Mr. LANDRUM, Mr. GALIFIANAKIS, Mr. PERKINS, Mr. ANDERSON of Tennessee, Mr. BAKER, Mr. HANSEN of Idaho, and Mr. DAVIS of Georgia):

H.R. 7303. A bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes; to the Committee on Agriculture.

By Mr. TIERNAN:

H.R. 7304. A bill to amend the Internal Revenue Code of 1954 to restore the investment tax credit for a limited period; to the Committee on Ways and Means.

By Mr. CONTE:

H.J. Res. 537. Joint resolution to provide for the designation of the calendar week beginning on May 30, 1971, and ending on June 5, 1971, as "National Peace Corps Week"; to the Committee on the Judiciary.

By Mr. DANIELS of New Jersey (for himself and Mr. ROE):

H.J. Res. 538. Joint resolution to authorize and request the President to proclaim the week of April 25, 1971, through May 1, 1971, as "National ROTC Band Week"; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.J. Res. 539. Joint resolution to provide for the designation of the calendar week beginning on May 30, 1971, and ending on June 5, 1971, as "National Peace Corps Week"; to the Committee on the Judiciary.

By Mr. KEMP (for himself, Mr. BAKER, Mr. CARNEY, Mr. CONABLE, Mr. DULSKI, Mr. FISH, Mr. GUBSER, Mr. HALPERN, Mr. HANSEN of Idaho, Mr. HARRINGTON, Mr. KING, Mr. McKEVITT, Mr. McKINNEY, Mr. MINSHALL, Mr. MORSE, Mr. POWELL, Mr. REID of New York, Mr. ROE, Mr. ROYBAL, Mr. SEIBERLING, Mr. SMITH of New York, Mr. J. WILLIAM STANTON, Mr. STRATTON, and Mr. TERRY):

H.J. Res. 540. Joint resolution authorizing additional appropriations to the Secretary of Transportation for the purpose of providing urgently needed intercity rail passenger service around the nation and for the purpose of research and development in the field of high-speed ground transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MYERS:

H.J. Res. 541. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.J. Res. 542. Joint resolution authorizing the President to proclaim the first Monday in October of each year as "Presidents' Day"; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.J. Res. 543. Joint resolution authorizing the President to proclaim the period Septem-

ber 12 through September 18, 1971, as "National Square Dance Week"; to the Committee on the Judiciary.

By Mr. HULL:

H. Con. Res. 260. Concurrent resolution; Joint Committee on Executive Impoundment of Funds; to the Committee on Rules.

By Mr. FLOOD (for himself, Mr. BYRNE of Pennsylvania, Mr. GAYDOS, Mr. DOWDY, Mr. DANIEL of Virginia, Mr. BRAY, Mr. EILBERG, Mrs. HICKS of Massachusetts, Mr. CASEY of Texas, Mr. BARING, Mr. MILLER of California, Mr. ADDABBO, and Mr. GRIFFIN):

H. Res. 369. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. HOWARD:

H. Res. 370. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Transportation, and for other purposes; to the Committee on Rules.

By Mr. SISK:

H. Res. 371. Resolution authorizing and requesting the Committee on Government Operations to conduct a full and complete investigation and study of the Office of Management and Budget; to the Committee on Rules.

By Mr. WAGGONNER (for himself, Mr. McMILLAN, and Mr. DORN):

H. Res. 372. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. HALL (for himself, Mr. GROSS, Mr. TEAGUE of Texas, Mr. HOSMER, Mr. MILLER of Ohio, Mr. HAMMER-SCHMIDT, Mr. SPENCE, Mr. HULL, Mr. KUYKENDALL, Mr. MYERS, Mr. HUTCHINSON, Mr. SHRIVER, and Mr. WHITEHURST):

H. Res. 374. Resolution maintaining U.S. sovereignty—Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. HALL (for himself, Mr. WYLIE, Mr. BROYHILL of Virginia, Mr. NICHOLS, Mr. DENNIS, Mr. ROBERTS, Mr. SCHMITZ, Mr. THONE, Mr. SCHEERLE, Mr. ZION, Mr. BUCHANAN, and Mr. COLLINS of Texas):

H. Res. 375. Resolution maintaining U.S. sovereignty—Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. SAYLOR:

H. Res. 376. Resolution to create a special committee on the physically handicapped; to the Committee on Rules.

By Mr. STUCKEY:

H. Res. 377. Resolution creating a select committee to review official responsibility for the My Lai 4 incident; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

107. By the SPEAKER: Memorial of the House of Representatives of the State of Oklahoma, relative to the granting of a full executive pardon to Lt. William L. Calley, Jr.; to the Committee on Armed Services.

108. Also, a memorial of the Legislature of the State of Iowa, ratifying the proposed amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age and older; to the Committee on the Judiciary.

109. Also, a memorial of the Legislature of the State of Montana, ratifying the proposed amendment to the Constitution of

the United States extending the right to vote to citizens 18 years of age and older; to the Committee on the Judiciary.

110. Also, a memorial of the Legislature of the State of New Jersey, relative to treating sales taxes paid by individual taxpayers as credits against Federal income tax due, rather than as deductions against income for tax purposes; to the Committee on Ways and Means.

111. Also, a memorial of the Senate of the State of Wisconsin, relative to the Federal highway trust fund; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 7305. A bill for the relief of Domenico Sbraccia; to the Committee on the Judiciary.

H.R. 7306. A bill for the relief of Catalina Valeriano; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 7307. A bill for the relief of Rabea Arrad; to the Committee on the Judiciary.

By Mr. BURTON:

H.R. 7308. A bill for the relief of Beatriz Ramos Caunan; to the Committee on the Judiciary.

H.R. 7309. A bill for the relief of Hyo Geun Kim; to the Committee on the Judiciary.

By Mr. DANIELSON:

H.R. 7310. A bill for the relief of Bienvenida Bautista, Ben Ezra Bautista, Ben Dann Bautista, Dulce Olivia Bautista, Ben Hur Bautista, Ben Mar Bautista, and Daisy Belle Bautista; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 7311. A bill for the relief of Victor del Rosario, Cynthia del Rosario, and Vernon del Rosario; to the Committee on the Judiciary.

By Mr. FLOWERS:

H.R. 7312. A bill for the relief of Catherine E. Spell; to the Committee on the Judiciary.

By Mr. HEBERT:

H.R. 7313. A bill authorizing the President to award the Medal of Honor to Harry S. Truman; to the Committee on Armed Services.

By Mr. HULL:

H.R. 7314. A bill authorizing the President to award the Medal of Honor to Harry S. Truman; to the Committee on Armed Services.

By Mr. HUNGATE:

H.R. 7315. A bill authorizing the President to award the Medal of Honor to Harry S. Truman; to the Committee on Armed Services.

By Mr. KASTENMEIER:

H.R. 7316. A bill for the relief of Mrs. Norma McLeish; to the Committee on the Judiciary.

By Mr. KING:

H.R. 7317. A bill for the relief of Itzhaq Feldman; to the Committee on the Judiciary.

H.R. 7318. A bill for the relief of Dyung-Ki Kim; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 7319. A bill authorizing the President to award the Medal of Honor to Harry S. Truman; to the Committee on Armed Services.

By Mrs. MINK:

H.R. 7320. A bill for the relief of Plotemia Mabanag Bareng and Bastiana Lillian Mabanag Bareng; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 7321. A bill for the relief of Marie Claudy; to the Committee on the Judiciary.
H.R. 7322. A bill for the relief of Concetta Fruscella; to the Committee on the Judiciary.

H.R. 7323. A bill for the relief of Clarence Gillett; to the Committee on the Judiciary.

By Mr. VEYSEY:

H.R. 7324. A bill for the relief of Sylvia Afante Foster; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 7325. A bill for the relief of Maria Celeste de Almeida Albuquerque; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 7326. A bill for the relief of Hiroski Nakao; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 7327. A bill for the relief of Timber Structures, Inc.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

The SPEAKER presented a petition of the Third Mariana District Legislature, Trust Territory of the Pacific Islands, relative to compensation for Micronesian war crimes, which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

HELP TO YOUNG SERVICEMEN

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. GUDE. Mr. Speaker, I am certain that we can all appreciate the difficulty entailed in making the transition from military to civilian life which many of our young veterans are faced with each day. The present inflation makes their plight more difficult than ever before. There is an association of young ex-servicemen, Youngvets, here in the District which has taken the initiative to help these men, and I would like to help "get the word out" in its behalf.

The following letter from Mr. George Umans, executive director of Youngvets, gives a good deal of information about the association. I am pleased to submit his letter for all my colleagues' interest:

YOUNGVETS,
March 10, 1971.

HON. GILBERT GUDE,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN GUDE: As a member of your constituency residing in Rockville and as executive director of the Association of Young Ex-Servicemen, I would like to call your attention to our organization.

The Association of Young Ex-Servicemen (AYES) was formed on Veterans Day 1969. It was incorporated pursuant to the District of Columbia Non-Profit Corporation Act with the following stated purposes:

To facilitate the transition from military to civilian status for young people serving in the Armed Forces of the United States, to promote their status and economic welfare individually and as a group, through membership in the Association, and to provide such programs, benefits and services as will further these objectives.

Regular Membership is open to anyone who, at time of application for membership, has been honorably discharged or separated from active duty in the Armed Forces of the United States and has not yet reached his 31st birthday.

As I'm sure you are aware, young veterans find the going difficult these days in many ways—jobs are few, prices are high, decisions about their futures have to be made and new responsibilities have to be faced. There is a lot of talk about helping the young veteran in his readjustment . . . but the Association of Young Ex-Servicemen is doing something about it.

Members share in the sort of benefits which could only be made available to members of large groups. For example, discount purchase facilities are now available in a number of major population centers around the country offering almost any make of new American car at only \$100 over published dealer's cost.

Major household appliances, furniture, furnishings, etc., are also available at slightly over wholesale cost. Other items and services are already available at similar discounts, or are being negotiated.

Of particular interest to young servicemen who find themselves financially strapped upon release from active duty is a special group insurance policy for which regular members under age 31 may apply. It provides life insurance coverage at the same rate they paid while in the service.

Though there is also available helpful information with respect to VA benefits, job opportunities, education, etc., it is not intended that AYES will function as a "service" organization like the American Legion dealing with the Veterans Administration, for example. Also, since it is essentially a "benefit" association, neither is it intended that AYES will have any political orientation.

On the other hand, as we enroll a sufficiently large number of 'Nam vets, we hope to be able to obtain a cross-section of their thinking and a good idea of their needs so that their interests will be served.

If I may add a personal note, permit me to extend my thanks for your dedicated service to the people of Montgomery County and our Nation.

Very truly yours,

GEORGE UMANS,
Executive Director.

OPERATION HELPING HAND

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. HOSMER. Mr. Speaker, on March 3, I remarked about a program the U.S. Navy has instituted to upgrade the standard of living of Vietnamese Navy personnel and their dependents. This multifaceted program, called Operation Helping Hand, is now in its second year and is beginning to show a very real progress.

The three aspects of this program are: building dependent shelters, providing a better balanced diet through a food supplement program, and constructing a prototype community for disabled Vietnamese Navy veterans. Operation Helping Hand is not just another giveaway program, but rather one that is essential if we are to establish a strong, loyal, career-oriented cadre within the Vietnamese Navy.

The Navy realized, of course, that it was not possible to finance this 3-year program in its entirety with appropriated funds. It therefore sought a means to obtain additional money from other sources.

When word about the program and

the need for \$3 million nonappropriated money reached a group of American business and professional men in Saigon, they set out to form a nonprofit foundation to receive private contributions to support the projects. The Operation Helping Hand Foundation was officially chartered in March of 1970. It is headed by Mr. Lincoln C. Brownell who was recently elected as board chairman. President of the foundation is Mr. Clyde Bauer, manager of Civil Air Transport, Saigon.

In September, the Internal Revenue Service granted the foundation tax-exempt status and to date, almost \$50,000 in private donations have been contributed. The Operation Helping Hand Foundation is sponsored by several distinguished citizens including Rev. Billy Graham, actor Glenn Ford, Adm. Arleigh Burke, retired, the Honorable Henry Cabot Lodge, author Samuel Eliot Morison, Paul H. Nitze, and a fellow Member of the House, WILLIAM S. MAILLIARD. I, too, am proud to be one of its sponsors. I consider the realization of its objectives to be a vital necessity in transforming the Vietnamese Navy into a viable and professional fighting force which is capable of withstanding Communist infiltration and aggression in Southeast Asia.

Moreover, I feel we owe a great debt to the American sailors and their leaders who have undertaken such an enormous task. It is a very ambitious program, perhaps the most unique ever embarked upon by our Navy. But they are resolved to do whatever is necessary to bring our Vietnamization program to a successful conclusion.

You will be interested to know, that of the \$50,000 donated to Operation Helping Hand thus far, almost 50 percent has been contributed by American sailors serving in Vietnam. These are the same patriotic men in uniform who are laying their lives on the line every day so that Vietnamization will succeed.

Quite frankly I feel that our men over there deserve a great deal more support from this side of the globe. I urge each and every Member of this body to support this crucial program in which our fighting men believe so strongly.

SST

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. CARTER. Mr. Speaker, I would like to bring to the attention of my col-