

seas commitments, as well as scrutinizing our national defense program on a day-to-day basis. Its appraisals will challenge existing assumptions about national defense and provide the basis for rational alternative policies and budgets, to be measured against those of the Department of Defense.

The Center will disseminate its research and information to the broadest public possible through position papers; a journal, *The Defense Monitor*, of which this is the first edition; and material designed for the news and other media. In addition, the Center will respond to requests for information on defense matters. Future editions of *The Defense Monitor* will include analysis of the defense budget, ULMS (Underwater Long-range Missile System), the B-1 Bomber technological superiority, the proposed at-

tack carrier, U.S. forces overseas and military commitments to foreign nations, as well as other topics of vital national and military concern.

The Center and its rapidly developing inventory of information will be a reliable and non-partisan resource for all individuals and groups insisting upon a military that will genuinely defend and strengthen American society not weaken it by overcommitments and waste of resources.

THE STAFF

Rear Admiral Gene R. La Rocque, US Navy (Ret.) *Director*.
Lindsay Mattison, *Assistant Director*.
Donald May, *Assistant Director*.
Sally Anderson, Robert Berman, David

Johnson, William Ronasaville, Dean Rudoy, Judith Weiss.

Rear Admiral Gene R. La Rocque retired from the United States Navy on April 1st, 1972 to become Director of the Center for Defense Information.

He commanded destroyers in the Pacific in World War Two and holds the Bronze Star and Navy Commendation Medal. He commanded a fast carrier task group with the Sixth Fleet, a division of destroyers, a cruise and Cruiser-Destroyer Flotilla. He served on the staff of the Naval War College, and more recently, in the Strategic Plans Division of the Joint Chiefs of Staff. Admiral La Rocque recently received the Legion of Merit and left his position as Director of the Inter-American Defense College to direct the Center for Defense Information.

HOUSE OF REPRESENTATIVES—Tuesday, May 9, 1972

The House met at 12 o'clock noon.

Dr. Jack P. Lowndes, president, Home Mission Board, Southern Baptist Convention, and pastor, Memorial Baptist Church, Arlington, Va., offered the following prayer:

Our help is in the name of the Lord, who made heaven and earth.—Psalm 124: 8.

Eternal God, we need Thee in our troubles, for they are many. We are burdened with the perplexities and problems that destroy our peace. In this hour when our world is sobered by fear and uncertainty, we pray not only for our Nation but for all nations.

Grant wisdom to those upon whom rest our Nation's responsibilities. We pray that decisions will be made that will open doors where we thought there was no way out. Help us to do the right thing that will bring peace at last with promise of justice and human decency and freedom. Forgive and overrule our mistakes.

Please, God, meet our needs this day and be to us as to our fathers, our strength, hope, and victory. In the spirit of Christ we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

THE LATE HONORABLE WILLIAM ROBERT WILLIAMS

The SPEAKER. The Chair recognizes the gentleman from New York (Mr. PIRNIE).

Mr. PIRNIE. Mr. Speaker, it is with sorrow that I rise to announce the passing this day of a former Member of this body from the district I now represent, the Honorable William Robert Williams of Cassville, N.Y. Born on August 11, 1884, in Brookfield, N.Y., Mr. Williams spent almost a quarter of a century in public office. During that time he won and held the respect of all who worked

with him. He was a rugged, dependable, public servant.

Mr. Williams' public life began in 1935 when he became a member of the assembly of the New York State Legislature. He served his constituents faithfully as assemblyman and in 1943 he was elected to the post of sheriff of Oneida County.

Following 8 years of courageous service to the public in this position, Mr. Williams, in November of 1950, was elected Member of Congress from what was then the 34th District of New York. It was indeed a proud day for his wife and three children when he took his oath of office in Washington, D.C., on January 3, 1951.

A farmer by vocation, Congressman Williams loved nothing better than to spend the days when Congress was not in session at his farm in Cassville, visiting his friends and neighbors. This interest in farming led naturally to a seat on the House Agriculture Committee where he served ably from the 82d through the 85th Congress.

In 1958 he announced that he would not be a candidate for reelection. At age 74, he felt that it was time for a younger man to take over and he gave generous and enthusiastic support to my candidacy to succeed him. At the end of his term he retired to his farm. Sadly, it was only a short time before his loving wife was stricken with a fatal illness. During his last years he has had the loving care of his two daughters, Jane Hurn of Cassville, N.Y., and Helen Pughe of Sauquoit, N.Y.

Congressman Williams never actively sought the glaring spotlight of political acclaim. He left the cheers and jeers to others, contenting himself with playing the supporting role without which this Government of ours simply could not function. His unfailing devotion to the Republican Party continued throughout his life.

He loved his country and served it faithfully. No higher tribute can be paid to any man. I am sure that many Members will join me in extending to his family and friends our deepest sympathy in their loss. We will long remember this strong, yet kindly friend who handled his personal and public relationships with such admirable fidelity.

GENERAL LEAVE

Mr. PIRNIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks in the RECORD on the life, character, and service of our late colleague, William R. Williams.

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

There was no objection.

STRONG OPPOSITION TO NEW ESCALATION

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

Mr. DOW. Mr. Speaker, an inflexible President, unable to accept the failure of his own policies, has brought us to an eyeball confrontation with Soviet Russia. It is not the same as the Cuban crisis. There the right circumstances were on our side. Today, the right of the issue and the circumstances are not all on our side. This is America's tragedy. Led by headstrong leaders, like Nixon, insensitive to the aspirations of peasant peoples around the globe, we have come to this shameful reliance on force alone to gain our purposes.

Nixon has given an ultimatum to the Soviet ships in Haiphong Harbor to leave within 3 days. If blockade was such an easy measure to use, why was it not employed before? There must have been a reason.

President Nixon has always had the idea that Moscow could turn the Vietnam war on and off. So he is throwing a direct challenge at Russia more than North Vietnam. For this misreading of the facts by the President, we may all pay a fearful price.

The President is taking a risk of exterminating our civilization for a shabby purpose. He appears as a pious man, but the fact is that he is leading us down the road of evil where might makes right. To our everlasting grief, we may find that might does not make right.

Acting like a despotic monarch, the President has bypassed the intent of the Constitution, by making this grave decision without consulting the Congress.

As an American, I do not want to be led like a sheep to such a vicious end as Nixon is willing to risk.

As a Congressman, I will oppose the President's decision.

PRESIDENT'S DECISION IN INDOCHINA

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

Mr. SIKES. Mr. Speaker, I support President Nixon in the difficult and trying decision he has made on the war in Indochina. It is a course which could bring greater danger, but it also is a course which can bring an end to the impasse which has developed there and a course which can save many lives. I applaud his courage in facing up to the facts of Communist intransigence. Vietnamization is not being given a chance to work. It cannot work in the face of massive invasion. South Vietnam deserves to survive. We must also protect the Americans still in Vietnam. What is being done now to shut off supplies of war should have been done long ago.

We have tried all other approaches in the search for peace. The Communists want only surrender. This America cannot give. Those who now wring their hands simply are calling for a continuation of the present intolerable situation with no promise either of peace or a return of POW-MIA's.

America cannot accept defeat in Indochina. We have too much invested in principle, lives, and treasury. Defeat would also destroy our effectiveness in world councils for years to come. It would provide the Communists with the muscle they need for rapid takeover in most of the free world.

PRESIDENT'S DECISION IN VIETNAM

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

Mr. STRATTON. Mr. Speaker, like the gentleman from Florida (Mr. SIKES) who has just spoken, I rise to express my support of the President in the very difficult decision which he announced last night.

The situation in Vietnam is very serious in my judgment, and American forces still in Vietnam face a grave threat. In these circumstances I believe it is time that we suspend politics and not try to complicate the President's job.

I think that a blockade, as we saw in the Cuban missile crisis, when President Kennedy relied on a similar approach, is the most cautious action we could take at this critical time. I hope and pray that it will finally persuade both the Soviets and the Chinese that they ought to join us in ending the fighting in Vietnam instead of sitting on the sidelines and cheering.

The President's offer to withdraw our

troops 4 months after an internationally enforced cease-fire and after the return of all our prisoners is certainly the most constructive proposal we have yet tabled, and I hope and pray it will finally bring an end to this war.

THE SITUATION IN VIETNAM

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

Mrs. ABZUG. Mr. Speaker, the President has acted without the authority of this Congress, which alone has the power to declare war, and against the overwhelming mandate of the American people, who have made clear their desire to withdraw from Vietnam. I challenge the President, Mr. Speaker, to bring a declaration of war before this Congress. Let the elected representatives of the people vote on whether we shall be at war with a people who in no way threaten the vital interests of our Nation.

The American people and the Congress are left to sit on the sidelines totally uninformed and unconsulted, while their fate and the fate of the people of Indochina are decided by one man who has arrogated to himself enormous and unconstitutional power.

Mr. Tom Wicker said today in the New York Times:

Has it come to this, then, that it lies within the sole province of one man, unlimited by law or opinion, whether elected by landslide or hair's breadth, to decide without let or hindrance how the military power of the United States shall be used even in a situation his own policies have done much to create?

I understand that before he went on television yesterday, the President summoned the Speaker and other congressional leaders to the White House. I believe that the Members have a right to know what happened at that meeting, and I call on the Speaker to report to us immediately on the substance of that conversation, if indeed it was that, and to submit to questioning and discussion by the Members of the House. We must act to restore the authority of the House. It is our responsibility.

There are those, and I join with them, who intend to introduce a motion to impeach the President because he has indeed committed high crimes in violation of the Constitution and against the people of this country and the world. I charge him with that high crime and misdemeanor.

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

PRESIDENT'S ACTION IN VIETNAM

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

Mr. DORN. Mr. Speaker, I rise today to support the President of the United States in his action to protect our men

while they are being withdrawn in the cause of peace. The President had no alternative. Complete Communist success in this aggression would subject American withdrawal forces, most of whom are support personnel with no combat experience, to the gravest peril.

I would shudder to think what would happen in the future if we should abandon duty and shirk our responsibility and let thousands of our troops fall into the hands of the enemy. Without question, Mr. Speaker, I believe that with our men as ransom you would have Communist blackmail demands for the United States to abandon South Korea, the Philippines, Japan, and Taiwan. This would set the stage for a Communist demand to get out of Europe, out of the Mediterranean, the Indian Ocean, and even the Panama Canal Zone.

To flee Indochina with no regard for our prisoners of war, leaving our men at the mercy of a ruthless enemy, is not the road to peace but the old familiar road to world war.

The heavy military equipment, ammunition, and guns are pouring into Haiphong Harbor from Russia and her Communist allies. This is actually placing in the hands of the North Vietnamese aggressor the means to capture or kill more American boys and prevent them from returning home.

Mr. Speaker, we should support the President. Otherwise I see no real hope of rescuing our prisoners or bringing our troops safely home. The President acted in the interest of peace with honor. This is a time for unity among the American people, a time for all Americans to support actions taken to protect our withdrawal forces and prevent another world war. Now is the time and here is the place to stop helping North Vietnam by continuing to hold out to them the hope of dissension, political partisanship and chaos here in our country.

SUPPORT FOR THE PRESIDENT'S ACTIONS IN SOUTHEAST ASIA

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

Mr. MONTGOMERY. Mr. Speaker, I also rise to join my colleagues in support of the President in his new actions in Southeast Asia.

In my opinion, it would be presumptuous for anyone to condemn the President's actions without knowing the full and detailed information at Mr. Nixon's disposal on the current situation in Southeast Asia and our relationship with Russia.

The next few days will severely test the mettle of the American people. I would suggest that rather than engaging in further rhetoric at this time, all Americans should offer heartfelt prayers that President Nixon has made the right decision to end the killing, win freedom for our captured U.S. servicemen and accomplish total withdrawal of American troops from South Vietnam.

PRESIDENT'S ACTION IN SOUTH VIETNAM

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

Mr. O'NEILL. Mr. Speaker, last night President Nixon changed the policy of this Government. I believe that his "get tough" attitude presents the calculated risk of a confrontation with the Soviet Union. The White House will have to show tremendous diplomatic skills in the next 3 days or we could be in world war III.

At the weekly Wednesday morning State Department briefings that the Members of Congress attended, we were led to believe that our 60,000 troops were not in danger; and we were also led to believe that the North Vietnamese had all the needed supplies so that a blockade of their harbors would be ineffective. Last night, the President reversed this position. A naval blockade and mining of all North Vietnamese ports are now considered necessary actions to insure the safety of our troops and to bring the North Vietnamese to their knees.

I am opposed to the President's new policy.

MR. NIXON'S TRAGIC POLICY

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

Mr. PUCINSKI. Mr. Speaker, the tragedy of President Nixon's reckless decision to mine the harbors of North Vietnam and bring the world to the brink of world war III obscures the fact that the administration for the first time has publicly offered a fixed day for U.S. troop withdrawal from the conflict.

It is deplorable, Mr. Speaker, that the President would order an escalation of the war at the same time he has made his offer for troop withdrawal in 4 months if an internationally policed cease-fire can be worked out.

Had Mr. Nixon first made his firm offer for troop withdrawal and given the enemy an opportunity to respond before he ordered the escalation of hostilities, perhaps today both sides would be discussing peace in Paris instead of preparing for a massive confrontation in the battlefield.

The President has enlarged the war. You cannot talk peace when you are escalating the conflict. Instead of moving toward a meaningful peace, the President has again placed the entire burden of the conflict on the American people. It is a futile step, for we Americans have long since met any commitment we ever had to the Government of South Vietnam. The time has come to get out, lock, stock, and barrel—now.

PRESIDENT'S ACTION IN VIETNAM

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

Mr. SCHEUER. Mr. Speaker, 4 years ago, when President Nixon was a candi-

date, he said he knew how to end the war—that solution is still a well-kept secret.

Then the President was going to Vietnamize the war. Up until a short time ago, he was telling us how successful his policy was. We were told the Vietnamese Army was capable of defending itself, our remaining men were in no danger, and that he would, therefore, continue to withdraw U.S. troops.

Now he suddenly escalates the war, not only within Vietnam but in such a way that risks a confrontation with the Soviet Union that could push us into a nuclear world holocaust. The reason for this reckless act is purportedly to protect our own men in South Vietnam—who, he told us 2 weeks ago, were perfectly safe.

The only possible answer is the South Vietnamese lack of faith in their own government in this war.

If the South Vietnamese people do not have their heart in this struggle, why should the American people squander the lives of their sons, and the hard-earned dollars and why should we escalate to a major power confrontation?

How can we justify this policy in the name of stopping communism when the President himself goes to Peking and Moscow to deal with the world leaders of communism?

I cannot help but believe, with much sorrow, that President Nixon is more interested in his own reelection than in the maintenance of world peace.

The President's actions indicate that he has placed the lives and safety of 69,000 Americans in the hands of a corrupt military regime which cannot defend itself.

We have provided South Vietnam with billions upon billions of dollars. We provide them with total superiority in the air and on the sea. Has Mr. Nixon asked himself why with our aid, which far outstrips anything the Russians and Chinese have been able to do, the South Vietnamese do not fight to defend their own homes, but instead desert in droves while the North Vietnamese fight on.

We, as the elected representatives of the people, must find some way to halt the irresponsible acts of a President hell-bent for reelection.

While Congress has the power to make war under the Constitution, President Nixon is arrogating to himself the power to create a war under the flimsiest of pretexts.

Let us all pray that Mr. Nixon's brinkmanship will not lead us on a path of no return before we in Congress and the American people can make clear that American honor is staked on a just peace, not war.

PRESIDENT'S SPEECH

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

Mr. FUQUA. Mr. President, the speech by President Nixon last night to the American people pointed out the tragic situation which we now face in South Vietnam. In a period when we are at-

tempting to remove our forces from that strife-torn land, the North Vietnamese have invaded with all their might in aggression against South Vietnam.

The Communists show utter contempt for world opinion, just as they have shown utter contempt for every attempt we have made in the past 4 years to find a peaceful settlement.

There is much about our present policies with which I disagree. In spite of the President's campaign statements that he had a secret plan for ending the war, we still have not seen the release of our prisoners and our men missing in action remain missing.

I have consistently pondered the wisdom of a nation participating in a conflict where there is no resolve to win.

The situation, as outlined by the President, is serious and fraught with danger.

Naturally he does not want a world conflict or nuclear war. I can only hope that there have been some prior agreements made with the Soviet Union when discussions and conferences have been held between that nation and the President's representative or representatives.

We have already announced that we do not consider the conflict worth continuing. It certainly would not be worth becoming involved in a world war under those circumstances.

Mr. Nixon said upon taking office that he would be judged by his actions. As a nation, let us hope that there has been some secret agreement arrived at by this administration as to what action the Soviet Union might take in line with his newly announced policy.

PRESIDENT TOOK REALISTIC COURSE OF ACTION IN VIETNAM

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

Mr. ICHORD. Mr. Speaker, the President took yesterday one of the few courses of action realistically available to him as Commander in Chief.

It should now be clear to all that negotiations under present circumstances are a farce. The North Vietnamese have no serious intentions to negotiate an end to the war at this time under existing circumstances. We cannot pull out the remainder of our troops in the face of the massive invasion of South Vietnam. To do so now would require us to resort to begging for the return of our prisoners of war. The POW's are the key, I think, to the President's action.

It is difficult to assess the immediate effect of the mining of Haiphong Harbor. The mining of the harbor will be detrimental to North Vietnam's war effort in the long run, however, it will have minimal effect upon their capability to continue their offensive in South Vietnam. There will also have to be a concentrated effort to interdict the railroad lines leading into the country from China. I would point out that the Russian tanks and SAM missiles have been transported through China by rail. Personally, I believe that the President at this late date will have to do more than mine the harbor and interdict the railroad. How-

ever, the President in his speech did go straight to the source of North Vietnamese strength—namely, Russia. So it would appear that the President is still aiming at a negotiated settlement rather than a final solution through continued warfare.

Politically it would be easier to criticize the action of the President without offering any responsible alternative. But I must support the President in a very difficult decision and I fervently hope and pray that most Americans will do likewise. The responsibility of leadership, I believe, dictated the President's action. The responsibility of citizenship, I believe, calls for our united support of the President's action in this difficult and trying hour for America.

GET OUR MEN, BOMBS, AND MINES OUT OF VIETNAM

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

Mr. KOCH. Mr. Speaker, I will support the President when I think he is right and I will oppose him when I think he is wrong. I think he is wrong.

I think that is the obligation of citizenship. I think that in this case the President is wrong. My judgment is not predicated on my position on the war—I oppose the war—but on the fact that the Congress is authorized by the Constitution to declare war, not the President. Surely the mining of harbors and the raining of bombs are acts of war. Nobody can dispute that.

The President's statement last night surely shocked an overwhelming number of Americans and hopefully an overwhelming number of Members of this Congress. He has drastically escalated the war without any authorization by this Congress. Surely no thoughtful citizen will accept his statement that the mining of North Vietnam's harbors is being done in defense of our American troops now in South Vietnam. If that reasoning is allowed to prevail there is no constitutional restraint at all in his taking similar action against any country at any time without congressional authorization because there is not a single country in which some American citizen or American interest is not located.

I am sick to death of a war where 55,000 of our young men have died and our planes still rain bombs on both North and South Vietnam killing innocent civilians. In the critical days ahead, I will pursue every constructive effort necessary to undo the President's usurpation of congressional authority and get our men, bombs, and mines out of Vietnam.

If the President and those people who support the President think we ought to be at war, ought they not have the courage of their convictions and bring in a resolution for a declaration of war that we can vote on? Would the Members who support the President, rightly or wrongly, vote for a declaration of war? If they would, should they not introduce it?

SUPPORT FOR THE PRESIDENT'S ACTION

(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 have listened with interest to a number of the brief speeches this morning. May I remind those on my side of the aisle that the gentleman in the White House did not put us in this war. We got in the war during the term of a Democratic President and we remained in it through the term of another Democratic President. Furthermore, if there was an obligation to declare war before we got in then the failure took place when we on our side of the aisle were in control of this Congress.

Now it is too late to declare war. The war has been going on for 10 years. What is the use in declaring a fight when the fight is already in action? I recognize the fact that the Constitution empowers the Congress to declare war. But the failure of the Congress to do so should not be a matter about which the President should be criticized.

What the people of this country want to see is to bring it to an end. We cannot bring it to an end by continuously coming into the well of this House and extending a hand out to North Vietnam. They do not want peace. They want nothing short of total victory. The blood of the present push in South Vietnam is on the hands of Hanoi, not on the United States or President Nixon. It has been clearly demonstrated that North Vietnam is not going to do business with us.

The only means by which we can get this war over is to let the North Vietnamese feel the real power of our military, with both barrels open, or cut off the delivery of weapons from Russia and other powers. The latter is exactly what the President proposed to do last night, and I stand with him on it. I compliment him for what he is doing, he is entitled to the support of every citizen in this country, and I am pleased to say he has mine as well as that of my people.

THE PRESIDENT'S DECISION

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

Mr. MONAGAN. Mr. Speaker, by ordering the mining of Haiphong Harbor, President Nixon has made a grave and far-reaching decision. I hope that this gamble will be effective in moving the North Vietnamese to enter the meaningful negotiations which the President described as the objective of his move. It is clear, however, that his action is an escalation which will have unpredictable effects on our relations with the Russians while its timeliness and effectiveness in the current critical military situation are doubtful. In my judgment the people of the United States wish to withdraw from Indochina with all deliberate speed while protecting our own men and obtaining release of our prisoners of

war. It is questionable that the President's decision advances this objective.

THE REACTION FROM THE KREMLIN

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

Mr. HAYS. Mr. Speaker, one of the burning questions around here as well as in the country is what reaction is going to come from the Kremlin. Well, I am not long on making predictions, but I think it is significant that there has been no reaction from the Kremlin so far except the usual propaganda statements. I think they are waiting to see how much support they are going to get from the U.S. Congress, in the Kremlin, to defy the President, to decide what they are going to do. For one, I am not going to give them any encouragement.

PRESIDENT NIXON'S COURAGE

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

Mr. WYMAN. Mr. Speaker, I get sick and tired of the cooing of doves with yellow wings in the face of aggression by enemy forces that threatens the lives of thousands of Americans still in Vietnam because a Democratic President sent them there.

President Nixon has brought more than 90 percent of our troops back home. He has trained the South Vietnamese to defend themselves and they are doing the ground combat there now, not Americans, thanks to President Nixon.

The South Vietnamese are fighting against a brutal aggressor that kills men, women, and children without compassion, supplied by the Soviet Union and Red China.

What is an American President to do after offering the olive branch only to be kicked in the back and spat in the face?

President Nixon is right in acting to cut off supplies to the invading enemy. This should have been done long ago. It is about time.

Instead of cooing for surrender to aggression, persons who claim to be leaders should support our American President in his courageous stand.

As I said in 1967 on January 24 in a speech in this House urging the same action:

Let us get this war over with. Let us for once do something because it is right and necessary and not because it might or might not mean some votes on some future election day.

NIXON: COURAGEOUS EXAMPLE OF LEADERSHIP

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

Mr. PELLY. Mr. Speaker, this is a day in America of great concern and strong debate following the President's announcement to the American people last evening that he had decided to take

new military measures to stop the flow of Russian and other supplies from reaching the invading armies of North Vietnam now in decisive battles in South Vietnam.

If this plan succeeds in preventing the defeat of our allies, the South Vietnamese, if it succeeds without Red China or Russian confrontation, or if it succeeds in bringing about peace talks and the release of our POW's in the hands of Hanoi and the withdrawal of all Americans from Indochina, President Nixon will go down in history as a great leader.

On the other hand if it fails and the odds are not too good—then it could well cost Mr. Nixon his reelection.

As an admirer of his, I want to see him win in November, but if it means his defeat, I still think he had to take the risk and do what appeared to him to be the right thing for the Nation.

Mr. Nixon in his talk explained his alternatives and certainly the course he chose was not the easy one nor political, the safe way.

History could prove his decision wrong, but it will record one fact, whether he was right or wrong. That is, that he was a great leader in that he put his country first and did not betray his conscience.

Last night, President Nixon appealed to the American people for their support in this crisis and, I can state, as I did in a telegram I sent to the White House last night; he has my support and admiration in this courageous example of leadership.

PRESIDENT'S ACTIONS ON VIETNAM

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

Mr. RIEGLE. Mr. Speaker, last night the President announced a major escalation in U.S. military involvement in the war in Vietnam. His policy to blockade Haiphong Harbor is a clear act of war which directly violates international law. Yet we have not declared war against the North Vietnamese or any other country. The Constitution of the United States does not grant to any President the right or personal privilege to commit the United States to acts of war unless specifically authorized by this Congress of the United States. When we here in the Congress acquiesce silently to that action we also break the law.

The possibility that these military actions may defeat or destroy North Vietnam does not make them right. I urge my colleagues to insist that Congress immediately become a formal party to these decisions.

I will have more to say on these matters later in a special order.

IN SUPPORT OF THE PRESIDENT'S ACTION

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

Mr. MINSHALL. Mr. Speaker, I am proud that we have a President in the

White House who has the guts and the courage to make decisions despite any domestic political consequences. I want this House to know that I support him 100 percent.

THE PRESIDENT'S ACTION WITH REFERENCE TO THE WAR IN VIETNAM

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

Mr. KEMP. Mr. Speaker, in the military and diplomatic crisis confronting our country today, there is only one course to follow, and I believe that is the course of action enunciated last night so courageously by our President. The alternative is a unilateral American withdrawal without any guarantee that our prisoners would be returned or that the killing would be stopped in Southeast Asia.

Despite all the rhetoric to the contrary, the President has made a very generous and reasonable offer to both Hanoi and Moscow.

The necessity of taking military steps to bring about a settlement is obvious to anyone willing to recognize that the diplomatic initiatives of this country have been totally rejected by an intransigent enemy seeking total military victory.

The President is very simply offering what his critics have been demanding for many years—that is, total American troop withdrawal and a cease-fire in exchange for our prisoners and those who are missing.

In fact, the President's offer is fully in accord with his most severe critics in the Democratic Party. His offer meets the resolution approved by the Democratic Caucus which, in recent days, resolved, and I quote:

Resolved further, that the national interest in obtaining a permanent peace with security would best be served by promptly setting a date to terminate all U.S. military involvement in and over Indochina, subject only to obtaining the release of our prisoners of war and all available information on the missing in action.

The only difference is that the President has gone further and seeks to guarantee that the killing would be stopped and that our prisoners and missing would be returned.

Mr. Speaker, the balance of my remarks will hereafter appear in the body of the RECORD.

THE PRESIDENT'S DECISION IN VIETNAM

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

Mr. ROUSSELOT. Mr. Speaker, the President's announced military actions of last night, and their followup initiatives of today, deserve the support of the American people. The ruthless invasion by the Communist North Vietnamese Government required decisive action

which the President has been willing to take.

More important, the President indicated that "with God's help," we shall accomplish the goal of peace. This should be a mandate for all Americans to dedicate appropriate time in religious devotion and prayerful thought for the guidance of the President and our men charged with the military responsibility in Vietnam.

Assuming that our forces strike to win over the aggressive and sadistic forces of the Communist North, and that our POW's are promptly returned, there could be a rapid and immediate disengagement of our American presence.

THE PRESIDENT'S DECISION IN VIETNAM

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

Mr. BRAY. Mr. Speaker, the President's remarks last night have implications ranging far beyond Vietnam, and Southeast Asia.

They put friends—friends, everywhere, not just in Vietnam—on notice that we will not ever desert them, once we have pledged our support.

They put enemies—active today, and potential tomorrow—on notice that pulling the American eagle's tail feathers has only one result: a face full of claws.

But, I must say, I do have regrets about his speech.

I regret Lyndon Johnson did not make it in 1965. I would have supported Lyndon Johnson then, if he had, just as strongly and as solidly as I support Richard Nixon now.

SUPPORT THE PRESIDENT

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include therein the address by the President on national radio and television last night.)

Mr. GERALD R. FORD. Mr. Speaker, Americans were surprised by the President's firm announcement last night that the United States will mine and blockade North Vietnamese ports to shut off the supplies that are feeding the North Vietnamese invasion of South Vietnam.

Now that we have had a chance to reflect on the meaning of this Presidential action, Mr. Speaker, it seems to me there is only one response which would be proper and right for the American people—to support the President.

Dean Acheson, a lifelong Democrat and Harry Truman's Secretary of State, has said he is inclined to:

Support the President whatever the issue, until we come to the quadrennial donnybrook and get it out of our system.

I urge today, Mr. Speaker, that Americans back the President because what he has done is right.

In my view, Mr. Speaker, the President was forced to choose between surrender and a decisive action aimed at ending the war. I am proud that he chose

the latter course. I think all Americans should be.

The alternative was for us to slink out of Vietnam like a beaten dog with his tail tucked between his legs. At the same time we would have been risking a Dunkirk-like evacuation of the 60,000 ground troops we still have in Vietnam.

It took great courage for the President to do what he has done. However, I am sure that more than courage was involved. I am certain the President has made an informed judgment that the risks attached to his decision are not as great as feared by those now uttering doomsday cries.

Mr. Speaker, the President is proving to the world that the United States is not a pitiful giant. He is proving to the world that America's word is good, that it is clothed with integrity. He is proving to the world that Americans are people who are determined that justice and fair dealing shall prevail in world affairs. This is a time of crisis, Mr. Speaker. This is a time for all of us to stand up for America. It is a time when all of us should come forward to be counted.

PRESIDENT'S DECISION ON VIETNAM

Mr. ARENDS. Mr. Speaker, if there ever was a time when our American President deserves and needs the support of the American people, it is now.

This is a critical hour. The cause of peace and the cause of freedom are at stake.

The bold and courageous actions taken by our President demand nothing less than total national unity. In unity there is strength. And it is for us to make crystal clear to the international bandits of Hanoi that they cannot defeat the United States by the strategy of "divide and conquer".

We are as one people in our determination to ensure the safety of our troops remaining in South Vietnam, to obtain the release of all our prisoners of war, and to bring about an honorable settlement of the war that there may be a sound basis for permanent peace in the world.

PRESIDENT'S ACTION IN SOUTHEAST ASIA

(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 was in Georgia last night when the President spoke. The minute his address was over, my telephone started ringing. The first caller was a lady who said, "I am proud to be an American. For the first time, I feel the President of the United States is doing something which will bring our POW's home and I hope that he has the support of you in the Congress to stand firm behind him because it is only by standing firm that we will succeed."

Then driving to the airport this morning, on the 6 o'clock news there were four people speaking against the

President's decision and only the whip of the House, the minority whip was speaking for it. There were Senators who are presidential candidates and the other is a former Senator from Oregon and not even an officeholder but the NBC radio news at 6 a.m. on WSB gave four times as much time for views against the President than it did in support.

Why do these Senators not condemn the aggression of the North Vietnamese? Not one word did they say against the invaders. This is a classic land invasion with which South Vietnam is now being confronted—complete with tanks. By this invasion, the North Vietnamese changed the ground rules under which the war was being fought. Now why is it so wrong for us to react to this change? I am delighted that the President has reacted, and I stand behind him and I assure you that the people of my district do also.

PRESIDENT'S DECISION ON VIETNAM

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

Mr. MAYNE. Mr. Speaker, the President's offer to withdraw all troops in exchange for our prisoners and a cease-fire gives the necessary priority to the release of our prisoners. He has also made it clear he seeks no confrontation with the Russians by giving them 3 days to remove their ships from North Vietnam harbors and by stating he is still willing to meet them in Moscow. The success of the enemy's massive invasion thus far shows that we no longer have sufficient ground combat troops to protect the withdrawal of our remaining personnel or convince the North Vietnamese they must free our prisoners. Inasmuch as they refuse to negotiate, the President had little choice but seek to achieve these legitimate objectives through the use of air and sea forces which all Americans can be thankful are still preponderant.

NEW DEVELOPMENTS IN SOUTHEAST ASIA

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

Mr. DERWINSKI. Mr. Speaker, I fully understand the concern many Members have expressed this afternoon over the new developments in Southeast Asia, but I believe that it would be well for all of us to maintain a degree of objectivity, and recognize that the President is taking steps that he feels necessary to further our foreign policy goals of peace and freedom for all people. Those who are vigorously second-guessing him at this point should realize that there may be developments not as yet reported to them that could well demonstrate the wisdom and correctness of the President's actions. I would make the same point to those Members who are dutifully endorsing the President's actions.

Mr. Speaker, for my part, I intend to wait and watch for developments. At this

point, we still do not know what the position of the Soviet Union or Red China will be nor do we know what the compliance with the President's blockade will be from other countries. The military situation in South Vietnam is still somewhat confused and, with the possible exception of the minority leader, we do not have all the information on which the President based his decision.

I fully understand the temptation that exists in a political year for Members, especially those of the opposition party, to shoot from the hip. I recognize that we have in the House a great number of senatorial candidates who wish to be quoted on every question, especially a prominent issue like this. I recognize it in the other body in a great number of presidential candidates as well as in those egotists who wish to be quoted on all subjects. The temptation for all these individuals to shout their opinions to the skies is obvious.

PRESIDENT'S ACTION IN VIETNAM

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

Mr. EDWARDS of Alabama. Mr. Speaker, President Nixon's address to the Nation last night revealed important new developments in the Vietnam war. In the peace negotiations, the United States has walked the extra mile and more. North Vietnam's arrogant intransigence at the conference table coupled with their brutal, indiscriminate invasion of the South comprise ample justification for the President's decision to interdict the supply lines of the Communists.

There are dangers, there are risks, there are hazards in the President's action, just as there are always obstacles along the path to peace. But the President has committed himself to ending this war, to ending it with honor in such a way as to insure the safety of the 60,000 U.S. servicemen still in Vietnam and to assure the return of our prisoners of war.

This is a time for each American to look into his own heart for renewed faith and fresh dedication. It is not a time for demagoguery or expediency. It is a time for trusting in ourselves, in our leaders, and in God. It is not a time for despair or for abandoning our heritage. It is a time for leadership, not a time for timidity and doubt. It is a time for confidence in America, not a time for blind self-defeating criticism.

In his inaugural address, President Nixon said:

What has to be done has to be done by government and people together or it will not be done at all. The lesson of past agony is that without the people we can do nothing; with the people we can do everything.

The President has clearly shown his courage and desire for peace. It is high time the Congress and the people joined together steadfastly behind the President. With the support of the people, we can do everything; we can achieve the peace which has eluded us so long.

PRESIDENT EXEMPLIFIES COURAGE AND DETERMINATION TO HONORABLY END VIETNAM WAR

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

Mr. QUILLEN. Mr. Speaker, our men who have died for freedom speak to us today.

To you from falling hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep. * * *

The President has again exemplified his courage and determination to honorably end the Vietnam war.

In my opinion, this action of mining the harbors is long overdue—in fact, it should have been taken in 1963. We cannot, and we must not, desert our remaining troops, citizens, and prisoners of war to an almost certain slaughter by the enemy.

I commend the President for his courage and unselfishness in this move. By putting politics aside during this crisis, he has set an example that his critics should well follow.

IN SUPPORT OF THE PRESIDENT

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

Mr. BUCHANAN. Mr. Speaker, I rise in support of the President. His most recent response to the North Vietnamese Communist aggression in South Vietnam was both courageous and right.

In referring to the leaders of that government as international outlaws, he was precisely defining their outlook and conduct.

There can be no challenge to the fact that they are the invaders and aggressors in Cambodia, Laos, and South Vietnam. Nor could the President stand idle while our remaining forces continue to be threatened by this continuing Communist invasion.

The mining of Haiphong Harbor is not only in order, it is several years past due, in my judgment. The intensified bombing is also a necessary and appropriate response to Hanoi's intransigence.

The cause of world peace cannot be served either by the slaughter of our remaining American forces or the bloodbath which will proceed among the civilian population of South Vietnam if the North Vietnamese succeed in imposing upon that people a Communist government by force.

What happened in Hue in the Tet offensive in 1968 is a clear example of what will happen to several million people if the Communists succeed in their aggression.

The President has made a very generous and reasonable new offer—that of withdrawal of all American forces in 4 months if Hanoi will agree to an internationally supervised cease-fire and release of all our prisoners of war.

Acceptance of this offer by the Communist leaders could bring the immediate American withdrawal for which so many have clamored, provide a formula for peace in the immediate future, and leave the political settlement for the Vietnamese themselves.

It may be, Mr. Speaker, that the South Vietnamese military, notwithstanding the support we have given them, will let both us and the South Vietnamese people down in this moment of truth. For their sake as well as ours, I pray this will not be the case.

But whatever the outcome of their struggle, our American President is attempting to lead us on a pathway of courage and honor. I believe he has the support of the overwhelming majority of the American people. He deserves the support of the Congress as well.

PRESIDENT'S ACTION IN VIETNAM

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

Mr. LEGGETT. Mr. Speaker, I want to add my voice here to the group opposing the action of the President, and I do that only because of the great number that has spoken in his favor. I do not think speeches of this type do any great good, but I would say this: I think we fully explored under the Johnson administration the idea of blockading Haiphong Harbor as a method of solving the problems of the war. We determined years ago this would only stampede the enemy into the hands of the Chinese.

Of course, I think the blockade can be effective if we want to do that. The net effect of it is going to be that Hanoi is going to be more intransigent than ever, and we are going to have more problems. We are going to continue to bomb heavily the area around Hanoi and Haiphong. I find it unconscionable to send our pilots into this war, where they can become prisoners of war, where we have no prospects whatsoever of their recovery.

I think the President has said the Vietnamization program is a success, and I think that statement had to apply to the Vietcong and the North Vietnamese, and anybody on the Indo-Chinese Peninsula. I think he should rise or fall with that statement. We, perhaps, ought to keep up a line of supply to the people in the South, but I think our troops should come out and we should scale down our bombing, and we should pull out our forces from the Tonkin Gulf.

Mr. Speaker, I hope under the rules that prevail in this House that we could have a vote on this issue in the very close foreseeable future to see exactly how we stand. It may well be the President has a majority, but I would say this, that we should be recorded on this issue right now. I have been on record for 10 years as against the escalation under previous administrations, and it is not inconsistent at all for me to take this position at this time.

THE PRESIDENT'S ACTION

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

Mr. RYAN. Mr. Speaker, the President has acted without constitutional authority to enlarge the war, ordering actions which ignore the overwhelming desire of the American people for peace and violate national policy as enacted into law, but which the President declared he would ignore when he signed it.

Section 601 of the Military Procurement Act of 1971, Public Law 92-156, declares it to be the policy of the United States to terminate at the earliest practicable date all U.S. military operations in Indochina and to provide for the withdrawal of all U.S. military forces at a date certain subject to the release of all American prisoners of war.

Rather than following a path to peace, the President has chosen a reckless and potentially disastrous policy by announcing the mining of North Vietnamese harbors, the interdiction of ships delivering supplies, the cutting off of rail and other communications, and continuing air and naval strikes against North Vietnam. He has precipitated not only an international crisis, but he has intensified the constitutional crisis confronting the Congress, for without the consent of the Congress he has placed our Nation in perhaps the most precarious position we have been in the last 20 years.

Congress can no longer allow this administration and this President to wage war in the name of peace. The Congress, and only the Congress, has the power to declare war. However, the power of Congress has been usurped again by the President, and the constitutional process subverted.

Today I have filed with the House a resolution of impeachment of the President. It is important that this House take seriously its responsibilities and once and for all curb the President. Since all other legislative remedies appear to have been exhausted, I urge the House to use this method as a vehicle for ending the war.

PRESIDENT'S ACTION IN VIETNAM

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

Mr. JACOBS. Mr. Speaker, the minority leader has said that the President on yesterday had to face the choice of seeing South Vietnam overrun or taking the action that he took.

My father used to say that there are too many people making history who have never read it.

I ask all my colleagues to remember back to that day in 1964 and later in 1965 when President Johnson was faced with exactly the same decision—South Vietnam, the Saigon regime, about to be overrun.

Ask yourselves, deep down inside what do you suppose President Johnson thinks today, really deep down inside, about

that decision? Do you suppose that he and the majority of the American people do not wish to God that they could go back and choose the other path?

One other point, Mr. Speaker. Truth is the first casualty of war. The 17th parallel in Vietnam was never mentioned in the history of the world in connection with boundaries until the 1954 Geneva accords.

Paragraph 6 of the Geneva accords provided that the 17th parallel is a military line of demarcation and then went on to say, and I quote:

And shall in no way be taken as an international or political boundary.

Mr. Speaker, are we not against wasteful Government spending of private treasure whether in silver certificates or death certificates.

Here we go down the path again, and in fact, just since this path has been chosen only a week and a half ago there are nearly 50 new American prisoners in the Hanoi Hilton who were laughing, breathing, free kids a week and a half ago.

Are we to choose this path again? Could we not prove wrong the proposition that the only thing we learn from history is that we do not learn from history?

THE PRESIDENT'S ACTION IN THE VIETNAM WAR

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

Mr. HARRINGTON. Mr. Speaker, at this point I share the feelings of a Member of the other body who plaintively expressed the view that we in Congress are being treated by the executive branch as if we were no more than extras in a movie set.

Last night, the President announced a policy which amounts to an act of desperate bellicosity. It carries a high risk of a much greater military escalation without in any way compromising any military advantage in the foreseeable future. And the question confronting us today, as the elected Representatives of the American people, is whether or not we intend to exercise our constitutional duty to do something about it.

I have sat here and listened to the incantation of all of the code words—"doves with yellow wings" and the rest. But I think of the desire to continue a senseless war which has already cost the lives of more than 50,000 young Americans, well over 1 million Asians, and more than \$100 billion.

Neither am I impressed with expressions of partisanship. I opposed the reelection of a President of my own party early in 1968 on this issue, and I do not intend to let charges of partisanship inhibit me now. This is not an issue on which either party has a record that is free from responsibility, and it is not an issue where partisanship is appropriate either on the attack or in defense.

If we are to deserve the title of Representative, and live up to our constitutional obligation, then we must act on what is undoubtedly the most important

question to confront our country in at least a decade. I believe it is essential that the Congress act quickly to repudiate the reckless escalation announced by the President last night, and that we proceed as quickly as we can to vote an immediate end to a war which becomes daily more senseless, more cruel, more damaging, and now, more threatening to the world peace.

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make the announcement that the Chair did not order the clearing of the galleries except those on the Chair's left, where there was disorder.

THE PRESIDENT'S DECISION IN VIETNAM

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

Mr. BLACKBURN. Mr. Speaker, the purpose of my taking the podium today is not merely to cite my support for the President, which I am sure would be expected by most Members of this body, but because I strongly suspect that the actions of the leaders of Hanoi during the next few weeks are going to be more determined by what is said on the floor of this House than by what occurs in a blockade of their ports, or on the battlefield.

Mr. Speaker, the purpose of my rising today is to solicit the support of the Members of the fourth estate in seeing to it that the reports they make of what is going on in this body today carry the true balance of the support that the President has received from the elected representatives of the people of this country.

If all that the leaders of Hanoi hear concerns the few disturbers who were in the gallery, and the relatively few Members who oppose the President, then Hanoi is going to assume that they are on the winning side. They will remain hopeful that they will still win the war on the floor of the House of Representatives when they cannot win it on the battlefield.

So, Mr. Speaker, my purpose today is to ask that those reporting the events today give a true perspective to what the spokesmen for the American people are saying today, that is, they are expressing a strong, continuing support for the President.

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

THE PRESIDENT'S DECISION IN VIETNAM

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

Mr. LATTA. Mr. Speaker, I think that the fathers and mothers of the 66,000 U.S. troops remaining in South Vietnam salute the action the President

has taken. They know their sons are serving under a Commander in Chief who will do what he believes necessary to protect their welfare.

Mr. Speaker, I think it is strange that we have heard from the so-called doves in this Chamber today on the President's announced action before we received any official reaction from the countries having ships in the Haiphong Harbor. Would it not be a godsend if the President's forthright action brought about meaningful negotiations, and an end to this war, the return of our prisoners and our remaining troops, and red faces to those who would forget our sacrifices, and surrender all to the Communists?

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

THE PRESIDENT'S DECISION IN VIETNAM

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

Mr. YOUNG of Florida. Mr. Speaker, I rise in support of my President, and I rise in support of my country, and I rise in support of the right of those who feel differently than I to express that difference.

But, Mr. Speaker, I also rise in strong, strong opposition to the words and deeds of those who would, willingly or unwillingly, feed the propaganda machine of the Communists, and give them reason to believe that if they will hold on just a little bit longer they can win the war in the Congress that they cannot win on the ground.

Mr. Speaker, I wonder if anyone on the floor today heard the very key phrase shouted by one of the group of demonstrators in the gallery when he raised his fist and shouted at you: "Victory to the NLF."

Did you hear that? Have you heard that theme throughout this controversy from the leaders of some of these anti-American activities in recent months? I think that you have. I hope this Congress will let the Communists who are watching today, and the rest of the world, know that we do support our President, that we do support our country, and that we will not stand by while those subversive elements in this Nation undermine our country and try to overthrow the constitutional way of life that Americans have enjoyed since our Nation was born.

THE PRESIDENT'S DECISION IN VIETNAM

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

Mr. McCLOSKEY. Mr. Speaker, I would like to echo the words of the gentleman from Pennsylvania (Mr. DENT) that when passions run high in times of crisis, it behooves us to keep our heads.

I do not wish to speak to the merits of the President's decision yesterday, but I

do think that the Congress should consider the fact that that decision to undertake what is tantamount to a naval blockade was made unilaterally by the President, without authority from the Congress. We should look back on our long and illustrious history to those instances where we have gone to war when there was an illegal interference to the naval blockades were involved or when freedom of the seas. Such interference is clearly illegal unless this country is at war.

I would remind my colleagues that the Congress is the sole agency of government in which is reposed the power to declare war.

The President does not have the power to declare war; only the Congress has such power. Yet the President made the decision to make an act of war yesterday without consulting with the Congress. It seems to me that this imposes upon us the obligation to consider now whether we, as a coequal branch of government, are going to declare war against North Vietnam in order to legitimize this action by the President, or whether we, as the Congress, are going to declare that the war be terminated.

I think we have that obligation regardless of how we may disagree on the merits.

The decision is the responsibility of the Congress, not that of the President of the United States.

PARLIAMENTARY INQUIRY

Mr. RIEGLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. RIEGLE. Mr. Speaker, I have observed different speakers being given very different lengths of time to speak under the 1-minute rule.

I just noticed, for example, the gentleman from California who was given approximately half the time that the gentleman from Ohio (Mr. DEVINE) and several other speakers were given today. I object to that and I think if we are going to use the 1-minute rule, let us use it fairly.

The SPEAKER. The Chair will state that the Chair is trying to enforce the 1-minute rule. That is not a parliamentary inquiry and the gentleman was out of order in making it.

WAR IN VIETNAM

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

Mr. CRANE. Mr. Speaker, in May of 1965 I participated in the first national teach-in on Vietnam, while still a professor at Bradley University.

In that debate, I supported my President, Lyndon Johnson. I supported him at the request of my Democratic colleagues at Bradley University notwithstanding the fact that I had campaigned energetically for Senator GOLDWATER in the 1964 election.

Since that date I have continued to

participate in debates throughout the Nation in support of American efforts to give the people of South Vietnam the opportunity to shape their own destiny free from Communist domination.

It is easy, with the benefit of hindsight, to find fault with aspects of past policy. But on one thing honest men must agree: The U.S. commitment to the principle of self-determination for less fortunate people than ourselves is unparalleled in history.

Last night President Nixon made a courageous and intelligent decision wholly consistent with our policy objectives under President Wilson in World War I, President Roosevelt in World War II, President Truman in the Korean war, and Presidents Kennedy and Johnson in Vietnam.

Mr. Speaker, I am confident that loyal Americans will rally behind President Nixon in his efforts to find peace with honor in a way that hopefully will prevent our children from having to fight in future Vietnams.

WAR IN VIETNAM

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

Mr. KYL. Mr. Speaker, first of all I would like to thank you for what I consider an evenhanded and fair manner in which you have treated the House today.

Diplomacy, that sometimes visible and sometimes invisible intercourse among nations, is a very fragile thing.

Some have spoken today about a declaration of war. Remember this: There are some agreements between nations, mutual assistance agreements, which in the absence of an actual declaration of war do not force one nation to assist another party to the treaty.

To declare war could in itself force involvement of additional countries.

Further, when the United States does actually declare war, there is automatically given to the President the kind of ultimate authority which so many people seeking a House declaration want to avoid.

We have to consider these matters with extreme care. We must even consider our remarks with great care.

DANGEROUSLY WRONG

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

Mr. YATES. Mr. Speaker, there are those who say we should not criticize the President's decision at this critical time because they say it gives aid and comfort to the enemy. Even the President himself called for unity in his speech last night. But heeding such demands for unity when the President's decision may court disaster for our Nation is, in my view, the height of irresponsibility. I feel we must speak out if we believe the Presi-

dent's decision is wrong, and I believe it was wrong. Dangerously wrong.

In another time, the President thought so, too. In 1951, the then Senator Richard M. Nixon, in a statement critical of the Truman administration's conduct of the Korean war, said:

What is more important is that we adopt the right policy in a moment of great national danger. This means that above all our policy should represent the best thinking of our national leaders, including those who disagree with the President as well as those who agree with him.

The country wants unity, but it does not want unity on a policy which has led to disaster or on the perpetuation and power of those who made that policy and who cannot be expected to make good on any other. In other words, the country does not want unity on defeat, or unity on disaster. Disunity hurts our cause without question but unity on a policy which was wrong could bring even greater disaster.

The decision to mine the harbors of North Vietnam and to interdict shipping entering those harbors is provocative, unnecessarily risky, and in great measure, useless. Why indulge in such futile gestures at this time? Even the most ardent hawk will concede the North Vietnamese have enough arms and war materiel on hand to carry on their operations for months without additional supplies from the outside. The President's action comes too late, if indeed such action was ever warranted, unless he intends the war to go on for another year or more.

It is particularly difficult to understand an action that may jeopardize the work of years for peace in the signing of the nuclear arms limitation agreement.

It might have been otherwise, for lost in the President's rhetoric is the seed of settlement of the conflict. He seems to have dropped his insistence on maintaining the Thieu government in office by limiting our terms for settlement to an international cease-fire and the return of our POW's. Standing alone, these might have moved the parties closer to a settlement of their hostilities. It is questionable now, however, in view of the hostile position taken by the President that his new proposal will be accepted.

PROVIDING FOR PRINTING OF "REPORT OF SPECIAL STUDY OF SECURITIES MARKET BY THE SECURITIES AND EXCHANGE COMMISSION"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-1050) on the concurrent resolution (H. Con. Res. 483) providing for the reprinting of a House document entitled "Report of Special Study of Securities Markets by the Securities and Exchange Commission," and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 483

Resolved by the House of Representatives (the Senate concurring), That there shall be reprinted for use of the Interstate and For-

sign Commerce Committee one thousand copies each of a six-part House Document Numbered 95 of the Eighty-eighth Congress, first session, entitled "Report of Special Study of Securities Markets by the Securities and Exchange Commission".

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

TO REPRINT BROCHURE ENTITLED "HOW OUR LAWS ARE MADE"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-1051) on the concurrent resolution (H. Con. Res. 530), to reprint brochure entitled "How Our Laws Are Made," and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 530

Resolved by the House of Representatives (the Senate concurring), That the brochure entitled "How Our Laws Are Made", as set out in House Document Numbered 144 of the Ninety-second Congress, be printed as a House document, with a suitable paperback cover of a style, design, and color, to be selected by the chairman of the Committee on the Judiciary of the House of Representatives, with emendations by Joseph Fischer, Esquire, law revision counsel of the House of Representatives Committee on the Judiciary, and with a foreword by the Honorable Emanuel Celler; and that there be printed two hundred and forty thousand five hundred additional copies, of which twenty thousand shall be for the use of the Committee on the Judiciary and the balance prorated to the Members of the House of Representatives.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR PRINTING OF HEARINGS ENTITLED "AMERICAN PRISONERS OF WAR IN SOUTH-EAST ASIA, 1971, PART 2"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-1052) on the concurrent resolution (H. Con. Res. 545), authorizing the printing of additional copies of hearings on "American Prisoners of War in Southeast Asia, 1971—Part 2" by the Subcommittee on National Security Policy and Scientific Developments, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 545

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Committee on Foreign Affairs, House of Representatives, one thousand five hundred additional copies of the hearings by the Subcommittee on National Security Policy and Scientific Developments in June, August, and September, 1971, entitled "American Prisoners of War in Southeast Asia, 1971—Part 2".

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR PRINTING OF COPIES OF THE CONSTITUTION OF THE UNITED STATES AND DECLARATION OF INDEPENDENCE

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-1053) on the concurrent resolution (H. Con. Res. 552), to provide for the printing of the Constitution of the United States together with the Declaration of Independence, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 552

Resolved by the House of Representatives (the Senate concurring), That the Constitution of the United States, as amended to July 1, 1971, together with the Declaration of Independence, be printed as a House document, with an index, in such form and style as may be directed by the Joint Committee on Printing, and that two hundred and twenty thousand be printed for the use of the House of Representatives.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR PRINTING OF REPORT OF PROCEEDINGS OF THE 45TH BIENNIAL MEETING OF THE CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-1054) on the Senate concurrent resolution (S. Con. Res. 41), authorizing the printing of the report of the proceedings of the 45th biennial meeting of the Convention of American Instructors of the Deaf as a Senate document, and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 41

Resolved by the Senate (the House of Representatives concurring), That the report of the proceedings of the forty-fifth biennial meeting of the Convention of American Instructors of the Deaf, held in Little Rock, Arkansas, from June 25, 1971, through July 2, 1971, be printed with illustrations as a Senate document. Five thousand five hundred additional copies of such document shall be printed and bound for the use of the Joint Committee on Printing.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PROVIDING FOR PRINTING OF SENATE HEARINGS ENTITLED "WAR POWERS LEGISLATION"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-1055) to print additional copies of hearings on "war powers

legislation," and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 54

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Foreign Relations five thousand additional copies of the hearings entitled "War Powers Legislation" held before the Senate Committee on Foreign Relations.

With the following committee amendment:

Page 1, immediately following line 5, add the following:

"Sec. 2. There shall be printed for the use of the House of Representatives three thousand additional copies of the hearings authorized by section 1 of this concurrent resolution, five copies to be set aside for each Member of the House of Representatives."

The committee amendment was agreed to.

The Senate concurrent resolution, as amended, was concurred in.

A motion to reconsider was laid on the table.

AMENDING TITLE 5, UNITED STATES CODE, TO PROVIDE A CAREER PROGRAM FOR AIR TRAFFIC CONTROLLERS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3083), to amend title 5, United States Code, to provide a career program for, and greater flexibility in management of, air traffic controllers, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 9, after "the" insert "separation and".

Page 2, line 1, after "the" insert "separation and".

Page 2, lines 3 and 4, strike out "section to the employees of the Department." and insert "section."

Page 2, after the line following line 7, insert:

"Sec. 2. (a) Section 3307 of title 5, United States Code, is amended to read as follows:

"§ 3307. Competitive service; maximum-age entrance requirements; exceptions

"(a) Except as provided in subsections (b) and (c) of this section, appropriated funds may not be used to pay an employee who establishes a maximum-age requirement for entrance into the competitive service.

"(b) The Secretary of Transportation may, with the concurrence of such agent as the President may designate, determine and fix the maximum limit of age within which an original appointment to a position as an air traffic controller may be made.

"(c) The Secretary of the Interior may determine and fix the minimum and maximum limits of age within which original appointments to the United States Park Police may be made."

"(b) Item 3307 of the analysis of chapter 33 of title 5, United States Code, is amended to read as follows:

"(b) Item 3307 of the analysis of chapter entrance requirements; exceptions."

Page 2, line 8, strike out "2." and insert "3."

Page 2, line 13, strike out "If an" and insert "An".

Page 2, lines 13 and 14, strike out "career tenure who has completed".

Page 2, line 14, after "controller" insert "who".

Page 2, line 15, strike out "from duties".

Page 2, line 22, strike out "well-being" and insert "health".

Page 2, lines 23 and 24, strike out "the Secretary may provide, with the written agreement of the controller," and insert "is entitled to not more than the full-time equivalent of 2 years of".

Page 2, line 24, strike out all after "controller," over to and including line 2 on page 3 and insert "training".

Page 3, strike out lines 3 to 6, inclusive.

Page 3, line 7, strike out "(c)" and insert "(b)".

Page 3, line 7, strike out "the" and insert "a".

Page 3, line 8, strike out "shall—" and insert "shall be—".

Page 3, line 9, strike out "be".

Page 3, line 11, strike out "be".

Page 3, line 12, strike out "by or".

Page 3, line 12, strike out "statute;" and insert "law;"

Page 3, line 13, strike out "be".

Page 3, line 13, strike out "the".

Page 3, line 15, strike out "(d)" and insert "(c)".

Page 3, line 19, strike out "Government" and insert "Executive".

Page 3, line 24, strike out "purpose" and insert "purposes".

Page 3, lines 24 and 25, strike out "determining entitlement to severance pay under".

Page 3, line 25, strike out "of this title".

Page 4, line 1, strike out "entitlement to immediate retirement under".

Page 4, line 3, strike out "(e)" and insert "(d)".

Page 4, line 6, strike out all after "section" down to and including line 21 and insert "including expenses authorized to be paid under chapter 41 and subchapter I of chapter 57 of this title, and the costs of other services or facilities directly related to the training of a controller".

Page 4, strike out lines 22 to 26, inclusive, and insert:

"(e) Except as provided by subsection (d) of this section, the provisions of chapter 41 of this title, other than sections 4105(a), 4107 (a) and (b), and 4111, shall not apply to training under this section.

Page 5, line 1, strike out "(g)" and insert "(f)".

Page 5, line 1, after "not" insert "otherwise".

Page 5, line 5, strike out "an".

Page 5, line 6, strike out "annuity" and insert "retirement".

Page 5, line 6, strike out "subchapter III of chapter 83" and insert "section 8336".

Page 5, line 7, strike out "for retirement".

Page 5, line 13, strike out "well-being" and insert "health".

Page 5, lines 15 and 16, strike out "The involuntary separation of a controller" and insert "Separation".

Page 5, line 18, strike out "which immediately follows" and insert "following".

Page 5, line 18, strike out "on which".

Page 5, line 23, after "later," insert "A controller who is to be separated under this section is entitled to training under section 3381 of this title. Separation of such a controller who elects to receive training under section 3381 shall not become final until the last day of the month following the completion of his training".

Page 5, line 25, strike out "A" and insert "An air traffic".

Page 6, line 4, strike out "date of".

Page 6, line 7, after "such" insert "a".

Page 6, line 9, strike out "of the Secretary".

Page 6, line 13, after "shall" insert "immediately".

Page 6, line 20, strike "A" and insert "The".

Page 6, lines 20 and 21, strike out "convened under subsection (b) of this section".

Page 6, line 21, after "review" insert "evidence supporting and inconsistent with".

Page 7, line 7, strike out "from" and insert "within".

Page 7, line 10, strike out "shall prescribe" and insert "is authorized to issue".

Page 7, line 11, strike out "necessary".

Page 7, line 12, strike out all after "ter." down to and including line 17.

Page 7, line 19, strike out "does" and insert "shall".

Page 7, line 22, after "of" where it appears the first time insert "the".

Page 7, line 22, after "efficient" insert "separation and".

Page 7, line 23, strike out "well-being" and insert "health".

Page 7, line 23, strike out "the" and insert "a".

Page 8, line 4, strike out "3." and insert "4".

Page 8, line 19, strike out "4." and insert "5".

Page 9, line 3, after "inserting" insert "after subsection (d)".

Page 9, line 10, strike out "5." and insert "6".

Page 9, line 16, after "inserting" insert "after subsection (d)".

Page 9, lines 20 and 21, strike out "employee unless that employee received training under section 3381 of this title." and insert "employee.".

Page 9, line 22, strike out "6." and insert "7".

Page 9, line 24, after "8339(h)" insert "each place it appears".

Page 10, line 1, after "8332(b)(3)" insert "and (8)".

Page 10, line 7, strike out "(i)" and insert "(A)".

Page 10, line 11, strike out "(ii)" and insert "(B)".

Page 10, line 12, strike out "(c)" where it appears the first time and insert "(e)".

Page 10, line 13, strike out "respectively".

Page 10, line 18, strike out "(iii)" and insert "(C)".

Page 10, line 22, strike out "(iv)" and insert "(D)".

Page 10, line 26, strike out "(v)" and insert "(E)".

Page 10, line 26, strike out "reference" and insert "references".

Page 11, line 1, after "(a)-(h)" insert "and subsection (i)".

Page 11, line 2, strike out "reference" and insert "references".

Page 11, line 2, after "(a)-(i)" insert "and subsection (j)", respectively".

Page 11, line 4, strike out "(vi)" and insert "(F)".

Page 11, line 8, strike out "(vii)" and insert "(G)".

Page 11, line 9, strike out "respectively".

Page 11, line 15, strike out "(a)-(h)" and insert "(a)-(h)".

Page 11, line 15, after "8339(i)" insert "and section 8339(j)".

Page 11, line 15, strike out "respectively".

Page 11, line 17, strike out "(a)-(i)" and insert "(a)-(i)".

Page 11, line 17, after "8339(j)" insert "and section 8339(k)".

Page 11, strike out all after line 25 over to and including line 3 on page 12 and insert:

(5) by amending section 8344(a)—

(A) by striking out the reference "section 8339 (a), (b), (d), (g), and (h)" in subparagraph (A) and inserting the reference "section 8339 (a), (b), (d), (e), (h), and (i)" in place thereof; and

(B) by striking out the references "section

8339(i) of section 8339(j)(2)" in the sentence following immediately below clause (i), and inserting the references "section 8339(j) or section 8339(k)(2)" in place thereof.

Page 12, line 4, strike out "7." and insert "8".

Page 12, line 8, strike out "8." and insert "9".

Page 12, line 18, strike out "9." and insert "10".

Page 12, after line 19, insert:

Sec. 11. The Act of September 26, 1969 (Public Law 91-73; 83 Stat. 116), relating to age limits in connection with appointments to the United States Park Police, is repealed effective at the end of the eighty-ninth day after the date of enactment of this Act.

Mr. GROSS (during the reading). Mr. Speaker, I ask unanimous consent that the amendments be considered as read and printed in the Record.

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

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 8083, and to include extraneous material.

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

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight to file certain privileged reports.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 55, SEABEES MEMORIAL

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 960 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 960

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 joint resolution (H.J. Res. 55) proposing the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the Seabees of the United States Navy. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on House Ad-

ministration, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I am very pleased to have had the privilege of being the author of the resolution, House Joint Resolution 55, to provide for the erection of a monument on the "Avenue of Heroes" to and for the Seabees of the U.S. Navy. Born in 1942 during the early days of World War II, the men of the naval construction force, the Seabees, have spread their "Can Do" spirit from one corner of the earth to the other.

The Seabees are homeported at three construction battalion centers in the United States. These are Davisville, R.I.; Port Hueneme, Calif.; and Gulfport, Miss. Since Gulfport, Miss., is located within my congressional district, I have had the honor of being associated very closely with the varied and far-flung activities of these gallant builders for many years.

Specific tasks of the Seabees range from construction for any of the military forces, including operational, logistics, underwater and ship-to-shore facilities, to the construction for any military branch during assault operations. They also provide disaster control during the time of an emergency, disaster or catastrophe caused by natural or enemy action and provide forces for counterinsurgency or civic action employment.

In the pages of history we can find that the Seabees, when in the Pacific in World War II, constructed 111 major airstrips, 441 piers, 2,558 ammunition magazines, 700 square blocks of warehouses, hospitals for 70,000 patients, tanks for storing 100,000,000 gallons of gasoline and housing for 1,500,000 men.

A prime example of the "Can Do" spirit of the Seabees was exhibited in the construction of a critical and vital airstrip during the Korean war. They were deployed to Yo Do in the Bay of Wonsan and given 35 days to have the airstrip ready for use. The job was completed in 16 days and all of the work was done under constant artillery bombardment from enemy forces.

The activities of the Seabees in Vietnam probably represent one of the greatest challenges and greatest accomplishments. Performing construction at the rate of \$10 million per month at the peak of the effort, they built camps for Marine, Army, Navy, and Air Force troops equivalent to a city with a population of more than one-half million, including utilities and sanitation systems, roads and housing. In addition more than 4½ miles of bridges; one-quarter million lineal feet of runways and taxiways; and 4 million square feet of warehouse space were constructed and over one-half million tons of asphalt was produced.

The peacetime efforts of the Seabees are no less impressive than their wartime achievements. Seabee teams have

worked in many foreign countries in socio-economic programs of community development. Working side by side with the civilian populace in Southeast Asia, the Trust Territory of the Pacific, and other countries of the free world, Seabees have carried out projects in construction and development of water systems, sanitation facilities, roads, schools, hospitals, and orphanages. A prime example of the peacetime disaster activities of the Seabees would be the excellent job performed by them during and immediately following the destructive hurricane Camille.

The U.S. Navy Seabees are unique military men who build for democracy, fight to defend freedom and foster ideas which promote international understanding and good will through civic action teamwork. The sailor in green—the Seabee—is an ambassador for peace at the grassroots level.

It is most noteworthy that in the true spirit of the Seabees the funds for the construction of this memorial have been raised by the Seabees themselves.

Therefore, Mr. Speaker, it is with distinct pleasure and, I feel, a high honor that I present this resolution to my colleagues in this Chamber. I am confident that the membership of both the House and the other body will overwhelmingly show their appreciation, by their vote, of this splendid organization of fighting construction engineers—a most valuable component of our Armed Forces.

Mr. Speaker, with the permission and approval of my friend, the gentleman from Tennessee, I should like at this time to yield such time as he may consume to the distinguished Speaker of the House.

(Mr. ALBERT (at the request of Mr. COLMER) was granted permission to speak out of order.)

TRIBUTE TO THE HONORABLE EMANUEL CELLER

Mr. ALBERT. Mr. Speaker, on May 6, 1888, in a frame house on Summer Avenue and Floyd Street, in Brooklyn, N.Y., was born a man destined to become one of the great public servants of all times—a Member of this House since 1923, and its dean since 1965. Today I extend not only belated birthday congratulations and greetings to my distinguished colleague, the gentleman from New York (Mr. CELLER) but, more important, my congratulations in his lifetime of achievements to which he has just added another milestone. The gentleman's longevity is outdistanced only by his talents and his contributions to this body and his country.

It is impossible to wish MANNY CELLER "Happy Birthday" without at least touching upon his many great attainments. The chairman of the Committee on the Judiciary was fighting for civil rights and constitutional liberties long before these were headline issues. He was also one of the foremost proponents of New Deal legislation, having led the fight for the National Recovery Act, reciprocal trade agreements, the Social Security Act, TVA and WPA. He was in the vanguard of the historic legislative battles for antitrust legislation, revision of the national quotas immigration system, and the establishment of Federal regulatory bodies.

His name has probably appeared on

more historic legislative measures than the name of any other Member in the history of either House of Congress.

Regarded as a great internationalist and a great liberal, a supporter of the Marshall plan and the displaced persons bill, MANNY CELLER has nevertheless always kept our country's domestic needs foremost in mind. He has always stood for a strong national defense, having voted for conscription measures including the first peacetime compulsory training law passed shortly before Pearl Harbor.

The American child who gets a better education, the American family who moves into better housing, and cities and towns upgraded by improved transportation and urban renewal, can thank MANNY CELLER for his leadership and for his vote cast for all these and many other programs to make the promise of America come true for all people of all races, colors, creeds and national origins.

The biography of no Member can claim participation in more historical events, more constructive programs, than that of our beloved dean. He serves in the greatest and finest traditions of this body. He well deserves the accolades, the affection, which we all extend to him and which we all share.

As alert and resourceful as he was on the day when he entered this chamber, MANNY CELLER is still a tower of strength among us. May his days be lengthened and his service in this great House be continued for years and years to come.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished Speaker yield?

Mr. ALBERT. I am happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, our distinguished Speaker has set forth for the RECORD the superb achievements and accomplishments of our friend, the gentleman from New York (Mr. CELLER).

I am honored and privileged, Mr. Speaker, to join with you in wishing MANNY CELLER my very, very best wishes on this birthday milestone, the 84th in his lifetime.

I am also pleased, Mr. Speaker, to read into the RECORD a letter from the President of the United States. I have a copy of that which was sent to the distinguished gentleman from New York. It reads as follows:

THE WHITE HOUSE,
Washington, April 26, 1972.

HONORABLE EMANUEL CELLER,
House of Representatives,
Washington, D.C.

DEAR MANNY: On your eighty-fourth birthday I want you to know that Mrs. Nixon and I will be thinking of you. With your constituents and countless fellow Americans, we admire the impressive measure of years which you have given in devoted service to your country. Your enduring achievements and strong articulate leadership have earned you respect that crosses party lines, respect that is reserved for only the most distinguished United States' citizens.

Warmest congratulations to you on this happy occasion.

Sincerely,

RICHARD NIXON.

Mr. Speaker, I have had in my 23-plus years in this Congress many opportunities to work with the gentleman from New York. We have not always agreed,

but I know no one in this House who has more personal charm, more skill and ability, more dedication to the viewpoint that he holds than my friend MANNY CELLER.

I hope and trust that this milestone is only one in many more that will follow.

His record is indelibly written in this House of Representatives—a fine, admirable, and outstanding record.

I congratulate him on his birthday and wish him well.

Mr. ALBERT. I take pleasure in yielding to the distinguished dean of the House.

Mr. CELLER. Mr. Speaker and gentlemen of the House, naturally the words you have just heard warm the cockles of my heart, and I am deeply grateful for the expressions you have just heard concerning me.

Every age has its special compensations, as we all know, and among those are sustained and sustaining friendships. The warmth of these friendships glow in this Hall today. I thank my worthy colleagues for their having borne with me these many years. To me, now, the House of Representatives is my very life. But to depart from this solemn note, I am reminded of a ditty I once learned:

King Solomon and King David led very merry lives
With their very many concubines and very many wives
Until—old age crept upon them with its very many qualms
Then—Solomon wrote the Proverbs and David wrote the Psalms.

Perhaps I should ask that my birthday no longer be remembered and just leave it at 21 plus—or should I say 18 plus? But I do rejoice in my birthdays and hope and believe that I shall be here many years to listen to the voices of friendship.

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

Mr. ALBERT. I am glad to yield to the distinguished gentleman from Ohio (Mr. McCULLOCH).

Mr. McCULLOCH. Thank you, Mr. Speaker.

This is a pleasant day in my life, Mr. Chairman, as I am sure it is a pleasant day in your life.

When I came to Congress almost 25 years ago, at my request, I was assigned to the Judiciary Committee where I have served ever since. It has been a delightful and enlightening service.

I come from the plow fields of Ohio, Mr. Chairman, and some of my friends, both in the plow fields and from the high tower, wonder how and why the Honorable EMANUEL CELLER and BILL McCULLOCH should agree on so many fundamental issues.

Those of us who have been here at least partially as long as the chairman, know why that has been possible. In the time that he has served in the House, the chairman of the Judiciary Committee has made contributions to the fundamental law of this country, exceeded only by those who wrote the Constitution initially.

He has been a guide and a helper in some of the most difficult periods in our history.

I am really glad that I was assigned to the Judiciary Committee.

Now, the chairman is going to be back here again in the next term. I hope that his success and his accomplishments will be as great in that time as they have been in any like period in the past.

Mr. Chairman, you have nothing but my very best wishes always.

Mrs. ABZUG. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from New York.

Mrs. ABZUG. Mr. Speaker, I would like to rise and pay my respects to the chairman of our New York delegation.

His own history and belief in civil rights and civil liberties of this country speak most eloquently for themselves.

I hope you will forgive me if I note that there has been an expression of the people here today in the galleries. They are seeking to express their will and the will of the American people to end this terrible war in Indochina. Their will has been denied by the actions of the President. I think that it is fitting that at the moment we are paying tribute to a man who has led the fight for the civil liberties and civil rights of the people that we in this House respect the rights of the people by acting to represent them against the violation of their rights—and the rights of this body—by the President.

Mr. Speaker, I hope and expect that you will address yourself to the House today to explain, as leader of our party, what transpired in your conversation with the President, and that you will help lead us out of this terrible situation.

I hope the chairman of my delegation will forgive me, but I think I do honor to him and what he stands for when I express the feelings which I have today.

Mr. CORMAN. Mr. Speaker, once again it is my pleasure to extend to "MANNY"—as Chairman CELLER is affectionately called—congratulations, this time on the occasion of his 84th birthday. I join with the Speaker and other of my colleagues in paying tribute to him.

With every year that passes, MANNY's contribution to the causes of individual freedom and the dignity of every man has strengthened the constitutional wall that protects each of us from any erosion of the Bill of Rights. In this, and in countless other ways, Chairman CELLER has served America and Americans admirably.

As dean of the House, he holds a special place in our affection and the utmost respect for him abounds from both sides of the aisle.

For myself, I wish for this good friend, today and every day, long life, excellent health and contentment for many years to come.

Mr. RYAN. Mr. Speaker, I am pleased to join my colleagues in extending best wishes to the dean of the House on the occasion of his 84th birthday. I think we should also note the fact that this year marks Chairman CELLER's 50th year of service in the House of Representatives.

During his many terms of office he has earned the respect of his colleagues on both sides of the aisle as a truly effective legislator and a rare individual. His constituents have indicated their confidence

in his ability to represent their interests in the House by returning him to office 25 times.

His influence in the House was extended even further when he became chairman of the Judiciary Committee, a position he has held for 21 years. The vast amount of legislation that he has successfully steered through his committee, and indeed, through the House itself, is testimony to his unceasing efforts. As a member of the Judiciary Committee, I have had the opportunity to work closely with Chairman CELLER and to observe his unquestioned ability at first hand. It has been a privilege for me to know him both as an able chairman and a valued friend.

I think it only fitting that we pause to pay tribute to our dean, who has contributed so much to our country, and to wish him well as he continues his dedicated efforts in the House.

GENERAL LEAVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the birthday and service of the gentleman from New York (Mr. CELLER).

The SPEAKER pro tempore (Mr. STRATTON). Is there objection to the request of the gentleman from Oklahoma? There was no objection.

The SPEAKER pro tempore (Mr. STRATTON). The gentlewoman will suspend. The Chair will warn those in the galleries that there will be no expression of sentiment one way or the other, or the galleries will be cleared.

The time of the gentleman from Oklahoma has expired.

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

Mr. Speaker, the distinguished chairman of the House Committee on Rules has explained this resolution in depth, and I offer my congratulations to the gentleman for presenting this resolution, and making available to the Members of the House an opportunity to vote on such a worthwhile measure.

Mr. Speaker, the purpose of House Joint Resolution 55 is to authorize the Seabee Memorial Association to construct a memorial to the Seabees of the U.S. Navy.

The Seabee Memorial Association will pay the entire cost of the construction of the memorial, which is to be built on public lands in the District of Columbia or its environs. The site is to be selected by the Secretary of the Interior, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission. If the site selected is under the jurisdiction of the District of Columbia is to be obtained as well.

The Department of the Interior, the Commission of Fine Arts, the National Capital Planning Commission, and the District of Columbia all submitted departmental letters on the bill. Of these only the Commission of Fine Arts opposed this bill, on the ground that they felt it inappropriate to single out specific components of any branch of the military for a memorial in Washington, given the very limited number of sites available.

Mr. Speaker, I have no further re-

quests for time, and I reserve the balance of my time.

Mr. COLMER. Mr. Speaker, if I may I would like to speak out of order for just a moment, before moving the previous question on this resolution in order to join in with the distinguished Speaker and the distinguished minority leader in their accolades and appraisal of the work of the dean of this House, our friend, the gentleman from New York, MANNY CELLER.

Mr. Speaker, while I have not always agreed philosophically with the able and distinguished gentleman from New York, I do have great admiration for his ability and respect for him as a person.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON S. 1736, TO AMEND THE PUBLIC BUILDINGS ACT OF 1959

Mr. GRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1736) to amend the Public Buildings Act of 1959, as amended, to provide for financing the acquisition, construction, alteration, maintenance, operation, and protection of public buildings, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? The Chair hears none, and appoints the following conferees: Messrs. GRAY, KLUCZYNSKI, WRIGHT, HARSHA, and GROVER.

PROVIDING FOR CONSIDERATION OF H.R. 4383, FEDERAL ADVISORY COMMITTEE STANDARDS ACT

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 957 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 957

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. 4383) to authorize the Office of Management and Budget to establish a system governing the creation and operation of advisory committees throughout the Federal Government which are created to advise officers and agencies of the Federal Government. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Government Operations now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such con-

sideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from New York (Mr. DELANEY) is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield one-half hour to the gentleman from Tennessee (Mr. QUILLEN), and pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 957 provides an open rule with 1 hour of general debate for consideration of H.R. 4383, the Federal Advisory Committee Standards Act. The resolution also makes it in order to consider the committee substitute as an original bill for the purpose of amendment.

The purpose of H.R. 4383 is to promote more effective use of advisory committees in the executive branch. It would establish a system for the creation and operation of such committees throughout the Government.

There are presently existing between 2,600 and 3,200 advisory committees which have been established either by statute or reorganization plan, by the President, or by agencies. Investigation by the Government Operations Special Studies Subcommittee revealed that tighter management of the committees is needed.

H.R. 4383 provides for the termination of the existing committees, except those established by statute. After the enactment of this legislation, the advisory committees will be re-created every 2 years.

The committees must make public notice of meetings and must provide public access to records. The Library of Congress will establish a depository for all committee reports and make them available to the public.

A Committee Management Secretariat is established in the Office of Management and Budget for oversight operations of the committees. The Director of Office of Management and Budget would be required to review committee activities and responsibilities and to prescribe guidelines and management controls.

An annual report to the Congress shall be made by the President on the activities of the advisory committees.

The committees will be required to meet at least twice each year and keep informative records of their meetings.

The cost of the legislation is estimated at \$370,600 the first year and between \$277,500 and \$291,200 in each of the next 5 years. The present annual cost of the existing advisory committees is estimated at \$75 million.

The legislation shall become effective 90 days after enactment.

Mr. Speaker, I urge the adoption of

House Resolution 957 in order that the legislation may be considered.

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

Mr. Speaker, the distinguished gentleman from New York has ably described the provisions of this bill.

Mr. Speaker, I am in favor of any way by which we can consolidate these functions and save money.

Mr. Speaker, the purpose of H.R. 4383 is to increase the effectiveness of advisory committees in the executive branch of the Government and to eliminate those advisory committees which do not perform a useful function.

A recent study has revealed that there are at least 2,600 interagency and advisory committees and possibly as many as 3,200 presently existing. For the purposes of this bill, an advisory committee is defined to include committees, boards, commissions, councils, conferences, task forces and other similar bodies which are established to give advice to the President or any agency.

H.R. 4383 would assign the Office of Management and Budget to monitor the operations of these advisory committees. Each year, the President would make a report on the activities of advisory committees in existence in the executive branch of Government.

The bill provides for the termination of each advisory committee other than an advisory committee established by statute within 2 years after the effective date of this bill. In the case of an advisory committee created after the effective date of the bill, termination will take place within 2 years after creation. However, an advisory committee may be continued for successive 2-year periods, if the creating authority takes appropriate action. An advisory committee created by statute after enactment of this bill will terminate after 2 years unless its termination is otherwise provided for by law.

The cost of implementing this bill is estimated at \$370,600 in the first year of operation and between \$277,500 and \$291,200 per year for each of the next 5 years. The present cost of maintaining advisory committees is estimated at more than \$75,000,000. The Committee on Government Operations expects considerable savings will result from the termination of committees which no longer serve a useful purpose.

There are departmental letters from the Library of Congress, Comptroller General, and the Office of Management and Budget. Of these, OMB opposes the bill, on the ground that the desired results can be achieved by OMB directive, without congressional action. In rebuttal the committee report notes that the committee requested action 25 months ago, and no directive has yet been forthcoming.

Mr. Speaker, I have no requests for time and yield back the balance of my time.

Mr. DELANEY. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.
The resolution was agreed to.
A motion to reconsider was laid on the table.

SEABEES MEMORIAL

Mr. NEDZI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 55) proposing the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the Seabees of the U.S. Navy.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 55) with Mr. STRATTON in the chair.

The Clerk read the title of the joint resolution.

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

The CHAIRMAN. Under the rule, the gentleman from Michigan (Mr. NEDZI) will be recognized for 30 minutes, and the gentleman from Michigan (Mr. HARVEY) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. NEDZI).

Mr. NEDZI. Mr. Chairman, I yield myself such time as I may require.

The Committee on House Administration has considered this legislation and approved it unanimously.

By the terms of the joint resolution, the Secretary of the Interior is authorized and directed to select, with the concurrence of the National Commission of Fine Arts and the National Capital Planning Commission, an appropriate site for this memorial in the District of Columbia area. It is provided that, should such site be on public grounds under the jurisdiction of the District of Columbia, the approval of the Commissioner of the District of Columbia is to be obtained as well.

Planning and design for this memorial will be subject to the approval of the Secretary of the Interior, the National Commission of Fine Arts, and the National Capital Planning Commission. The U.S. Government will assume no funding responsibility for the erection of this memorial, the entire cost thereof to be borne by the Seabee Memorial Association, Inc. The maintenance and care of the memorial will be the responsibility of the Secretary of the Interior.

The Seabee Memorial Association has indicated its desire to locate this monument near the entrance to Arlington National Cemetery; of course, this site as well as the proposed design must be approved by the Department of the Interior and the National Commission of Fine Arts and the National Capital Planning Commission.

House Joint Resolution 55 provides that the authority conferred therein shall lapse in the event that the monument's erection has not commenced within 5 years after the enactment of the joint resolution, or in the event that

prior to the commencement of such construction the Secretary of the Interior is not satisfied that sufficient funds are certified available to insure completion of this memorial.

As you know the Seabees of the U.S. Navy have made a very substantial contribution to the defense of the Nation, and in my view some lasting recognition of that contribution is most appropriate and overdue. Accordingly, I urge the approval of House Joint Resolution 55.

Mr. HARVEY. Mr. Chairman, House Joint Resolution 55 proposes that a memorial be erected on public grounds in or around the District of Columbia to honor the Seabees of the U.S. Navy. No branch of our Armed Forces has served with more dignity and honor than the U.S. Navy Construction Battalions, or simply the Seabees. As one of the most specialized and courageous branches of the service, the Seabees are charged with the building and the defense of supply and transportation facilities. Their valor and their performance under fire are well known, and since their founding in the early stages of World War II, they have earned an honored position in American military history.

Formed 30 years ago, the Seabees built and repaired bases to support our Navy and Marine Corps installations in both theaters during the Second World War. As carpenters, plumbers, electricians, and engineers, the Seabees built airfields, waterfront facilities, supply depots and anything else necessary to keep our attack forces alive. It was in the South Pacific during the battles for Guadalcanal, Tarawa, and Guam that they earned their now-famous motto "Can Do."

The resourcefulness and skill of the Seabees extends the mobility of our combat forces throughout the world. They reduce to routine the problems of military logistics, and their efforts guarantee the success of operations that would otherwise languish. At Normandy, for example, they built the flexible fuel pipelines that kept our fighting men going during the invasion and throughout the liberation of France.

Since World War II, the Seabees have seen action not only in the combat zones of Asia, but also in Antarctica in 1947 and with Operation Deepfreeze in 1955. They have also become the Navy's "peace corps," serving in Africa, Latin America, and the Pacific, building schools, sanitation facilities, roads, and many other necessities that the developing nations must have to improve their standard of living.

From their peak of 250,000 men in 1945, the Seabees now number less than 23,000 men. All of these men have served their country honorably and courageously, and I believe it only fitting and proper that this Congress recognize their achievements and sacrifices by approving this memorial proposed in House Joint Resolution 55.

I have no further requests for time. I yield back the remainder of my time.

Mr. NEDZI. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Chairman, the accomplishments and sacrifices of the officers and men of the U.S. Naval Con-

struction Force—the fighting Seabees—helped to construct the path to victory in World War II and, since then, they have contributed significantly to America's national efforts to build for peace.

Born in the dark days following Pearl Harbor, the Seabees have labored in many parts of the world to provide roads, airstrips and shore installations which enabled the armed might of our Nation and its Allies to prevail over the force of our enemies. From the beaches of Europe to the beaches of the far Pacific, a quarter million Seabees built everything imaginable, under the most extraordinary conditions, using techniques and materials in such unusual ways that their motto "Can Do" became a permanent part of American language. In the Korean action, Seabees engaged in amphibious landings to assist in stemming the rising tide of Communist aggression in that part of the world. In Vietnam, the Seabees have been active in the construction of military facilities to support our combat units deployed there to halt Communist aggression.

The Seabees are builder-fighters, but in the last 10 years they have also become known as the "Navy Peace Corps." Seabee civic action teams have served in Africa, Latin America, Asia, and Micronesia providing medical help, improving village sanitation, digging water wells, building schools, roads, and bridges, repairing homes and orphanages, and showing the people that Americans understand and care about the people of the world. The Seabees have established a fine new legend in the American Armed Forces.

The Seabees have served the United States with honor and courage. This service, I feel, is most deserving of special tribute and remembrance. I am a cosponsor of this proposal and I urge the House to adopt the resolution under consideration today.

Mr. TIERNAN. Mr. Chairman, I rise to express my strong support for House Joint Resolution 55 which is identical to my bill, House Joint Resolution 250. This legislation authorizes the erection of a memorial on public grounds here in the District of Columbia, or the surrounding area, to honor and commemorate the Seabees of the United States Navy.

The Secretary of the Interior is authorized and directed to select, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, a suitable site and is then responsible for the maintenance and care of the memorial.

The entire cost of the erection of the memorial will be assumed by the Seabee Memorial Association, Inc.:

Mr. Chairman, the Seabees, known officially as the Civil Engineer Corps, were born at Davisville, R.I., 30 years ago. My State takes great pride in this distinction.

A healthy and wholesome spirit of accomplishment pervades this unique organization and is appropriately reflected in its motto "Can Do."

Their record is a proud and courageous one. I believe it fitting and proper that a memorial to the Seabees be located here in the Nation's Capital.

We can do no less.

Mr. CONTE. Mr. Chairman, as a co-sponsor of this legislation, I rise in enthusiastic support of House Joint Resolution 55. This measure authorizes the Seabee Memorial Association, Inc., to erect, at no cost to the Federal Government, a modest memorial in the District of Columbia, or its environs, in honor of the Seabees of the United States.

Having served in the southwest Pacific theater with this crack outfit during World War II, I am well aware of the accomplishments and sacrifices that the officers and men of the U.S. Naval Construction Force have contributed to their country. Through their stalwart efforts, a path to victory was constructed in World War II. And since that time, they have contributed significantly to our national efforts to build for peace.

Born in the dark days following Pearl Harbor, the Seabees labored in many parts of the world to provide roads, airstrips, and shore installations which enabled our Armed Forces and allies to prevail over our aggressors.

From the beaches of Europe to the reaches of the far Pacific, a quarter-million Seabees built everything imaginable under the most extraordinary conditions. They used techniques and materials in such unusual ways that their motto "Can Do" became a permanent part of the English language.

During the last decade, the Seabees have added to their admirable accomplishments as builder-fighters by becoming a "Naval Peace Corps." Seabee civic action teams have served in Africa, Latin America, Asia, and Micronesia. They have provided medical help, improved village sanitation, built schools, roads and bridges, repaired homes and orphanages, and thus showed that Americans understand and care about the people of the world.

Mr. Chairman, I am proud to have been part of this outstanding branch of the service. And I was deeply honored when I received their silver Seabee award in 1967. The Seabees have served the United States with courage and distinction. This record of achievement, I feel, is most deserving of tribute and remembrance. Let us accord them that tribute with the overwhelming passage of this legislation.

Thank you.

Mr. NEDZI. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

H.J. Res. 55

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Seabee Memorial Association, Incorporated, is authorized to erect a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the Seabees of the United States Navy who have served their country with the "CAN DO" spirit in building for peace.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, a suitable site on public grounds in the District of Columbia, or its environs, upon which may be erected the memorial authorized in the first section of this Act: *Provided*, That if the site selected is on public grounds belonging to or under the jurisdiction

of the government of the District of Columbia, the approval of the Commissioner of the District of Columbia shall also be obtained.

(b) The design and plans for such memorial shall be subject to the approval of the Secretary of the Interior, the National Commission of Fine Arts, and the National Capital Planning Commission, and the United States or the District of Columbia shall be put to no expense in the erection thereof.

SEC. 3. The authority conferred pursuant to this joint resolution shall lapse unless (1) the erection of such memorial is commenced within five years from the date of enactment of this joint resolution, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior, to insure completion of the memorial.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this Act shall be the responsibility of the Secretary of the Interior.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair (Mr. STRATTON), Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee having had under consideration the Joint Resolution (H.J. Res. 55) proposing the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the Seabees of the U.S. Navy, pursuant to House Resolution 960, he reported the joint resolution back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

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

The SPEAKER. The question is on the passage of the joint resolution.

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

Mr. THOMPSON of Georgia. 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 366, nays 4, answered "present" 1, not voting 60, as follows:

[Roll No. 139]

YEAS—366

Abbott
Abernethy
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arenda
Ashbrook
Aspin
Baker

Baring
Barrett
Begich
Belcher
Bell
Bennett
Bergland
Betts
Bevill
Blaggi
Blester
Blackburn
Blatnik
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Broomfield

Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burlison, Tex.
Burlison, Mo.
Burton
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Camp
Carey, N.Y.
Carlson
Carney
Carter

Casey, Tex.
Cederberg
Celler
Chamberlain
Chappell
Clawson, Del.
Clay
Cleveland
Collier
Collins, Ill.
Collins, Tex.
Colmer
Conable
Conte
Corman
Cotter
Coughlin
Crane
Culver
Curlin
Daniel, Va.
Daniels, N.J.
Danielson
Davis, Ga.
Davis, S.C.
Davis, Wis.
Delaney
Dellenback
Denholm
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Dow
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Ellberg
Erlenborn
Evans, Colo.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frenzel
Frey
Fulton
Fuqua
Garmatz
Gaydos
Gettys
Gialmo
Gibbons
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halpern
Hamilton
Hammer-schmidt
Hanley
Hanna
Hansen, Idaho
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Hicks, Mass.

Hicks, Wash.
Hillis
Hogan
Hollifield
Horton
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeyer
Kazen
Keating
Kemp
King
Koch
Kuykendall
Kyl
Kyros
Latta
Leggett
Lennon
Lent
Link
Lloyd
Long, Md.
Lujan
McClary
McCloskey
McClure
McCollister
McCormack
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKay
McKevitt
McKinney
McMillan
Madden
Mahon
Mallard
Mallory
Mann
Martin
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalf
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall
Mizell
Monagan
Montgomery
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara
O'Konski
O'Neill
Patten
Pelly
Pepper
Perkins
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Powell
Price, Ill.

Price, Tex.
Pucinski
Purcell
Quile
Quillen
Rallsback
Randall
Rees
Reid
Reuss
Rhodes
Roberts
Robinson, Va.
Robison, N.Y.
Roe
Rogers
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roush
Roussellot
Roy
Roybal
Runnels
Ruppe
Ruth
Ryan
St Germain
Sandman
Satterfield
Saylor
Scherle
Schmittz
Schneebell
Schwengel
Scott
Sebellus
Seiberling
Shipley
Shoup
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, Iowa
Snyder
Spence
Springer
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Wis.
Stephens
Stokes
Stratton
Stuckey
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Terry
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vessey
Vigorito
Waldie
Wampler
Ware
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wyllie
Wyman
Yates
Yatron
Young, Fla.
Zablocki
Zion
Zwach

NAYS—4

Dellums
RangelRiegle
Scheuer

ANSWERED "PRESENT"—1

Harrington

NOT VOTING—60

Abourezk	Esch	Mollohan
Ashley	Eshleman	Obey
Aspinall	Evins, Tenn.	Passman
Badillo	Frelinghuysen	Patman
Bingham	Gallagher	Pettis
Blanton	Goldwater	Preyer, N.C.
Boggs	Hansen, Wash.	Pryor, Ark.
Bow	Hébert	Rarick
Brooks	Henderson	Rodino
Caffery	Hosmer	Roncallo
Chisholm	Jones, Tenn.	Rostenkowski
Clancy	Kee	Sarbanes
Clark	Keith	Sisk
Clausen,	Don H.	Slack
Conyers	Landgrebe	Smith, N.Y.
de la Garza	Landrum	Staggers
Dennis	Long, La.	Steiger, Ariz.
Diggs	Macdonald,	Stubblefield
Dowdy	Mass.	Waggonner
Dwyer	Mitchell	Young, Tex.

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bow.
Mr. Rodino with Mr. Hosmer.
Mr. Evins of Tennessee with Mr. Clancy.
Mr. Waggonner with Mr. Esch.
Mr. Stubblefield with Mr. Goldwater.
Mr. Aspinall with Mr. Pettis.
Mr. Ashley with Mr. Landgrebe.
Mr. Boggs with Mr. Smith of New York.
Mr. Passman with Mrs. Dwyer.
Mr. Brooks with Mr. Keith.
Mr. Rostenkowski with Mr. Dennis.
Mr. Sarbanes with Mr. Steiger of Arizona.
Mr. Staggers with Mr. Eshleman.
Mr. Henderson with Mr. Frelinghuysen.
Mr. Jones of Tennessee with Mrs. Hansen of Washington.
Mr. Kluczynski with Mr. Badillo.
Mr. Landrum with Mr. Long of Louisiana.
Mr. Caffery with Mr. Patman.
Mrs. Chisholm with Mr. Gallagher.
Mr. Mollohan with Mr. Mitchell.
Mr. Young of Texas with Mr. Clark.
Mr. Sisk with Mr. Diggs.
Mr. Macdonald of Massachusetts with Mr. Abourezk.
Mr. Slack with Mr. Blanton.
Mr. Conyers with Mr. Kee.
Mr. Bingham with Mr. de la Garza.
Mr. Rarick with Mr. Preyer of North Carolina.
Mr. Roncallo with Mr. Gallfianakis.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FEDERAL ADVISORY COMMITTEE STANDARDS ACT

Mr. MONAGAN. 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. 4383) to authorize the Office of Management and Budget to establish a system governing the creation and operation of advisory committees throughout the Federal Government which are created to advise officers and agencies of the Federal Government.

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

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 con-

sideration of the bill H.R. 4383, with Mr. STRATTON 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 Connecticut (Mr. MONAGAN) will be recognized for 30 minutes, and the gentleman from Michigan (Mr. BROWN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Connecticut.

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

Mr. Chairman, the purpose of this bill is to make ground rules for the operation of the advisory commissions which extend throughout the executive branch of the Government. In recent years, particularly, there has been a tremendous proliferation of these commissions.

Really they have gotten out of hand. Because of their influence they have been referred to as the "fifth arm of the government." It has been estimated, for example, that there are up to 3,200 of these advisory commissions which are circulating about, out in outer space without any substantial control over them.

It is not only the number of these commissions that is important, but also the number of people who are involved in their activities. It has been estimated that there are up to 20,000 people serving on various of these commissions, and that there is a staff of some 4,400 engaged in their activities.

Not only are many people involved and are there so many commissions, but substantial sums of money are spent in the pursuit of these activities. It has been estimated that between \$65 and \$75 million a year is expended upon advisory commissions of various types. For example, the National Commission on the Causes and Prevention of Violence spent \$1.3 million. The Commission on Obscenity and Pornography spent almost \$1.8 million. The recommendations of these commissions were substantially repudiated, and in some cases even before a formal report had been made.

It is the belief of the committee, and it is my belief that there is a tremendous waste of time in the operation of these commissions, because the executive branch members of the Cabinet serve on as many as 43 advisory committees. The committees are too often inefficient and in many instances there are duplications. In some instances, five or six different commissions have been constituted to cover the same subject.

Control of the growth and administration of advisory committees is the type of activity I believe, Mr. Chairman, in which the Committee on Government Operations should be engaged. It relates to the efficient functioning of Government agencies, and it is in the interest of improving the efficiency of operation of the Government that this bill is brought before the House, to perform a housekeeping function that is not being performed at the present time.

Briefly, the bill itself establishes an office in the Office of Management and Budget whose function will be to ride herd on these various advisory commissions.

The bill also provides for the ter-

mination of advisory committees. Those advisory committees created by statute after the date of enactment of the bill will terminate upon the expiration of 2 years following their establishment unless termination is otherwise provided for by statute.

All nonstatutory advisory committees, whether created before or after the enactment of the bill will terminate 2 years after the effective date of the bill or 2 years after the date of their establishment, whichever is later unless the creating authority continues them in existence by appropriate action. The effect of this provision will be to require a biannual review of an advisory committee's usefulness.

A Committee Management Secretariat, as I say, will be set up. The Director will review the activities of each advisory committee to see whether or not it is achieving its objectives. He will prescribe administrative management and controls.

In addition to that, I think a very important point for the Congress is that the existing committees are requested to look upon their own responsibilities, and it is declared to be the policy of Congress that no new commissions should be set up where an existing committee of the Congress is competent to carry on the studies or the obligations sought to be placed upon a new body.

The President is required to make some sort of report upon the work of the advisory committees and to make an annual report on the activities of advisory committees.

Provision is made that there shall be a central filing place for the reports of advisory committees in the Library of Congress. At the present time there is no provision anywhere for the permanent recording of the often important work of these advisory commissions.

Each agency head is required to maintain general information about the advisory commissions within his jurisdiction.

Finally, the administration of the advisory committees is governed. I believe the most important provision here is the one which requires fair representation of different points of view upon any advisory commission, so that they will not all be educators on committees in the Department of Education and will not all be scientists, physicians, or medical men on commissions relating to the Institutes of Health.

Finally, there is a provision for fair and adequate publicity about the doings and the meetings of these advisory commissions, so that the public will be informed as to when they meet and what the purpose of any meeting will be.

This, in short, Mr. Chairman, is a summary of the legislation that we bring before the House today. It will streamline the operations of the Government insofar as advisory committees are concerned. It will reduce their personnel. It will provide a definite procedure for their creation. More importantly, it should bring substantial savings to the taxpayer not only because of elimination of duplication but also because of reduction of the expenditure of funds that have been going in the past to fund the operations of these committees.

I hope that Members will support this legislation.

Mr. BROWN of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I commend the chairman of the committee, the gentleman from Connecticut, for the fine work he has done in bringing to light the uncontrolled growth of advisory committees in the Federal Government and for pointing up the absence of guidelines under which such committees should operate.

The problem he describes is not new and does not bear any political party's label. It has existed in both Republican and Democratic administrations and requires a bipartisan effort to solve it.

The Office of Management and Budget witnesses testified before our subcommittee and indicated their concurrence in the general objectives of H.R. 4383. However, I would be less than candid if I called it an administration bill. The OMB contends that the objectives of the bill affecting the executive branch could be best attained through administrative regulation and that additional legislation is not needed. Indications are, however, that there is no alternative to the legislation.

It has now been over 2 years since the Assistant Director of OMB, Mr. Dwight Ink, promised the subcommittee an early release of a directive implementing a revised plan to improve Federal committee oversight. The directive has yet to be issued.

There is no question but that advisory committees are useful and necessary to bring expertise and knowledge not otherwise available to Government.

This bill is not intended to impair the effectiveness of the advisory committee system, but rather to maximize its effectiveness by prescribing guidelines for the creation, administration and, where indicated, the termination of advisory committees.

The guidelines include provisions intended to mitigate the dominance of advisory committees by any special interests and bolsters these provisions with provisions for public inspection and use of advisory committee reports.

I believe that legislation to authorize the establishment of a system governing the creation and operation of advisory committees is long overdue and I support H.R. 4383.

I urge my colleagues in the House to do likewise.

Mr. HORTON. Will the gentleman yield?

Mr. BROWN of Michigan. Certainly.

Mr. HORTON. I would just like to take this opportunity to indicate my support of the bill and also to commend the gentleman in the well (Mr. BROWN) the minority leader on the subcommittee, and also Mr. MONAGAN, the chairman of the subcommittee, for the fine work they have done.

It is true that there are a large number of advisory committees, and it is time we made some order out of this situation. I think the bill goes a long way toward doing this, and toward providing some sensible management of the finances that are necessary to run these advisory committees. I think it is im-

portant, as this bill provides, that that funding now be managed under OMB guidelines and management controls.

Not only is it important that this bill provide for the phasing out of special advisory and study councils and commissions which have served their purpose, it is even more important that those statutory advisory panels, established for permanent functions by the Congress be managed and treated in a far more sensible and orderly way than is presently the case.

First, the bill provides that the President, through his Domestic Council, must at least consider and comment on the recommendations made by these advisory and investigatory bodies which look over the shoulder of operating Federal programs. Presently, it is widely felt that the report and recommendations of these panels are often merely left to gather dust on shelves in Congress and in the Executive Office.

Second, the bill contains a vital provision which can permanently eliminate some very serious existing conditions which place many Federal agencies in positions bordering on conflict of interest. Most if not all statutory advisory councils are dependent for their staff and budget funds on the very agencies and programs they are asked to review and comment on. Obviously, wherever an agency feels that too much review and criticism is likely to result from an adequately budgeted and properly staffed advisory panel, there is a built-in propensity to seek to cripple the operations of these panels by cutting or limiting their budgets and staff. In one instance I have been made aware of, a Federal agency actually caused an advisory panel's annual report to Congress to be delayed in its printing process because of either disagreement or misunderstanding of some of its contents. This is clearly in contravention of the purpose and intent of Congress in establishing these panels specifically for the purpose of having citizens and experts who serve on them provide Congress and the President with unfettered and independent evaluations of the way in which these Federal agencies are spending the taxpayers' money.

Under this bill, the control of management and budgeting of these councils and commissions would be given to the Office of Management and Budget. This is particularly important where statutory councils appointed by the President are concerned, since they report to Congress and to the President, and should not be put in a position of going hat in hand to the very agencies they review in order to obtain operating funds.

So I do want to express appreciation to the gentleman in the well and to the subcommittee for the fine job they have done in bringing this bill to the floor.

Mr. BROWN of Michigan. I thank the gentleman for his comments.

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

Mr. HOLIFIELD. Mr. Chairman, as the chairman of the House Committee on Government Operations, I want to add my praise to the work of Congressman MONAGAN as chairman of the sub-

committee and all of the Members on both sides of the aisle on this particular piece of legislation.

This piece of legislation comes as a result of a previous committee recommendation back in 1970 in the 91st Congress. This is an implementing piece of legislation which seeks to set up an inventory of all of these more than 2,000—or some 2,600, I believe—interagency and advisory committees.

The strange thing about these interagency advisory committees is that they never die. This does set up a 2-year limitation on them, and they have to be extended by affirmative action or else they die automatically.

It has been estimated that we are paying about \$75 million into the expense of running these interagency advisory committees and over 20,000 salaried people are working on them, with about 4,000 staff. So this is no small matter we are talking about.

I believe, No. 1, if we have an inventory of these interagency advisory committees and study commissions and first of all have a central depository with an inventory as provided for in this bill and then, if we have a termination date on them so that they do not run on and on and on without official action renewing them, I think we can reduce a great number of them. Maybe we can cut them in half. If we can do that, it would give us a saving of possibly half of the \$75 million it is costing us now to run them. I believe this is a step in the right direction. This is not a bill that will shake the world, but it is one of those steps that you have to take in a gradual improvement of the administrative process in the executive branch of the Government.

I see no reason why anyone should oppose this bill. At least it is worth a try. It should save us a great deal of money.

I am certainly in favor of the bill and hope it will be passed unanimously.

Mr. Chairman, the Committee on Government Operations has been considering the use of advisory committees in the Federal Government for some time. During the 91st Congress the Special Studies Subcommittee, which was chaired by my distinguished colleague from Connecticut, conducted 5 days of hearings on this subject and received testimony from some 20 witnesses. Based on these hearings the full committee on December 11, 1970, issued a report entitled: "The Role and Effectiveness of Federal Advisory Committees."

The report revealed that there are at least 2,600 interagency and advisory committees in the Federal Government, that we spend approximately \$75 million annually to support the efforts of a total committee membership of about 20,000 individuals and assigned staff of approximately 4,400 persons. These figures are of necessity only estimates. Even the Office of Management and Budget was unable to supply definitive information on the names and cost of advisory committees in existence in the executive branch of Government.

Not only are advisory committees widely used in the Federal Government; they are at times misused. For example, many Presidential commission reports

are ignored by the President and his staff or are not fully utilized. The President and White House staff refused to accept the final report of the National Commission on Urban Problems which they activated and sponsored. The Commission's cost came to \$1,500,000. The Commission on Obscenity and Pornography's report was publicly disavowed by the White House even prior to its submission. The cost of the Commission and report to the Government came to about \$1,800,000.

After documenting the use and abuse of advisory committees in the Federal Government, the 1970 committee report set forth a series of recommendations. The first among these was that—

The Congress should spell out in public law the philosophy behind and need for advisory bodies and definitively establish policy and administrative criteria for their use at all levels of government.

The bill which we are considering today will implement many of the recommendations contained in the 1970 committee report. It spells out guidelines for the creation of advisory committees; it requires an annual review of and report on advisory committees to the Congress; it establishes central responsibility for the management of advisory committees in OMB; it requires the President to report to the Congress his views on the public recommendations of Presidential advisory committees; it provides for procedures for the termination of advisory committees.

Mr. Chairman, the time has come to take action to put the system of advisory committees into order. I recommend passage of H.R. 4383.

Mr. BROWN of Michigan. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska (Mr. Thone).

Mr. THONE. Mr. Chairman, as a member of the subcommittee which considered the legislation, I have studied carefully the problem that gave rise to this bill, H.R. 4383.

I concur in the solution of the problem intended by the bill.

I rise in support of the bill with some pride of authorship, having long championed the public's right to know in having written some of Nebraska's freedom of information law. It was my privilege to author Nebraska's open record law; I also helped write Nebraska's open meetings law and a limited open court's statute in my State. I have come here to Congress solidly imbued with the philosophy of the public's right to know.

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

Mr. THONE. I would be happy to yield to the gentleman from Connecticut.

Mr. MONAGAN. I should like to express the appreciation of the subcommittee to the gentleman from Nebraska for the constructive contribution that he made to this legislation in the field that he is discussing at the present time. His expertise was very helpful in writing the type of provision we did, and I think this provision goes a long way toward protecting the public in its right to information in regard to the operation of these advisory commissions.

Mr. THONE. I thank the distinguished gentleman from Connecticut, our subcommittee chairman.

Mr. Chairman, knowing the potential for domination by special interests inherent in the use of advisory committees, I thought it especially important to make reports and background papers of such committees open to the public.

Furthermore, as Chairman MONAGAN has so graciously noted, I suggested and supported the inclusion of section 7 in the act.

Subsection (a) requires the Director of the Office of Management and Budget to provide for the filing of reports and other papers from advisory committees with the Library of Congress where they may be inspected and used by the public.

Subsection (b) provides that the Freedom of Information Act is applicable to this section.

This should remove any doubt as to whether advisory committees are subject to the Freedom of Information Act. Otherwise, I assume, it might be argued that advisory committees do not fall within the definition of agency in section 551(1) of the Freedom of Information Act and are, therefore, not subject to the act.

Mr. Chairman, I strongly favor the enactment of H.R. 4383.

I yield back the balance of my time.

Mr. MONAGAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MOORHEAD).

Mr. MOORHEAD. Thank you, Mr. Chairman.

Mr. Chairman, I rise in support of H.R. 4383, because I am vitally aware of the proliferation in the executive department of advisory commissions, and the need for some legislative control over these quasi-governmental bodies.

I congratulate the gentleman from Connecticut for the outstanding leadership he has provided in this effort, and support him fully in the vital objective which this legislation seeks to obtain.

I certainly want to associate myself with the remarks of the gentleman from Nebraska also. This does provide for adequate public access to information.

As a member of the Subcommittee on Government Information of the Committee on Government Operations, chaired by the distinguished gentleman from California (Mr. Moss), I was vitally interested in that section and I am pleased that in the subcommittee and in the full committee the relevant sections were adopted.

Mr. Chairman, the need for the Government to respond to a myriad of complex problems has necessitated the need for the advice of outside experts. However, as is often the case with any bureaucratic enterprise, the advisory committee syndrome has grown enormously in recent years.

It is time that the Congress asserted its oversight role in this area, and H.R. 4383 will accomplish that purpose. It should also be noted that this legislation will set a limit of 2 years for the life of such advisory committees unless a different termination date is set by statute. This, in itself, will cut into the proliferation of committees which have long since lost their usefulness.

Mr. Chairman, the House committee

report indicates that at least 2,600 and possibly as many as 3,200 interagency and advisory committees are presently existing. Studies done by the Foreign Operations and Government Information Subcommittee corroborate these estimates. While the report correctly states that the Congress cannot administer this subbureaucracy, it does have the obligation to exercise the necessary oversight to insure that the public funds are being wisely and efficiently spent. This bill, through its reporting provisions, will insure that oversight.

Another feature of the bill which must be applauded is the requirement for public access to the deliberations and recommendations of these advisory committees. All too often, such committees meet behind closed doors, and submit advice to Executive departments without any opportunity for the public to comment on or be aware of the purport of such advice. While these reports are technically advisory, such advice is often automatically translated into agency policy.

Mr. Chairman, under the Federal Advisory Committee Standards Act, such committees will be required to give timely public notice of their meetings and to keep full and complete minutes of all transactions, with the exception of those limited occurrences involving the national defense or foreign policy. Section 10(b) clearly states that all records and files including agenda, transcripts, studies, analyses, reports, meeting notices, and other data, compilations, and working papers which were made available or prepared for or by each advisory committee shall fall within the provisions of the Freedom of Information Act, thus insuring a considerable degree of public access to these materials and deliberations.

Mr. Chairman, the need for Congress and the public to know what the executive branch of our Government is doing makes the passage of this legislation vitally essential. I congratulate the gentleman from Connecticut (Mr. MONAGAN) for the outstanding leadership he has provided in this effort and support him fully in the important objectives which this legislation seeks to attain.

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

Mr. MOORHEAD. I yield to the gentleman?

Mr. SEIBERLING. One of the concerns about the use of advisory committees in the past under the Executive order procedures was that they might be used to circumvent the antitrust laws.

I wonder if there is any provision in this bill which would avoid the circumvention of the antitrust laws by business advisory committees of the various departments?

Mr. MOORHEAD. I prefer to yield to the gentleman from Connecticut to answer that question.

My primary concern in the legislation has been with the Freedom of Information Act. The gentleman from Connecticut has adopted those sections, but on the question of antitrust laws, I believe the chairman of the subcommittee is better fitted to answer that question.

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

Mr. MOORHEAD. I yield to the distinguished gentleman from Connecticut.

Mr. MONAGAN. In answer to the inquiry of the gentleman from Ohio I would say no, I do not see how this would affect the antitrust laws or affect the operation of corporations under the antitrust laws. These are simply advisory commissions. Their role is basically to advise the Executive. They are not operating commissions.

Mr. SEIBERLING. Then by the same token is there any protection for corporations that have representatives on an industry advisory committee against being prosecuted under the antitrust laws for actions taken or recommendations made in their capacity as members of such a committee or commission?

Mr. MONAGAN. If the gentleman will yield further, there is no specific provision, but of course if they did not violate the law they would not be prosecuted.

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

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

Mr. FASCELL. Let me add that there was some concern, as the gentleman from Ohio pointed out, about an advisory committee being under prosecution because of having too many representatives of industry and creating a question of conflict of interest.

What the bill does is, by setting guidelines and opening up records, give everybody a look at these things and thus eliminate as much as possible and reasonable the problem the gentleman alludes to.

Mr. SEIBERLING. Mr. Chairman, if the gentleman will yield further, if I may say one more word, it seems to me that the arrangement proposed in this bill is infinitely preferable to the present arrangement of having the whole thing covered by Executive order, no statutory basis, and no guidelines at all. I commend the committee for its action in bringing this bill out.

Mr. MOORHEAD. Let me say further to the gentleman from Ohio that section 9 of the bill provides for termination of such advisory committees, and this is probably one of the most significant parts of the bill, if there is any danger in what the gentleman from Ohio alludes to.

Mr. SEIBERLING. If the gentleman will yield still further, I believe that the public information requirements of this bill are one of the best guarantees against such abuses.

Mr. MOORHEAD. I agree with the gentleman from Ohio.

Mr. BROWN of Michigan. Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I thank the gentleman from Michigan for yielding me this time in order to make certain that this proposed legislation covers advisory boards and commissions, as well as advisory committee. Am I correct in that, I would ask the gentleman from Connecticut.

Mr. MONAGAN. Mr. Chairman, if the gentleman will yield, that is correct. The definition of advisory committee is

found on page 11, and it means any committee, board, commission, council, conference, panel, task force, or other similar group.

Mr. GROSS. I thank the gentleman from Connecticut, and I wish to commend the committee for bringing this bill to the floor of the House. We are surfeited with advisory boards, commissions, and committees in our Government—some 3,000 of them—and if this bill will have the effect of eliminating some of them, certainly those that are surplus to the needs of the proper conduct of government, then the committee will have performed a very meritorious service.

Mr. BROWN of Michigan. Mr. Chairman, if the gentleman from Iowa will yield, just to make sure the record is straight, it does cover all of the entities that the chairman, the gentleman from Connecticut (Mr. MONAGAN) has cited, except that we should point out it does not cover advisory committees to the courts, nor does it cover the Advisory Committee on Intergovernmental Relations. Those are the only two exceptions.

Mr. GROSS. I thank the gentleman, and I support the bill.

Mr. MONAGAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri (Mr. RANDALL).

Mr. RANDALL. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, as a member of the subcommittee that has worked on this, I must apologize for not contributing as much help to my chairman as I would have preferred. But I am pleased to rise in support of H.R. 4383.

I think we all know there has been a tendency at all levels of government—local, State, and Federal—for quite some time to have what we call government by commission or government by committee.

We are in the place we are because, when we encounter a problem, we try to solve it by letting it be studied by a committee or a commission. These commissions have proliferated and increased in number over the years until, as you have heard today, there are several thousand now in existence.

The section of this bill which seems to me should be of most interest to all of us is the provision for the termination of these advisory committees. I am not sure of the exact figures, but it is close to \$75 million that is spent to pay for the membership and staffs of these different advisory committees and the administration of their studies.

The most worthwhile provision of this bill before us today is the possible saving of quite a substantial sum of money. I want to commend the gentleman from Connecticut and other members of the committee who have worked so hard.

It seems to me that, while we have a lot of differences from time to time in this body, this is one measure we can all support.

Mr. BROWN of Ohio. Mr. Chairman, I am pleased to rise in support of H.R. 4383. We live in an age when the technological, economic, social, and political questions that confront our daily lives are so complex that they often seem to

be beyond the reach of any single individual. And, the proposed solutions to these problems challenge our society. The individuals selected to analyze and solve these problems should be particularly well suited to respond to them in order to bring the national spectrum into perspective.

With such a responsibility it is no wonder that the approach of a "blue ribbon" commission is so frequently applied to solving the complex problems facing today's decisionmakers.

My remarks may come as a surprise since it might be legitimately argued that my predecessor and late father popularized the recent wave of Federal commissions. He was the legislative author of the original Hoover Commission on the Reorganization of the Executive Branch of Government in 1949 and its successor, the Second Hoover Commission, 2 years later. These two commissions, on both of which he served, are generally given credit for saving taxpayers of our Nation billions of dollars by updating Government after World War II and improving its economy and efficiency. His service on the Hoover Commission was shared with his friend and colleague, the Honorable CHET HOLIFIELD, now chairman of the Government Operations Committee. Clarence J. Brown's service on the Government Operations Committee led directly to my service on that panel and ultimately to my disillusionment—or at least caution—about the value of study commissions. Four years ago, I asked the Library of Congress to advise me how many special study commissions had been established in Government since the Hoover Commission. I was told that such a compilation was impossible and would only be estimated at several hundred at considerable cost to the taxpayers. Might not these funds have been more efficiently and economically spent on upgrading and expanding the staffs available to the legislative branch of Government to carry out its oversight function?

The basic problem with study commissions is where to place responsibility and accountability for the results of the programs adopted. Do we later accuse the advisory commission, or does the responsibility for decisions fall at a level of Government divorced from the review and study of the problem?

As a Member of Congress, I sometimes wonder if we are sent to Washington by our constituents to make legislative decisions and study the pressing domestic and international challenges or are we sent to Washington to approve commissions and study groups?

Under the American system of government there are three branches of Federal power—the legislative, the executive and the judicial. The regulatory bodies exercise powers that are sometimes administrative, sometimes legislative, and sometimes judicial; they have been referred to as the fourth branch of government. But I ask you whether we have not actually created a fifth branch of government—the study commission. Congress must accept accountability for our single and aggregate decisions—accountability to the people for the man-

ner in which we allocate national resources and resolve national problems.

I do not believe that responsibility for investigating and recommending solutions to the major problems facing the Nation should be vested in the establishment of temporary commissions. What is required instead is that the Congress through the appropriate committee with adequate resources, shoulder its responsibility to review the problems before us and provide the proper forum for both the discussion and analysis of problems.

There is a regrettable tendency, both in the Congress and executive branch, to call upon commissions to study and make recommendations on matters which should be the clear and routine responsibility of existing elected and appointed officials acting through their permanent committees and committee staffs.

This tendency to shift responsibility to faceless commissions makes the average citizen question whether commissions are established to review pressing national problems, or because public officials are reluctant to accept the direct responsibility for which they were elected.

Commissions should be created only to investigate matters which are so broad that they cannot fit the jurisdictional constraints of existing congressional committees. Blue-ribbon commissions should only be empaneled to examine problems so fundamental to government that the needs for specialized knowledge or unique approach go beyond that routinely found in a congressional committee. Advisory committees and commissions should be created only when there is an obvious and overwhelming need for avoiding the political and geographic considerations which get built into a congressional committee from time to time and prevent innovative and responsive leadership. I submit this need would be rare indeed.

As far as budget, staff, and expertise are concerned, a congressional committee can match or exceed those of most temporary commissions. For every cent proposed to be spent by a commission, the Congress can more efficiently and economically use these funds. An already organized committee with an established factfinding procedure can carry out an investigation more efficiently than one created for a one-time effort only. For every staff member to be hired by a commission, a committee of Congress should be able to attract new and equally competent staff. The discretionary power already available to congressional committees to hold public or executive hearings and subpoena witnesses is not always within the jurisdiction of a temporary commission. In fact, it would seem to me that a committee of the Congress would be superior to a commission in all these respects.

Of course, it can be cynically argued that the members of a congressional committee or committee staffs lack the necessary degree of special knowledge or training, or the broadmindedness and fresh viewpoint for the best ultimate deliberation and preparation of recommendations.

But how sound is this criticism? It can be countered just by the fact that a congressional committee has the ability and

basic philosophic balance to obtain all necessary outside advice and assistance.

The relative value of a congressional committee over a commission is underscored when one realizes that the end product of a commission is only advisory in nature. Ultimately a commission's recommendations must be referred to a congressional committee which will then be requested to conduct the same type of deliberation and review in order to validate or reject the commission's conclusions and recommendations. A congressional committee may or may not be "second-guessed" by the public and the press, and so forth, but if a commission is not "second-guessed" by a congressional committee, then it will be ignored.

The suggestion has been made that Members of Congress lack the required time to review particular problems. The fact is though, that Members of Congress have the duty and obligation to devote the necessary time to important matters of Government and any burden can be relieved through the assistance of capable staff. Members are frequently more experienced in what should be done and what can be done, especially in a practical political sense, than are the members of a transitory commission. Congressional staff members also are more knowledgeable and practically experienced than are staff members available for temporary employment on a commission. In addition, the familiar information sources available to Members of Congress and their committees are far greater than that casually available to a study commission. Congress has a direct link to the General Accounting Office, the Library of Congress, and the Legislative Reference Service—the latter having a potentially greater capacity for processing and evaluating information in the years ahead.

I feel strongly that the Congress should place more emphasis on its own basic legislative role as the chief designer and implementer of programs to overcome our Nation's problems.

Perhaps we cannot immediately eliminate or even reduce the number of new commissions created, but we have learned too well the art of delaying or blurring a thorny issue by letting a commission study it. Hopefully, this legislation provides an answer to the present practice of burying problems and the responsibility for their solution in a proliferation of advisory commissions.

Mr. BROWN of Michigan. Mr. Chairman, I have no further requests for time.

Mr. MONAGAN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

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 this Act may be cited as the "Federal Advisory Committee Standards Act".

FINDINGS AND PURPOSES

SEC. 2. The Congress finds that there exist numerous committees, boards, commissions, councils, and similar groups which were es-

tablished to advise officers and agencies in the executive branch of the Federal Government, that the present need for these bodies has not been adequately reviewed, that some should be disestablished or their functions revised, and that standards should be prescribed to govern the creation, administration, and operation of such bodies.

DEFINITIONS

SEC. 3. For purposes of this Act—

(1) The term "Director" means the Director of the Office of Management and Budget.

(2) The term "advisory committee" means any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof, (hereafter in this paragraph referred to as "committee"), which is—

(A) established by statute or reorganization plan, or

(B) established by the President, or

(C) established by one or more agencies,

in the interest of obtaining advice or recommendations for the President or one or more agencies, except that such term excludes (i) the Advisory Commission on Intergovernmental Relations and (ii) any committee which is established by a single agency and which is composed wholly of full-time officers or employees of such agency.

(3) The term "agency" has the same meaning as provided for in section 551(1) of title 5, United States Code.

(4) The term "Presidential advisory committee" means an advisory committee which advises the President.

RESPONSIBILITIES OF COMMITTEES OF CONGRESS

SEC. 4. (a) In the exercise of its legislative review function pursuant to section 136 of the Legislative Reorganization Act of 1946, as amended, or clause 28 of rule XI of the Rules of the House of Representatives, each standing committee of the Senate and House of Representatives shall make a continuing review of the activities of the advisory committees under its jurisdiction with a view to determining whether the responsibilities assigned such advisory committees should be revised, whether any such advisory committee should be merged with any other advisory committee, or whether any such advisory committee any longer performs a necessary function. Each such standing committee shall take appropriate action to obtain the enactment of the legislation necessary to implement recommendations resulting from any review performed under this subsection.

(b) In its consideration of legislation creating, or authorizing the creation of, an advisory committee, each standing committee of the Senate and of the House of Representatives shall endeavor to assure that no advisory committee will be created if its functions are adequately performed by an existing advisory committee, or by such standing committee, and that such legislation—

(1) contains a clearly defined purpose for the advisory committee

(2) requires the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee,

(3) contains appropriate provisions to assure that the advice and recommendations of the advisory committee will not be inappropriately influenced by the appointing authority or by any special interest, but will instead be the result of its independent judgment,

(4) Contains provisions dealing with authorization of appropriations, the date for submission of reports (if any), the duration of the advisory committee, and the publication of reports and other materials, to the extent that the standing committee determines the provisions of section 10 of this Act to be inadequate, and

(5) contains provisions which will assure that the advisory committee will have adequate staff (either supplied by an agency or employed by it), will be provided adequate quarters, and will have funds available to meet its other necessary expenses.

(c) To the extent they are applicable, the guidelines set out in subsection (b) of this section shall be followed by the President, agency heads, or other Federal officials in creating an advisory committee.

RESPONSIBILITIES OF THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

Sec. 5. (a) The Director shall establish and maintain within the Office of Management and Budget a Committee Management Secretariat, which shall be the principal agency within such office having responsibility for matters relating to advisory committees.

(b) The Director shall, immediately after the enactment of this Act, institute a comprehensive review of the activities and responsibilities of each advisory committee then in existence with a view to determining whether it is achieving its objectives; whether the responsibilities assigned to it should be revised; whether it should be merged with any other advisory committee; and whether it any longer performs a useful function. Upon the completion of the Director's review he shall make recommendations to the President with respect to actions he believes should be taken. Thereafter, the Director shall carry out a similar review annually. Where appropriate, agency heads shall cooperate with the Director in making the reviews required by this subsection.

(c) The Director shall, to the extent not otherwise prescribed by statute or executive order, prescribe administrative guidelines and management controls to be applicable to advisory committees. The Director shall, to the maximum extent feasible, provide advice, assistance, guidance, and leadership to advisory committees with a view to the improvement of their performance. In carrying out his functions under this subsection, the Director shall consider the recommendations of each agency head with respect to means of improving the performance of the advisory committees advising him. The Director shall cooperate with the Civil Service Commission in carrying out the Intergovernmental Personnel Act of 1970 with respect to training members and staffs of advisory committees.

RESPONSIBILITIES OF THE PRESIDENT

Sec. 6. (a) The President shall assign to such agency as he deems appropriate responsibility for evaluating and taking action, where appropriate, with respect to all public recommendations made to him by Presidential advisory committees.

(b) Within one year after a Presidential advisory committee has submitted a public report to the President, the President shall make a report to the Congress containing his views on any recommendations contained in such report and stating either his proposals for action with respect to the recommendations or his reasons for inaction.

(c) The President shall, not later than March 31 of each calendar year (after the year in which this Act is enacted), make an annual report to the Congress on the activities, status, and changes in the composition of advisory committees in existence during the preceding calendar year. The report shall contain the name of every advisory committee; the date of and authority for its creation, its termination date or the date it is to make a report, its functions, a reference to the reports it has submitted, a statement of whether it is an ad hoc or continuing body, the dates of its meetings, the name and occupation of its current members, and the total estimated annual cost to the United States to fund, service, supply, and maintain such committee. Such report shall include a list of advisory committees established

by statute which the President recommends be abolished together with his reasons therefor.

RESPONSIBILITIES OF LIBRARY OF CONGRESS

Sec. 7. (a) The Director shall provide for the filing with the Library of Congress of at least eight copies of each report made by every advisory committee and, where appropriate, background papers prepared by consultants. The Librarian of Congress shall establish a depository for such reports and papers where they shall be available to public inspection and use.

(b) The provisions of section 552 of title 5, United States Code, shall apply to this section.

RESPONSIBILITIES OF AGENCY HEADS

Sec. 8. (a) Each head of a department or agency of the United States shall, subject to applicable statutes, establish administrative guidelines and management controls for advisory committees set up to advise him, which shall be consistent with directives of the Director under section 5(c).

(b) Each agency shall maintain general information on the nature and function of each advisory committee within its jurisdiction.

TERMINATION OF ADVISORY COMMITTEES

Sec. 9. (a) Each advisory committee (other than an advisory committee established by statute) which is—

(1) in existence on the effective date of this Act, or

(2) established after the effective date of this Act, shall be discontinued following the expiration of the two-year period following such effective date or the date of its establishment, whichever is later, unless prior to the expiration of such two-year period the President or the agency, as the case may be, continues the existence of such advisory committee by appropriate action. Each such advisory committee, may be continued in existence for successive two-year periods by appropriate action on the part of the President or the agency, as the case may be, prior to the expiration of each such two-year period.

(b) Any advisory committee established by a statute enacted after the date of enactment of this Act shall terminate upon the expiration of the two-year period following the date of enactment of the statute establishing such committee, unless its termination is otherwise provided for by statute.

ADMINISTRATION OF ADVISORY COMMITTEES

Sec. 10. (a) (1) The Director, after study and consultation with the Civil Service Commission, shall establish guidelines with respect to uniform fair rates of pay for comparable services of members, staffs, and consultants of advisory committees in a manner which gives appropriate recognition to the responsibilities and qualifications required and other relevant factors. Unless otherwise provided by statute, no member of an advisory committee or its staff shall be paid compensation for his services at a rate in excess of the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, United States Code, in the case of an individual serving full time, or the daily equivalent of the annual basic rate of pay specified at such time for such grade, in the case of service other than full-time service.

(2) Nothing in paragraph (1) shall limit—
(A) an individual who (without regard to his service with an advisory committee) is a full-time employee of the United States, or

(B) any individual who immediately before his service with an advisory committee was such an employee, from receiving compensation at the rate at which he otherwise would be compensated (or was compensated) as a full-time employee of the United States.

(b) Unless otherwise provided by law or

by the agency head which creates it, each advisory committee shall meet at the call of its chairman not less than two times each year. Minutes of each meeting of each advisory committee shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the advisory committee. The accuracy of all minutes shall be certified to by the chairman of the advisory committee. The provisions of section 552 of title 5, United States Code, shall apply to all records and files, including agenda, transcripts, studies, analyses, reports, meeting notices, and any other data, compilations, and working papers which were made available to or prepared for or by each advisory committee.

(c) Each advisory committee shall give timely public notice of the time and place of committee meetings by such means as it shall deem appropriate, except in cases in which such notice would endanger the national defense and foreign policy.

(d) Each advisory committee shall keep such records of its activities as will fully disclose the disposition of any funds which may be at its disposal and the nature and extent of its activities in carrying out its functions. The Comptroller General of the United States, or any of his duly authorized representatives, shall have access, for the purpose of audit, to any books, documents, papers, and records of each advisory committee created by statute or reorganization plan.

EFFECTIVE DATE

Sec. 11. This Act shall become effective ninety days after the date of its enactment.

Mr. MONAGAN (during the reading). Mr. Chairman, I ask unanimous consent that the substitute committee amendment be considered as read and open to amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

AMENDMENT OFFERED BY MR. MOSS

Mr. MOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moss: Page 20, insert after line 2 the following:

INAPPLICABILITY OF CERTAIN PROVISIONS TO REGULATORY AGENCY ADVISORY COMMITTEES

Sec. 11. Sections 5, 6, 7, 8(a), 10(a) of this Act shall not apply to an advisory committee established in the interest of obtaining advice or recommendations for one or more of the following agencies:

- (1) The Civil Aeronautics Board.
- (2) The Federal Communications Commission.
- (3) The Federal Power Commission.
- (4) The Federal Trade Commission.
- (5) The Interstate Commerce Commission.
- (6) The Securities and Exchange Commission.
- (7) The Federal Maritime Commission.

Redesignate section 11 as section 12.

Mr. MOSS. Mr. Chairman, I want to commend the subcommittee and its chairman for an excellent job. I think we need to bring order out of the rather chaotic situation which exists in the Federal Government in relation to advisory committees.

I think the record clearly calls for some check on the hydra-like proliferation of these committees and for control of their operations. I am concerned, however, that in acting to impose needed controls, the Congress is about to give the executive branch still another means of

influencing the decisionmaking processes of the independent regulatory agencies.

In the interest of economy and organization, this bill would place substantial power in the Office of Management and Budget to establish guidelines for advisory committees and to direct the agencies' use of them.

I think it is entirely appropriate that the Office of Management and Budget perform this function for executive agencies. This office has traditionally been used by the President to coordinate policy among the executive departments. The Director of this office is one of the President's most intimate advisers and can be expected to compel executive agencies under the control of the President to comply with the President's instructions. However, because the Office of Management and Budget is so closely identified with and subject to the will of the Executive, it is particularly inappropriate to give control to OMB over the formation and activities of advisory committees to independent regulatory agencies. Here the Congress would be achieving economy and control at the price of the regulatory freedom of these agencies.

When the regulatory commissions were first established it was made clear that they were intended to perform as subordinate arms of the Congress. Each was designed to be "independent" from the Executive or executive departments with the hope that these agencies be removed as far as possible from partisan politics and political influence.

Unfortunately, over the years the Congress has sat by and permitted the executive branch to gradually acquire influence over the independent agencies. In each case controls by the executive branch were acquiesced in or expressly permitted by the Congress in the interest of economy and organization.

I will not attempt to discuss the many ways in which our independent regulatory commissions are now influenced by the executive branch. It is important, however, to note a few instances of control which have greatly eroded the regulatory freedom of these agencies.

Under the Judges Act of 1925 and the practices which have arisen under it the Justice Department asserts great influence on independent regulatory agency enforcement powers by reason of the Department's ability to control civil litigation, to settle actions, and to determine whether or not to appeal agency cases.

Under the Federal Reports Act of 1942 OMB exerts considerable control over the agencies' investigatory processes by reason of its power to coordinate governmental questionnaires and requests for information.

Also, the executive branch asserts influence over the regulatory policy of the agencies by requiring that all legislative recommendations or communications with the Congress which concern pending legislation be cleared through OMB. And, perhaps most importantly, by requiring independent regulatory commissions to submit their budget requests through OMB the Executive has gained power over the purse of the agencies. In many respects this has given the Execu-

tive ultimate authority to control agency policy and programs.

Mr. Chairman, I think it is time that we embark on a deliberate program of reversing this pattern. After all, the regulation of commerce is by specific constitutional provision given to the Congress as its responsibility, and starting back in the 1870's with the creation of the Interstate Commerce Commission Congress attempted to fashion a different kind of agency to carry out these functions.

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

(By unanimous consent, Mr. Moss was allowed to proceed for 3 additional minutes.)

Mr. MOSS. Mr. Chairman, I recognize that this is not a major breach in the law, but it is a part of a pattern which has persisted far too long. It is a compromise of the independence of vitally sensitive agencies of this Government carrying out the responsibilities of the Congress, and the compromise has not been as a result of any partisan action. I recall when President Kennedy arrived on the scene in Washington and he had Dean Landis along with a package of goodies that would have further compromised the independence of these regulatory commissions. This is an attractive group of agencies for any Executive to control or gain dominance over, and I do not think we should permit that by any inadvertence, however attractively packaged.

I sincerely trust that in the spirit of maintaining the integrity of the independence of the regulatory process of discharging our responsibilities in the regulation of commerce that we will adopt this amendment, which will free these agencies of the direct supervision of the OMB and of the President in regard to the operations of the advisory committees. This would not change certain of the statutory provisions of this language here which would impose a greater accountability and a more orderly procedure for operation of the advisory commissions or committees.

I should emphasize that this is not a partisan issue. Presidents of both parties have attempted to control the regulatory commissions, and it is quite natural that if Congress continues to assign to the Executive powers over these agencies, the White House will make every effort to bring these agencies even more securely under its control.

The amendment which I offer would exempt advisory committees to independent regulatory agencies from those portions of this bill which provide for control by OMB or by the President. The remaining substantive sections of this bill which provide for public access to committee records and reports, for automatic termination, and for the balanced representation of view will remain in effect with respect to such committees.

Let me repeat and reemphasize that the regulatory agencies which are listed in my amendment are not agencies in the Executive department; they are designed to be independent agencies of the Congress established to carry out quasi-legislative functions. My intent is

merely to avoid, in this bill, what I consider to be a further erosion of the regulatory freedom and independence of these agencies.

Mr. MONAGAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I certainly agree with the gentleman from California in desiring to resist all attempts on the part of the Executive to encroach upon the freedom of operation of the independent agencies. However, I submit and believe that this legislation does not constitute a threat to their independence. In fact, it should assist in improving their efficiency of operation.

It must be remembered that the power that is given to the Office of Management and Budget is a ministerial power. It does not authorize the office to go into the merits of any causes that may come before these regulatory bodies. This bill simply is creating a formula whereby the Office may report regularly on the matters which are the subject of this legislation here today.

I point out that in many instances the interagency committees which advise the independent agencies have already come under the provisions of a similar regulation in OMB circular A-63, and under this regulation they have been reporting to the Office of Management and Budget, formerly the Bureau of the Budget, since 1964, apparently without any substantial repercussions.

So it is for this reason that I oppose this amendment and also because the purpose of the bill is to create a central place of registration and a central clearing house to which the activities of these commissions throughout the Government will be reported, and the objectives which we have in the bill will be maintained. But I honestly believe and submit that this legislation will not make any substantial change in the power that the Executive exercises or might seek to exercise over the independent agencies, the regulatory agencies which are covered in this amendment.

This amendment would effect severing of the important sections of this bill. One of the provisions which would be eliminated by the amendment provides for the filing with the Library of Congress of reports of any such advisory commission. Another one is the general provision about the establishment of the secretariat, and these agencies would be exempted. I just say that as far as these important regulatory bodies are concerned, their adequate regulation would be frustrated if this amendment were adopted.

Mr. DINGELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would like to begin by paying a word of very sincere tribute to our good friend, the gentleman from Connecticut, and the members of the committee who have brought this legislation to the floor. The legislation addresses itself to a most important problem, one which has been a source of great concern and outrage to me. I think the bill is fundamentally and essentially a very good one.

Mr. Chairman, I would refer my colleagues to the comments which I have

had the opportunity to make earlier on the floor on a particular one of these advisory committees, the National Industrial Pollution Control Council, the NIPCC, whose meetings have been entirely secret, and whose minutes have been unavailable, which is composed largely of the major polluters among American industry, whose function apparently has been to guide and direct the actions of the Department of Commerce on pollution abatement programs and policies of the United States. I refer my colleagues to the CONGRESSIONAL RECORD, volume 117, part 22, page 29617, and also to the CONGRESSIONAL RECORD volume 117, part 19, page 25693, in which I discourse upon the very unsavory activities of this particular agency. I would also point out I had the opportunity to make observations in the CONGRESSIONAL RECORD, volume 117, part 19, appearing on this particular agency, in which I made some remarks at page 25694, again on July 16, 1971.

I pointed out that this Commission, which is supposed to serve the public interest, was simply serving as a forum for the polluters and as a device to bend and to alter and to adversely affect environmental programs and pollution abatement programs.

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

Mr. DINGELL. I yield to the gentleman from Connecticut.

Mr. MONAGAN. I certainly agree with the point the gentleman is making. The subcommittee and the committee also agree. It was for this reason that we included in section 3 of the bill the requirement that the committees be fairly balanced in terms of the interests of the nominees, and also that they not be influenced by the appointing authority or by any special interest, but that they have independent judgment.

Mr. DINGELL. The gentleman has gone even further in the bill, and required that minutes be kept, that they maintain records of persons present, and a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the advisory committee, all to be made available to the public.

This is all to the good. I certainly commend my friend for it. I pay high tribute to him, for he is an able Member of this body.

Certainly the bill before us is an excellent one. However, I do believe there is a very fundamental question at stake before us; that is, whether or not we should treat regulatory agencies, created as arms of the Congress, as parts of the executive branch.

Certainly every President during my service in this body has sought to usurp the powers and the prerogatives of the Congress with regard to these independent agencies, and has sought to convert them in one fashion or another into arms of the Executive, sometimes by controlling appointments, sometimes by controlling budgets, sometimes by controlling the work product, sometimes by controlling the output or the questionnaires, and sometimes by actually seeking to

transfer major functions from these agencies to the departments.

In the case of the Department of Transportation there has been a continuing effort going forward to seize and to take over control of the various agencies in the field.

The President now has an Office of Communications Policy, proliferated to a degree no Government agency ever has grown before. It has multiplied its population, its staff and its payroll many times since the present administration came into power. Its whole goal is to take over the functions of the Federal Communications Commission, again so as to diminish the powers and prerogative of the Congress over regulatory agencies, which properly are one of our arms.

I serve on three committees which deal with the activities of regulatory agencies. One is the Select Committee on Small Business, where I run a subcommittee which has to do with the activities of regulatory agencies. Another is the Committee on Merchant Marine and Fisheries, where we have a specific responsibility and concern in the area for the Maritime Commission. The last, of course, is the Committee on Interstate and Foreign Commerce, where I sit next to my dear friend from California. On that committee I have observed a continuous effort on the part of the executive—not necessarily of this administration, but on the part of the executive of all administrations—to usurp the functions involved.

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

(By unanimous consent, Mr. DINGELL was allowed to proceed for 3 additional minutes.)

Mr. DINGELL. Mr. Chairman, on these committees I have observed the continuous effort by the Executive to usurp the functions and the prerogatives of these agencies, which are the creatures and the arms of Congress, which are supposed to be responsive to us, which are supposed to set out independent policies independent of the administration, which are supposed to carry out the laws enacted by Congress and to act responsive to the will of the Congress and not as a part of the executive structure.

So, for this reason, the amendment offered by my good friend and colleague from California, I believe, is of extreme importance.

If Members will read the bill before them they will see it is a good bill—I intend to support it whether or not this amendment prevails—and they will observe very clearly that it does place to a greater degree still than unfortunately is the case today the arm of the Executive upon these so-called independent agencies.

It requires that advisory councils be set up by these independent agencies which are supposed to advise them as arms of the Congress on important questions of national policy and to be responsible to whom? To the Bureau of the Budget.

The gentleman from California and I and members of the Committee on Interstate and Foreign Commerce are much

concerned about this. We are engaged in a major effort on another front to seek to emancipate these independent agencies from the dead hand of the Bureau of the Budget and the executive so that they might regulate as they are supposed to according to the wishes of the Congress whose creatures, whose arms, and whose subsidiary bodies they are.

It is for that reason, although I recognize the gentleman from Connecticut and his fine committee have done an extraordinary job in legislating and in coming forward to this body with an extraordinary bill, that I ask my colleagues to join in support of what I regard to be an amendment which is very much in the public interest and one which does recognize the fundamental difference between the quasijudicial or the alphabetical agencies or the independent agencies and the other executive agencies which are properly the subject of this bill.

So I do ask my colleagues to support the gentleman from California and try to see to it in this instance that the prerogatives of the Congress are carried forward until the day when we might further emancipate these independent agencies from the dead hand of the Bureau of the Budget and the executive and return them to the agency which is properly responsible for their administration; namely, the Congress of the United States.

Mr. BROWN of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and my colleagues in the House, I would appreciate it if you would follow with me for 1 minute the significance of the adoption of this amendment.

The amendment, of course, relates to the exemption of the so-called independent agencies from certain sections of the bill, but, lest my colleagues think they are insignificant, let me run through them for you.

If these so-called independent agencies are removed from section 5 of the bill, there is no review imposed upon them of their responsibilities. They are not subject to recommendations regarding revision of their functions and purposes; they are not subject to a determination as to whether or not such an advisory committee continues to perform a useful function. That is section 5.

Eliminating them from section 6 would provide that there would be no evaluation by the President required.

Moreover, exempting them under section 6 would remove the requirement that a report by the President be made annually as to the activities, the status, and the composition of these advisory committees and the dates of their meetings, the composition of their memberships, and the cost to the Federal Government.

Under section 7, if this amendment prevails, the so-called independent agencies would be exempted from a requirement to file with the Library of Congress and make public copies of their reports.

Under section 10(a) these independent agencies would be, under the amendment, exempted from compliance with

the uniform rates of pay of members applicable to other advisory committees. The amendment would remove the so-called executive agencies and their advisory committees from the salary control of section 10(a) and from the maximum salaries set forth in the bill.

There may be something to be said for maintaining the independence of these independent agencies, but the question is, the benefit that might be derived by the total exemption of these independent agencies significant when compared with the benefit to be derived by including them under this legislation.

Frankly, the gentleman from California, the author of this amendment, offered his amendment in the full committee. At that time he at least subjected these independent agencies to an audit by the General Accounting Office.

I could not support that amendment in the full committee for the reasons I have stated and I cannot support the amendment here.

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

Mr. BROWN of Michigan. I would be glad to yield to the gentleman from California.

Mr. MOSS. I think for the purpose of having the record correct here, I would have made the activities of these agencies and committees subject to comparable controls through the General Accounting Office. All of these agencies are subject to audit by the General Accounting Office, which is in itself an independent arm of the Congress. I think that would be very appropriate. It would not compromise the independence of the agencies as it does now place them in the single office, the most amenable Presidential office, the Office of Management and Budget, whomever the occupant of the White House is.

Mr. BROWN of Michigan. I would say in response to the gentleman's comments that probably the most impeding thing about this is that most of these agencies are composed of Presidential appointments, and since they are Presidential appointments, it seems to me that the elimination of Presidential influence that you are attempting to accomplish by this amendment is relatively insignificant.

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

Mr. BROWN of Michigan. Certainly I yield further to the gentleman from California.

Mr. MOSS. You do not include the courts here or any advisory committees to them. The President appoints all the judges of our Federal courts of the United States. The independence of the judicial branch is maintained very carefully in this legislation.

Mr. BROWN of Michigan. I trust that the gentleman is not suggesting that the independent agencies now in this Government constitute the fourth branch of Government?

Mr. MOSS. I would not suggest that they constitute a fourth estate in the Government, but I would suggest that in relationship to the legislative branch, that relationship is far stronger and more pertinent than the relationship to the Executive.

Mr. BROWN of Michigan. Reasonable men can differ on that issue.

Mr. ECKHARDT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the distinguished gentleman from Connecticut has done so much in proposing a good bill for this body, but is in my opinion somewhat incorrect and the gentleman from California is correct in his interpretation with respect to the power of the Director in his surveillance over these commissions.

The gentleman from Connecticut has stated that the function of the Director is purely ministerial.

It is very difficult for me to come to that conclusion when I read the language on page 14, line 3, wherein it says:

The Director shall, immediately after the enactment of this Act, institute a comprehensive review of the activities and responsibility of each advisory committee then in existence with a view to determining whether it is achieving its objectives;

Now, it is very difficult for me to see that this is purely ministerial, when it looks to the whole question of whether the committee is fulfilling a desirable objective, and when it looks toward advising the President not to further extend the existence of that committee.

Further, he is called upon to determine whether a committee advising, for instance, regulatory agencies any longer performs a useful function.

Now, presumably, if the President and the Director feel that a committee is not properly advising an administrative agency, an independent agency, it would decide that that committee's advice was not a useful function because they do not think that is the way that agency should decide, and that is not ministerial. That goes to questions of subjective judgment as to whether or not the regulatory agency would act properly if it responded to the advisory committee's recommendations. The bill provides that—

Upon the completion of the director's review he shall make recommendations to the President with respect to actions he believes should be taken.

Now, I want to stress to this committee that I, like the gentleman from California (Mr. Moss) agree that the provisions of this act are desirable with respect to those committees which advise executive bodies, but not as to those agencies which advise independent regulatory agencies. I submit that with the Moss amendment the total bill will be more logical, more homogenous, and will work better than without the amendment.

The Moss amendment does not touch section 9. Section 9 provides that these committees shall terminate within a period of 2 years from the effective date of the act, or from the time they came into existence, I believe it is, whichever is the later. And then it says that each such advisory committee may be continued in existence for successive 2-year periods by appropriate action on the part of the President, or the agency, as the case may be, subsequent to the expiration of each such 2-year period. Therefore it will be

noted that section 5 is not exactly comparable to section 9. Section 5 calls for review by the Director with the report to the President to discontinue a committee. But the President is not the one to report to with respect to all committees, as is indicated in section 9.

I would submit to the committee here that the amendment offered by the gentleman from California (Mr. Moss) is a quite logical amendment, an amendment which is harmonious with the general purpose of the bill, and an amendment which will make the entire bill more internally consistent, so that the amendment should be supported.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment, and I move to strike the requisite number of words.

Mr. Chairman, I think that we have an agreement on the fact that we have a problem in terms of a multiplicity of advisory committees, with a multiplicity of guidelines, methods, and operations that need to be corrected.

One of the major purposes of the bill is to establish congressional control over the proliferation of committees. That is the reason the bill is here. This bill will not affect the advice given by members of advisory committees. It will not affect the appointment of members of advisory committees. It has nothing to do with the substance of advisory committee actions. Therefore, unless we change it by statute the bill will not affect the independence of those committees because we make it quite clear in this legislation that the manner of appointment of committee members that now exists remains untouched. If the President appoints members of a Presidential advisory committee, he continues to do so under his power and authority. If an agency has power and authority to appoint advisory committee members under general statute now, the agency would continue to perform that particular function under this bill. If the Congress creates an advisory committee by statute, we shall continue to have a right to repeal or create. The only way we touch a committee or affect a committee in this bill, and that applies to all of them, is they terminate at the end of 2 years, unless appropriate action is taken to continue them. As far as the President is concerned, that means by Executive order. If it is an agency advisory committee, it means whatever their appropriate action is under the authority that they have. If it is Congress, we must reauthorize. Now, we do that so that we can get some kind of control with respect to the creation and indefinite continuation of these committees.

As to the amendment, the proponents of the amendment obviously make a very solid case in terms of the fact that you have got to keep independent agencies independent. You should not have independent agencies under the control of the President. We are talking about Presidential direction through the OMB. And as far as the management guidelines for advisory committees are concerned, we could spell the guidelines out here in this statute, if we wanted to take the time to clutter the statute with that kind of detail. We do not want to do that. What we are doing is delegating the authority to promulgate management guidance to OMB. Yes, if you will, we are putting

those advisory committees of the independent agencies, for the purpose of management only, within the purview of OMB.

Now the gentleman from Texas pointed out exactly what the limitations are. It is not a question of control. He has read very carefully into the Record and the bill is explicit and without any ambiguity as to the kind of authority the Director of the OMB would have in making the guidelines and in making a report.

When he makes his report then what does he do with it? He takes it to the President for such action as the President may take under the law. That is quite clear, he cannot affect any authority of the Congress to act any way it sees fit.

While you can make a plausible case for the amendment by dividing the authority to promulgate management guidelines, you would have to set up two different guidelines—two separate directions under two managements and that is one of the things we are trying to get away from.

In order to pay for the price of coordination, you do in a small way as a matter of theory what the gentleman from California rightly says.

But I think the bill does not in any way directly impinge upon the operation of an independent agency and in no way affects the operation even of an advisory committee. I think for management coordination, direction, and guidelines, we can afford to pay the price.

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

Mr. FASCELL. I yield to the gentleman.

Mr. ECKHARDT. Does the gentleman from Florida not agree with me that when the Director has authority to engage in surveillance over this agency, making a comprehensive review of the activities and responsibilities of each advisory committee, and then recommend as to whether or not the advisory committee should be extended—does the gentleman not agree with me he is not just recommending with respect to procedure but with respect to substance?

Mr. FASCELL. I would say to the gentleman from Texas, it might be if the Director had any authority to do anything about it. But he is not given any authority to do anything other than make recommendations.

He can recommend, for example, that the advisory committee of the SEC serves no useful function and he can recommend to the President that it be abolished. The question then arises as to whether or not under existing law the President has the authority to abolish the advisory committee. Of course, the President may recommend to the Congress the abolition of any advisory committee.

The point is—in full response to the gentleman from Texas and the issue he raised—that if the President has the authority to abolish the advisory committees of independent agencies now, it is not changed under the bill. If he does not have the authority to abolish now, he will not be given it by the bill.

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

Mr. FASCELL. I yield to the gentleman.

Mr. MOSS. Of course, the President does not by law directly, but because we have eroded that independence, one being through budget control, if the Bureau of the Budget and the OMB Director could determine that an advisory committee and agency X in his judgment is not performing a useful function after this review, he could then of course inform the agency head—we will see that you do not get any funds next year for this advisory committee.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am very zealous personally about maintaining the independence of the regulatory agencies. I am not as apprehensive as my friends, the gentleman from California (Mr. Moss), the gentleman from Michigan (Mr. DINGELL), and the gentleman from Texas (Mr. ECKHARDT) seem to be about this legislation.

I asked the staff to give me some figures relating to these regulatory agencies and the number of advisory or inter-agency committees that they have. I find they have 12 advisory committees and they have 21 interagency committees that deal with other agencies that are of interest to the regulatory agencies.

Mr. MONAGAN has told us that these 21 interagency committees have been in existence since 1964 and these committees have been reporting to the old Bureau of the Budget and the new Office of Management and Budget, which succeeded them.

My conclusion is this, that the committees of statutory jurisdiction—and I am referring specifically to the Interstate and Foreign Commerce Committee, on which Mr. ECKHARDT, Mr. DINGELL, and Mr. Moss serve—have done nothing apparently in the last 8 years to prohibit this report to the BOB and the Office of Management and Budget. They have complete statutory oversight. They can call in and ask for any kind of report that they wish and any kind of recommendation that is made in relation to these committees at any time, and therefore I say they have complete control over any abuse that might be attempted, if it is attempted.

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

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

Mr. DINGELL. The gentleman is making a point that concerns me very much, and I want respectfully to give the gentleman my views.

There recently came to my attention a major problem related to the responsibility of the Food and Drug Administration, the Federal Trade Commission, and the Federal Communications Commission. In other instances I have found problems which have related, say, to the Federal Power Commission and the Federal Trade Commission. As a result of my effort, in many instances there have been joint committees which have been set up comprising the memberships of the affected Federal agencies, independent agencies, together with some of the other

Federal agencies, to try to work out a common approach to major problems in the regulatory agency field.

The problem that I have with the bill without the amendment offered by my friend from California (Mr. Moss) is that these interagency committees would not continue to be able to function in the same efficient way.

Mr. HOLIFIELD. Why not? I would like to know.

Mr. DINGELL. This would be placed under the supervision of the Bureau of the Budget, something which I find violently offensive.

Mr. HOLIFIELD. The Bureau of the Budget, after consulting, as the bill requires, with the Federal agencies involved, would set up broad guidelines, but I cannot see them interfering with the function of the interagency committees without at least some attention being given by the statutory oversight committee, which is your committee. I just cannot see them doing that. I do not share the apprehension which the gentleman has.

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

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

Mr. MOSS. I remember the years the gentleman and I joined in opposing here, earlier in the session, the creation of the OMB as it is now created.

Mr. HOLIFIELD. That is correct.

Mr. MOSS. You are saying the committees having direct legislative jurisdiction go to the OMB. The gentleman knows that the OMB pleads privilege against the Congress. It is not willing to compromise the independence of the Executive as we are, apparently, the independence of the independent regulatory agency.

Mr. HOLIFIELD. If the gentleman will allow me to reply, I had no trouble with the Office of Management and Budget being substituted for the BOB. The trouble I had was in setting up the Domestic Council over the OMB, between the Office of Management and Budget and the President, and the amendment—well, the reason I opposed the organization plan was based not on the Office of Management and Budget, because I believe the old Budget Bureau, which had a Management Division in it, should have had a stronger Management Division in it than it had. My basic objection—and I think the gentleman will recall—was the setting up of a 60-man Domestic Council which actually stood between the Office of Management and Budget and the President.

Mr. MOSS. It still stands, does it not?

Mr. HOLIFIELD. I think it still does stand, and I still object to it in the same way. But we are talking now, not about the Domestic Council, but about the Office of Management and Budget.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. Moss).

The amendment was rejected.

The CHAIRMAN. If there be no further amendments to be proposed, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STRATTON, 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. 4383) to authorize the Office of Management and Budget to establish a system governing the creation and operation of advisory committees throughout the Federal Government which are created to advise officers and agencies of the Federal Government, pursuant to House Resolution 957, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

Mr. BIAGGI. 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 357, nays 9, not voting 65, as follows:

[Roll No. 140]

YEAS—357

Abbott	Brotzman	Davis, Ga.
Abernethy	Brown, Mich.	Davis, S.C.
Abzug	Broyhill, N.C.	Delaney
Adams	Broyhill, Va.	Dellenback
Addabbo	Buchanan	Dellums
Alexander	Burke, Fla.	Denholm
Anderson,	Burke, Mass.	Dent
Calif.	Burleson, Tex.	Derwinski
Anderson, Ill.	Burlison, Mo.	Dickinson
Andrews, Ala.	Byrne, Pa.	Dingell
Andrews,	Byrnes, Wis.	Donohue
N. Dak.	Byron	Dorn
Annunzio	Cabell	Downing
Archer	Camp	Drinan
Arends	Carey, N.Y.	Dulski
Ashbrook	Carlson	Duncan
Ashley	Carney	du Pont
Aspin	Carter	Dwyer
Aspinall	Casey, Tex.	Edmondson
Baker	Cederberg	Edwards, Ala.
Baring	Chamberlain	Edwards, Calif.
Barrett	Chappell	Erlenborn
Begich	Clawson, Del.	Evans, Colo.
Belcher	Clay	Evins, Tenn.
Bell	Cleveland	Fascell
Bennett	Collier	Findley
Bergland	Collins, Ill.	Fish
Betts	Collins, Tex.	Fisher
Bevill	Colmer	Flood
Blaggi	Conable	Flowers
Blester	Conte	Flynt
Blackburn	Conyers	Foley
Blatnik	Corman	Ford,
Boland	Cotter	William D.
Bolling	Coughlin	Forsythe
Bow	Crane	Fountain
Brademas	Culver	Fraser
Brasco	Curlin	Frenzel
Bray	Daniel, Va.	Frey
Brinkley	Daniels, N.J.	Fulton
Broomfield	Danielson	Fuqua

Gaydos	McEwen	Rousselot
Gettys	McFall	Roy
Gialmo	McKay	Roybal
Gibbons	McKevitt	Runnels
Gonzalez	McKinney	Ruppe
Goodling	McMillan	Ruth
Grasso	Madden	Ryan
Gray	Mahon	St Germain
Green, Oreg.	Maillard	Sandman
Green, Pa.	Mallory	Saylor
Griffin	Mann	Scherle
Griffiths	Martin	Schmitz
Gross	Mathias, Calif.	Schneebell
Grover	Mathis, Ga.	Schwengel
Gubser	Matsunaga	Scott
Gude	Mayne	Sebellus
Hagan	Mazzoli	Seiberling
Haley	Meeds	Shipley
Hall	Melcher	Shoup
Halpern	Metcalfe	Shriver
Hamilton	Michel	Sikes
Hammer-	Mikva	Sisk
schmidt	Miller, Calif.	Skubitz
Hanley	Miller, Ohio	Smith, Calif.
Hanna	Mills, Ark.	Smith, Iowa
Hansen, Idaho	Minish	Snyder
Hansen, Wash.	Mink	Spence
Harrington	Minshall	Stanton,
Harsha	Mizell	J. William
Harvey	Monagan	Steele
Hastings	Montgomery	Steiger, Ariz.
Hawkins	Moorhead	Steiger, Wis.
Hays	Morgan	Stephens
Hechler, W. Va.	Mosher	Stokes
Heckler, Mass.	Murphy, Ill.	Stratton
Heinz	Murphy, N.Y.	Stuckey
Helstoski	Myers	Sullivan
Hicks, Mass.	Natcher	Symington
Hicks, Wash.	Nedzi	Talcott
Hillis	Nelsen	Taylor
Hogan	Nichols	Teague, Calif.
Holifield	Nix	Terry
Horton	Obey	Thompson, Ga.
Howard	O'Hara	Thompson, N.J.
Hull	O'Konski	Thomson, Wis.
Hungate	O'Neill	Thone
Hunt	Patten	Tierman
Hutchinson	Pelly	Udall
Ichord	Pepper	Ullman
Jacobs	Perkins	Van Deerlin
Jarman	Pettis	Vander Jagt
Johnson, Calif.	Peyser	Vanik
Johnson, Pa.	Pike	Veysey
Jonas	Pirnie	Vigorito
Jones, Ala.	Poage	Waldie
Jones, N.C.	Podell	Wampler
Karh	Poff	Ware
Kastenmeter	Powell	Whalen
Kazen	Price, Ill.	Whalley
Keating	Price, Tex.	White
Kemp	Pucinski	Whitehurst
King	Purcell	Whitten
Koch	Quile	Widnall
Kuykendall	Quillen	Wiggins
Kyl	Rallsback	Williams
Kyros	Randall	Wilson, Bob
Latta	Rangel	Wilson,
Leggett	Rees	Charles H.
Lennon	Reuss	Winn
Lent	Rhodes	Wright
Link	Riegle	Wyatt
Lloyd	Roberts	Wyder
Lujan	Robinson, Va.	Wyman
McClory	Robison, N.Y.	Yates
McCloskey	Roe	Yatron
McClure	Rogers	Young, Fla.
McCollister	Roncallo	Zablocki
McCulloch	Rooney, N.Y.	Zion
McDade	Rooney, Pa.	Zwach
McDonald,	Rosenthal	
Mich.	Roush	

NAYS—9

Burton	Long, Md.	Reid
Dow	Moss	Satterfield
Eckhardt	Pickle	Wolff

NOT VOTING—65

Abourezk	Clausen,	Gallagher
Anderson,	Don H.	Garmatz
Tenn.	Davis, Wis.	Goldwater
Badillo	de la Garza	Hathaway
Bingham	Dennis	Hébert
Blanton	Devine	Henderson
Boggs	Diggs	Hosmer
Brooks	Dowdy	Jones, Tenn.
Brown, Ohio	Ellberg	Kee
Caffery	Esch	Keith
Celler	Eshleman	Kluczynski
Chisholm	Ford, Gerald R.	Landgrebe
Clancy	Frelinghuysen	Landrum
Clark	Galifianakis	Long, La.

McCormack	Pryor, Ark.	Staggers
Macdonald,	Rarick	Stanton,
Mass.	Rodino	James V.
Mills, Md.	Rostenkowski	Steed
Mitchell	Sarbanes	Stubblefield
Mollohan	Scheuer	Teague, Tex.
Passman	Slack	Waggonner
Patman	Smith, N.Y.	Wylie
Preyer, N.C.	Springer	Young, Tex.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Brown of Ohio.
Mr. Rodino with Mr. Hosmer.
Mr. Teague of Texas with Mr. Smith of New York.
Mr. Waggonner with Mr. Devine.
Mr. Stubblefield with Mr. Gerald R. Ford.
Mr. James V. Stanton with Mr. Goldwater.
Mr. Steed with Mr. Springer.
Mr. Garmatz with Mr. Clancy.
Mr. Boggs with Mr. Keith.
Mr. Passman with Mr. Landgrebe.
Mr. Henderson, with Mr. Esch.
Mr. Rostenkowski with Mr. Davis of Wisconsin.
Mr. Sarbanes with Mr. Don H. Clausen.
Mr. Staggers with Mr. Frelinghuysen.
Mr. McCormack with Mr. Eshleman.
Mr. Jones of Tennessee with Mr. Wylie.
Mr. Kluczynski with Mr. Mills of Maryland.
Mr. Landrum with Mr. Dennis.
Mr. Caffery with Mr. Badillo.
Mrs. Chisholm with Mr. Anderson of Tennessee.
Mr. Mollohan with Mr. Bingham.
Mr. Macdonald of Massachusetts with Mr. Kee.
Mr. Young of Texas with Mr. Scheuer.
Mr. Celler with Mr. Patman.
Mr. Clark with Mr. Mitchell.
Mr. Brooks with Mr. Hathaway.
Mr. Diggs with Mr. de la Garza.
Mr. Rarick with Mr. Pryor of Arkansas.
Mr. Ellberg with Mr. Galifianakis.
Mr. Gallagher with Mr. Blanton.
Mr. Slack with Mr. Preyer of North Carolina.
Mr. Long of Louisiana with Mr. Abourezk.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to authorize the establishment of a system governing the creation and operation of advisory committees in the executive branch of the Federal Government, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the legislation just passed, and to include extraneous material.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

PERSONAL ANNOUNCEMENT

Mr. PETTIS. Mr. Speaker, because I was on the Senate side testifying before the Appropriations Committee on behalf

of flood control in California, I was not present on rollcall No. 139.

I strongly support House Joint Resolution 55 and had I been present I would have voted "aye."

The erection of this memorial to the Seabees is small indeed when considered in the light of this country's great debt to the Seabees.

FIRST ANNUAL REPORT ON THE ADMINISTRATION OF THE FEDERAL RAILROAD SAFETY ACT OF 1970—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I transmit herewith the First Annual Report on the administration of the Federal Railroad Safety Act of 1970 (Public Law 91-458, of October 16, 1970), as required by Section 211 of that Act. The report covers the period October 16, 1970 through December 31, 1971.

RICHARD NIXON.

THE WHITE HOUSE, May 9, 1972.

CONFLICT IN SOUTHEAST ASIA

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

Mr. KING. Mr. Speaker, President Nixon last night stated in no uncertain terms that the United States will not capitulate to the North Vietnamese demands or betray South Vietnam at the point of a gun. His decision to mine all North Vietnam ports, to halt ships entering the harbor of Haiphong and to cut rail lines was not an easy decision. Under the circumstances, however, I believe the President took the only honorable course of action open to him.

The massive invasion by the North Vietnamese Communists amounts to a serious breach of international law, a blatant disregard for numerous agreements entered into by the North Vietnamese, and a dangerous escalation of a war which had entered into its twilight period. Moreover, the safety and security of more than 60,000 American men were and are being jeopardized by this unwarranted invasion.

In announcing his plans to the Nation last night, President Nixon placed the responsibility for the continuation of this conflict exactly where it belongs, on the Soviet Union. It is they who have continued this conflict by supplying North Vietnam as they have done for years. It would, of course, been easier for the President to announce that we would withdraw all our remaining troops—to surrender or to continue the meaningless negotiations in which the North Vietnamese have flatly and arrogantly refused to participate.

As mentioned in his nationwide address last night, President Nixon did not commit over one-half million troops to Vietnam. On the contrary, he has withdrawn

500,000 American men with the promise that all our troops will be out of Southeast Asia within 4 months after the truce and the return of the prisoners of war.

It took a brave, dedicated President to lay his future on the line, but President Nixon has done so. He has placed his country and its future first over any personal ambition.

It is my hope that the American people will wholeheartedly support the President's decision to end this tragic conflict and permit the 17 million people of South Vietnam to live in peace.

Certainly, in the history of all warfare no nation has shown the same patience and forbearance as the United States has shown in Indochina. President Nixon came into office with a war that he did not initiate, on a battlefield he did not choose, under circumstances he did not determine. In 3½ years, the President has pursued every avenue of peace under the most constrained of conditions. But when the hand of peace was met with the mailed fist of war, the President took the only option left to a reasonable man.

Tanks which are capable of killing Americans are to be prevented from entering the theater of war. Artillery and mortars which have been wantonly killing helpless civilians will no longer have their free entry into North Vietnam. The President has wisely decided that the bullets, guns, missiles, grenades, rockets, and trucks which have made it possible for North Vietnam to brutally assault a neighbor will no longer have privileged transit into the hands of an invading nation.

I stand with the President. So should all Americans. We must let him know of our support, because in the end Hanoi and its source of supply, the Soviet Union must know that Americans do not break when put to the test. That test is now, and the stakes are high. Let us not falter.

UNITE WITH THE PRESIDENT

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

Mr. DEVINE. Mr. Speaker, the President of the United States in his nationwide telecast last night clearly demonstrated his interest in our country is paramount to any political considerations.

Obviously, the easy course, and politically expedient position, would be to placate the doves and announce immediate withdrawal from further involvement in Vietnam.

Several surrender-oriented presidential candidates have long expounded this line, as have a number of Members of this body.

Nevertheless, the President, protecting the integrity of the Office of the Presidency, has accepted the vast responsibilities of that awesome position and refused to knuckle under to the pressures of advocates of the easy way out.

The completely unreasonable and irresponsible refusal to engage in meaningful negotiations by the North Vietnam leaders, coupled with their naked

aggression and wholesale bloody invasion of the South, gave the President few alternatives. He described them as: First, immediate withdrawal; second, continue negotiation efforts; or third, military action to end the war.

The President long ago offered to de-escalate, cease-fire, withdraw, new elections, exchange of prisoners of war on a 10-to-1 ratio. The enemy answers with insolence, insult, escalation, and demands for surrender.

Our Nation is not about to abandon 17 million South Vietnamese to Communist aggression and slaughter, nor fail to protect 60,000 Americans.

The logical way to end the war and stop the killing is, as the President said, to "keep the weapons of war out of the hands of the international outlaws of North Vietnam." To do this, the most humane of military maneuvers is the mining and blockading of the supply ports. Three days' notice has been given, and if aggression continues, all parties are aware that they must assume their own risk. No incident need occur unless the Communists and their apologists want it. Obviously, it is a showdown—not necessarily an ultimatum.

The President desperately wants peace, and has been steadfastly working in that direction for years, but peace at any price—yielding to this kind of aggression—would just be a temporary delay to further aggression and encourage the Soviets to follow the same course elsewhere in the world—specifically the Middle East.

The U.S. position is most reasonable. The conditions are just and humane. Our actions will cease when American prisoners of war are returned, cease-fire and we will withdraw all U.S. forces within 4 months.

Now is not the time for Americans, well intentioned or not, to give aid and comfort to the enemy by protesting, demonstrating, demagoging, or fomenting disunity. The interests of this Nation, and indeed world peace, should supersede personal ambition, publicly, or expediency. The people of this Nation must unite in the interest of peace.

THE LESSONS OF HISTORY

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

Mr. DENT. Mr. Speaker, these are days when one either feels strong one way or the other. I do not feel strong either way.

I let history come back and tell me what was learned in the past, and perhaps learn a lesson from it.

I attended more than one conference at the White House when the President of the United States, President Johnson, was going through this very process of making a decision on this very matter we are discussing today.

It is not a question of moral courage. It is not a question of political sagacity or political courage. It is a question of judgment.

At that time the advisers to the President of the United States advised against attempting to mine or to blockade the

harbor at Haiphong. They took into consideration, if I remember it correctly, the many historical incidents that arose from just that kind of action.

No person will be able to tell in the heat of the demand of the requirements for their salvation or their life what the North Vietnamese and their allies will resort to. But one sure thing history records very well in the minds of those of us who are old enough at this time to recall when this country marched to war, with all the heat and fervor any nation ever brought itself to a point to command, on the question of the sinking of the *Lusitania*. It was a passenger ship, true, but history has never yet cleared up whether or not there were in the holds of that ship war materials for the allies.

We also go back to the sanctions against Italy in World War II.

We are dealing in a subject matter that no man can predict. I would advise all the Members of the House to support where necessary those particular proposals that will give a fair chance for the tryout of any plan, because all plans from the beginning of that war to now have been a hit and miss proposition.

If this works, all of us will be happy.

The point I am trying to make is, let us not make it an issue that becomes one which divides this House so bitterly that we cannot think right and think straight on the decision we have to make.

I have neither been a dove nor a hawk. I have tried to be a Member of Congress voting on that particular day when a subject matter was before us to the best of my conscience and to the best of my ability to determine that which is right.

At this moment I say to all of us: It is a very grave and serious decision. Unless there are some behind-the-scenes arrangements made—the President said last night he reserved for himself and for this country the right to do that which had to be done to help our allies, and he went on further to say that that particular right also belongs to the other countries, and he named them both, to do that which they thought they had to do to back their allies. The dangers are evident.

If we blockade, if we mine Haiphong, if in the decisions of the allies of North Vietnam they feel they too would be within their right to blockade or to the best of their ability mine Saigon, where will we be on that day? Where will we be if a passenger ship loaded with munitions steam into the harbor at Haiphong? Will we be able to seize and search on the open ocean? Will that right be given us by the rest of the powers of the earth in a military sense or in a political sense?

These are the questions which have to be answered. All I beg of you is that all of us try to keep our heads in this matter so that we do not give consolation to anybody nor do we give them any false impression about the courage of the American people and our country. We will end up together in any event.

IN SUPPORT OF THE PRESIDENT'S ACTION

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

minute and to revise and extend his remarks.)

Mr. SCHMITZ. Mr. Speaker, President Nixon's decision to mine North Vietnamese harbors, especially Haiphong, and halt the flow of Russian war supplies to North Vietnam should be supported.

Three weeks ago I commended the President for his decision to resume the bombing of North Vietnam once their blatant invasion of South Vietnam by fully mechanized divisions had begun. Exactly 15 days ago I stood in this well and called particular attention to the Los Angeles Times news story of April 21 reporting that aerial mines had been loaded aboard a naval ammunition ship at Subic Bay in the Philippines.

I welcomed this indication that the administration was contemplating a step long urged by our military men and vetoed by civilians—the use of aerial mines in North Vietnamese harbors. I pointed out that this was a logical step to take since we have several types of planes which can plant air-deliverable mines, and that these mines are fully capable of eliminating North Vietnam's capability to send heavy artillery, T-54 tanks and antiaircraft guns against our remaining troops in the south, the South Vietnamese troops defending their country, and our aircraft operating in the north.

In addition, I explained that this mining would be a humane action, since it would effectively cut off supplies for the invading troops, thereby saving not only countless thousands of South Vietnamese and many American lives but also the lives of the young North Vietnamese men who are impressed into the army to come south, to suffer hunger, to be chained into tanks, and finally to die.

Former Defense Secretary McNamara said that 80 percent of the North Vietnamese war supplies are coming through Haiphong Harbor.

Mr. Speaker, cutting off the potential to wage war is the best way and the most humane way of acting at this time, since it will save many lives on both sides. President Nixon, as Commander in Chief, is acting in that direction, and in this action he deserves the full support of the American people.

There is one point which I would like to add. I was a jet fighter pilot in the Marine Corps, serving 8 years on active duty. If I had not made the decision to transfer to the Reserves in which I am now a lieutenant colonel, I would probably be flying over North Vietnam now with Soviet missiles being shot at me. Because of this it is only fitting that I add my support to the President's decision which will make it safer for American pilots. The least I can do here is to support the President in this time of crisis in his effort to bring this war to a successful conclusion.

SUPPORT OUR PRESIDENT

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

Mr. TALCOTT. Mr. Speaker, I support our President in his May 8 effort to end the war. I believe everyone should—news media reporters, Congressmen, antiwar advocates, people who care about future peace, everyone.

It is clear to me. We have tried every other suggestion, including every suggestion of all the critics of the President, short of surrender of the South Vietnamese to terrorist aggression—limited resistance, full-scale negotiation, almost complete withdrawal, and maximum Vietnamization. But the North Vietnamese have sabotaged every peace effort in their inexorable drive to subjugate South Vietnam, Laos, and Cambodia, all of Southeast Asia.

They have shown no mercy for any human being and no respect for their neighbor's land. We can deny their means of aggression. We can deprive them of sanctuary. When we have this capability we should not shirk our responsibility. By permitting unlimited arming and secure sanctuary, we only perpetuate the war, the killing, and the horrendous waste.

The President has offered Hanoi the best offer yet. They can withdraw from South Vietnam and release our prisoners and no more damage or injury will be done to them. Only if they reject this generous offer do they risk considerably more irreparable damage and injury, particularly to themselves.

As a former prisoner of war, I can tell you that most POW's and their waiting families would welcome this action. They expect action by their Government on their behalf. They reject the theory of passively relying upon the mercy of an unmerciful enemy for their release from hostage.

Not one of our military personnel in the country of South Vietnam wants to be there. Not one of them wants the war to continue. They are there under orders of our Government—from three administrations, two Democratic and one Republican. We have a high responsibility, even a commitment, to protect them. The "all-out" Easter invasion of South Vietnam by the North Vietnamese was aimed at our forces as well as the South Vietnamese. We should ask ourselves, "if our son or brother was assigned to South Vietnam, would we want or expect him to be protected?" My answer must be "Yes."

The alternatives seem clear—even if difficult and agonizing. Decisions should not be left to the fainthearted, or to political opportunists. Decisions should be made on a basis of how they affect us, not on whether the enemy will approve or be benefited.

Unfortunately, the national media are seeking out every opponent, digging out every horrendous possibility, encouraging every dissent, creating every doubt. Many domestic politicians are doing the same or acting in concert with the national media.

One theme of several aspirants to the Presidency is: "The quarantine of North Vietnamese ports takes the risk of highly unpredictable consequences that could be dangerous." An easy truth. They neglect to mention that the consequences of the invasion of South Vietnam are more than dangerous—and more certain than predictable—they are both an accomplished fact and lethal to life, limb, and liberty.

The summit meeting with the Soviet Union should not be pursued under present circumstances; if the Government of the U.S.S.R. is going to foster war, ag-

gression, and terror behind the drapes of the conference room, they make a mockery of arms limitation talks and peaceful relations among nations.

If you hate war as I do, let us stop it. If you hate violence as I do, let us stop it. If you hate aggression as I do, let us stop it. If you love liberty as I do, let us share it. If you love people as I do, let us protect them: let us interdict the arms and weaponry that are harming them. If you believe in settlement of disputes by negotiation as I do, let us support the last best offer of the President for peace. If, as I, you do not want the enemy injured further, let us urge them to accept the President's generous offer, let us urge them to cease fire, go home, release their hostages, account for those missing and previously unaccounted for. In short, let us support the President's peace offer, end the killing, and get on with the other challenges which can be achieved only when all persons live in peace with freedom and our precious resources are not wasted on defending human beings from the transgressions of their neighbors.

THE PRESIDENT'S DECISION IN VIETNAM

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

Mr. DICKINSON. Mr. Speaker, listening to the twittering of some of my dovish friends, both on and off the floor, makes me think that perhaps if they had been around in 1938 they would have been in favor of Hitler invading Poland. I cannot see much difference.

Mr. Speaker, it is common knowledge that supplies are coming into North Vietnam through the port of Haiphong. As a matter of fact, according to various news reports, there were 24 to 28 ships there yesterday, which is twice the average number. Those supplies and weapons of war that do not come by ship come through China by rail.

Mr. Speaker, there could have been no invasion of South Vietnam if it were not for the military supplies coming in from the Russian and Chinese Communists. These included Mig fighters, surface-to-air missiles—SAM—and there have been several thousand SAM missiles launched at American planes—all supplied to the North Vietnamese by Communist Russia, Soviet antiaircraft weapons which were used to shoot at our planes once they get below the SAM missile danger radius, and Russian-made tanks which have been used to spearhead the aggression. Long-range artillery, all Russian made, are being used by the North Vietnamese.

Some of these doves would have us believe that the invasion is not by regular army units of North Vietnam but by the Vietcong who are little old men and women, and that they are putting these tanks together in their huts back in the jungle. These America-lastest completely ignore the fact that all of these weapons have come from Russia and China, and that the North Vietnamese invaders are being provided with ammunition by the Soviet Union.

I have said this for a number of years,

6 at least: if we do not do something to cut off these supplies, then all we are doing is opening the doors for further aggression into South Vietnam.

By cutting off the supplies coming into North Vietnam through the ports and by the railways, we can make sure there will be no aggression into South Vietnam. They cannot succeed without outside help. The only way we can effectively stop the Communist aggression and protect our American citizens who are there is to cut off the invader's supplies.

I would also like to reply to a statement made earlier here by a couple of my colleagues who use the spurious argument that mining the ports of Haiphong was too dangerous and that is why President Johnson did not do it. It is true he refused to cut off all military supplies to North Vietnam. He failed to state what he did do. The alternative which he chose was to send several million young men to fight in South Vietnam, build up our force levels to almost 550,000 men there at one time, plus additional troops in other parts of Southeast Asia, build bases in Thailand and other places, spend over \$100 billion of the U.S. taxpayers' money in the effort—and the result was over 50,000 dead. It is elementary that if an adequate effort had been made to choke off the materials and supplies by President Johnson, McNamara and company, there would have been no prolongation of the war, there would not be 50,000 dead, no 1968 Tet offensive, and no invasion now.

ANALYSIS OF PRESIDENT'S ACTION IN VIETNAM

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

Mr. HANNA. Mr. Speaker, I am reflecting this morning the wisdom of my having restricted my office of leadership to the modest dimensions of the 34th Congressional District. It has been rightly observed that the American public are little inclined to follow a politician with an unclear call. I must admit I do not know whether the President is right or wrong in what he has done. I think that qualifies as an unclear call that has very little of absolutism in it.

Mr. Speaker, I do not know that there is a right or wrong there. I do know there are serious implications in the decision the President has made. I have asked, Mr. Speaker, to extend my remarks so that I might discuss what I consider to be a necessary analysis of some of these implications. If one is not to lead, at least one can hope to give a little light along the way.

Mr. Speaker, the President's latest change of policy with respect to Vietnam raises a number of questions and answers only a few of them. I do not intend to make a final judgment of praise or condemnation at this point, simply because to do either adds nothing to the public debate on the issue. The ultimate judgment obviously rests with the outcome, and all of the protestation for and against the announced blockade and mining will not affect its success or failure.

What it does seem incumbent upon us to do here is to examine in our own minds the rationale for the latest policy, the possible effects it will have on our broader foreign policy, and the conditions under which this could be the final stage in our long and all too costly experience in Vietnam.

In order to fairly assess our position, we must also consider the immediate goal of the blockade and its chances of success. The blockade is a response to the massive invasion of South Vietnam. The President obviously hopes that by cutting off Hanoi's supplies, the invasion can be defeated without direct combative action by American forces. He could have chosen to reintroduce U.S. ground forces in sufficient numbers to repel the invasion. Such action would have had very high costs in American lives, and very high political risks for the President. Obviously, the President remains committed to withdrawing from direct ground combat in South Vietnam.

There are few more indiscriminate weapons of war than open sea, antiship mines. Once activated, the ships of all nations will be barred, regardless of cargo and/or purpose. Therefore, the longer we maintain this interdiction, the greater the risk of serious confrontation and deterioration of our relations with a number of maritime nations who have very little to do with the military situation in Vietnam, not to mention the increased chances of a failure of the action to achieve its stated objective, the cessation of the North Vietnamese invasion.

There remains the open question of whether the blockade will succeed in stopping the invasion. It is possible that the build up in military supplies by Hanoi over the last few months has already given them the ability to capture and hold still more cities and provinces south of the DMZ. It is very possible that it will be several weeks before the North Vietnamese feel the affects of the blockade. We can only hope that Hanoi's current war plans depend on continued supplies from Russia, so that they will reassess their posture and accept the President's terms.

This, of course, raises the question of whether there is reason to believe that Hanoi will see it in their own best interest to accept the President's offer. In comparing the various parties' seven-, eight-, and nine-point peace plans, we can see certain common areas, especially relating to the repatriation of POW's and MIA's. The departure from this common track comes in two vital areas: First, the political future of the Saigon-based Thieu government; and second, the presence of foreign troops in South Vietnam. The Hanoi government has never relented in its stated objective of driving the foreign invaders from Vietnam. The United States has likewise frequently suggested the removal of all North Vietnamese troops from South Vietnamese territory. Hanoi has consistently demanded the removal of the Thieu government—either with U.S. cooperation, or at least without U.S. opposition. Again, the United States has consistently refused to abandon this government. Thus, if we carefully examine the President's re-

marks of last evening, I believe we can see a subtle yet dramatic shift in our position, a shift to a posture very different from that heretofore being pursued in Paris. The President, in setting forth the conditions under which the blockade, and others, will be lifted, listed but two: The return of all American POW's, and an internationally supervised Indochinese cease-fire. He did not stop there, however, but rather continued to pledge as well the cessation of "all acts of force throughout Indochina" and the "complete withdrawal of all American forces from Vietnam within 4 months."

The President has now conceded, to my mind, to the basic elements of Hanoi's demands in Paris first offered almost 1 year ago. He did not continue his pledge to maintain the Thieu regime. He did not renew the demands for any North Vietnamese withdrawal of troops from any Indochinese country.

I think we can all agree on one observation—that the President has decided to take a very high risk course of action. We are now in a posture of a possible confrontation with the Soviets in which, to many countries, we would be the aggressor. The President has also risked a major setback in our gradually improving relations with the Soviet Union—something for which the President has worked hard over 3 years.

The President's actions reveal an opinion—often disputed by many knowledgeable and respected Americans—that ultimate control over North Vietnamese policies and actions resides behind the red brick walls of the Kremlin in Moscow, and not in Hanoi or Peking. Hanoi, if not tied as strongly to the Soviet Union as the President seems to believe, may well now turn to Peking for succor and Peking's influence in Southeast Asia will blossom. We must hope, therefore, that the President has good reason in his own mind to believe that the chances of success significantly outweigh the many risks associated with such a viewpoint.

I assume, Mr. Speaker, that the President has taken the announced actions with these risks clearly in mind. We must believe, then, not only in an assumption of Russian control over Hanoi, but also in the existence somewhere of a carefully constructed, long-range plan which embraces, among other items, an understanding of the probable Soviet reaction to the blockade. It is possible that, from Dr. Kissinger's recent trip to Moscow or through other channels, the President may well have a tacit understanding that the Soviets will neither challenge the sea blockade nor institute an airlift of critical military supplies to Hanoi, and that they will urge Hanoi to accept the terms which the President announced. If this is the case, then the risks are not as severe as they seem.

If—and I must reemphasize that word—if such a scenario as I have herein projected is in fact behind the President's new actions, then my hopes are that the plan will succeed, for no American wants out of that war more than I. There are severe and deeply felt doubts, however, as to the credibility of this President, and it is essentially for this reason that I withhold any immediate judgment of last night's disturbing an-

nouncement. For, if the opposite of what I have here conjectured and synthesized in an effort rationally to explain these new actions is true, if there is no carefully thought-out and orchestrated master plan providing a prompt and timely termination of our Vietnam nightmare, then the President has acted in a reckless and irresponsible manner and he will have brought the United States perilously close to the unthinkable.

The nightmare scenario is a situation where North Vietnam decides it has sufficient quantities of heavy equipment and enough fuel in the pipeline to rely upon a Russian airlift and the Russians are willing to substitute airlift for shipping cargo. In this instance we run the risk of our mines sinking other than Russian ships and the war goes on.

One can only hope that the next 3 days deliver decisions in response to the President's ultimatum that makes a productive and peace leading scenario the more possible alternative.

NEED FOR UNITY

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

Mr. SCOTT. Mr. Speaker, the disturbances by our guests in the gallery and the screams for victory for the North Vietnamese indicates the need for unity among the overwhelming majority of Americans who are loyal, patriotic citizens, especially with regard to the conduct of foreign affairs.

Some days ago, the Communist negotiator, Madam Binh, wrote to Members of Congress and, in substance, asked for our repudiation of the administration's efforts to bring about a just peace in Southeast Asia. It was an insulting gesture on her part, just as the actions of those in the gallery today are insulting to the Congress. A few of our colleagues, by their intemperate remarks, may also have brought comfort to our enemies.

It seems reasonable to me for all of us, regardless of our political label or philosophy, to put the welfare of the Nation above political consideration and to support the President and the administration as they make determined efforts to terminate the Vietnamese conflict as fairly and as promptly as possible. In his message to the Nation last night, President Nixon told us of his efforts within the last 30 days to negotiate with the Communist leadership and the flat refusal of the North Vietnamese to consider any peace proposal.

In both public and private meetings the President indicated about all that was heard from the enemy was bombastic rhetoric and replaying of their demands for surrender. The administration's efforts over the past several years indicate a sincere desire to either terminate the conflict or turn the fighting over to the people of South Vietnam. When he made the decision to close the entrances to North Vietnamese ports through the mining of the waters to prevent the delivery of supplies, to cut rail and other communication lines, and to direct air and naval strikes against military targets in Vietnam,

he did this only when other efforts to terminate the invasion of the South had failed. We have roughly 60,000 of our military personnel remaining in South Vietnam, our prisoners of war remain captive in the North, and we have additional American civilians who are threatened by the action of the enemy. The President was also considering the safety of the people of South Vietnam, compliance with treaty obligations, as well as the effect upon the future of world peace of risking South Vietnam being overrun by the enemy. Those who listened to the President know that this was not an angry retaliation. It was not done on the spur of the moment, but the action was taken after long deliberation and consultation with the Security Council as well as the leadership of the Congress.

Had one of us been sitting in the President's chair, we might have acted somewhat differently. The Vietnamese problem is a complex one, much of which was inherited by the present occupant of the White House. I am not in a position to say that every action he has taken with regard to Vietnam is the same as I would have taken, but I do say that the President has worked in the interest of the entire country. As long as he and his military and diplomatic advisers are acting in the Nation's interest and making decisions based on the best information available, I do not want to contribute to their problems and the Nation's problems by criticizing their action. Therefore, Mr. Speaker, I hope the Congress and the American people will be united behind our Chief Executive and against a common enemy. I hope the enemy will know that responsible Americans support the Government's action, and that the voices of the few which have been raised in criticism, are not the voices of the American people.

ADDRESS BY CHIEF GEORGE A. MURPHY

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

Mr. HANLEY. Mr. Speaker, last Friday, the Honorable George A. Murphy, chief of police in Oneida, N.Y., and the president of the International Association of Chiefs of Police, delivered the annual commencement address to the graduating class of the Agency for International Development's International Police Academy. I am proud to say that Chief Murphy is both a constituent and close personal friend of mine. He is an experienced law enforcement official, with a long distinguished career in police administration. He has been the chief of police in Oneida for the past 15 years. Mr. Speaker, I have spoken here on the floor of the House about Chief Murphy and the IACP previously. I would like to take a moment today, however, to praise the work of AID in the field of law enforcement training. As part of its coordinated overall aid program to underdeveloped countries throughout the world, AID has established an International Police Academy. This year, a total of 149 police officers from 26 countries of Latin America,

the Far East, Africa, and the Near East were graduated from the academy. They will take home with them not only the skills acquired in the classroom and in the field, but they will also take home a better understanding of the American people and the principals of our democracy.

Chief Murphy, the IACP, and Mr. Thomas Finn, director of the academy deserve our highest commendation for their work.

Mr. Speaker, at this point, I would like to insert in the RECORD, the excellent graduation address:

IMPROVING EXECUTIVE POLICE SERVICE

(An address by Chief George A. Murphy)

Mister Engle, Mister Finn, distinguished guests, and officers of the International Police Academy graduating class:

I was very happy to receive and anxious to accept an invitation to be with you today for your commencement ceremonies.

The International Police Academy and the International Association of Chiefs of Police have enjoyed a very close professional relationship for many years.

In fact, the genesis of the IPA was influenced by a 1954 contract between the IACP and the early Foreign Operations Administration, forerunner to the International Cooperation Administration, and now the Agency for International Development.

The contract called for the IACP to provide training in the United States for foreign administrators and technicians.

It is particularly gratifying for us to see that early effort culminate in what is now known by police chiefs throughout the world as the finest training academy of its kind.

With these ceremonies, the number of IPA graduates now exceeds 4,000 individual police executives from 73 different nations.

And again, evidence of the close association between our two agencies is borne out in the fact that many of the IPA alumni are members of the IACP.

Since you came to the United States to further develop your police leadership skills, it would therefore seem proper that I should talk about improvement of executive police service.

In our lifetime, we have seen dramatic developments in global evolution.

The technological advancement of communications has put us in constant contact with each other.

Jet transportation has allowed us to reach the farthest points of the world in a matter of hours.

Shipping and trade between the nations of the free world have bridged a commerce gap and given us more widespread use of international goods and services.

Cultural and educational exchange has brought greater understanding and appreciation of the arts, crafts, and mores of our different peoples.

And scientists from more than 100 different countries are studying material and data brought back from the surface of the moon.

We have reached a point in world society where decisions and actions of one nation can produce profound and lasting effects on the lives of others.

In view of these examples of international dependence, it is obvious to all that we share a very small world, indeed.

And the degree to which we live in peace and security depends in large measure on you and your police brothers the world over.

The internal security of a nation has as its first line of defense, its civil police.

The need for order and security is basic to the development of a nation.

None of the advancements which I have cited could be possible without basic security.

But, great scientific and cultural achievements are *least* important to a nation whose people cannot live and work freely.

Can you plow a field with rebel insurgents shooting at you?

Can you hold a free election with terrorists firebombing the voting booths?

Can you trade goods in a market where highways are interdicted by guerillas levying illegal taxes?

Can you build a free nation while enemy invaders proselytize and conscript your young people?

Without security, none of these things are possible!

Law enforcement therefore becomes the most vital extension of a government to its people.

Police are not merely the defenders of justice and liberty, they are the purest expression of it.

To the people, your personal actions and attitudes represent the official position of the government with respect to the law.

Whether a government is considered responsive or repressive will be measured by the exercise of police authority.

Your responsibility is awesome.

And, I can think of no greater deed to perform for a country than to serve as the protector of the lives, liberties, and properties of its people.

Yet, you will be praised by very few—and damned by many.

You and your officers will be cajoled, ridiculed, insulted, threatened, and even assaulted.

You will be misunderstood most by the people you are trying to protect.

And, you will find no other calling in life that returns as much self-satisfaction and pride.

The senior officers of this class have, no doubt, experienced many of these things.

Those of you who are younger may still have them before you.

I pray you draw comfort from the fact that you are performing a service that no nation, worthy of the name "democracy," can live without.

Law enforcement is no easy task; it never has been.

And, for that reason, you are here today.

During this past 17 weeks, you have received the most comprehensive and intensive training available to better prepare you for the difficult times ahead.

The most modern concepts of police administration, management, community relations, and police technical skills have been made available to you.

The premise upon which this academy is based is that training is a never-ending process.

Some of us who have spent many years in law enforcement can recall when the primary requirement in attaining executive rank was longevity.

This narrow point of view has been very properly relegated to history and has no place in modern law enforcement.

With the natural progression that has taken place in the volume and complexity of law enforcement problems, routine technical experience over a period of years is not sufficient to produce the police administrators needed now, and in the future.

Just as private industry and the military from many nations have found, the police too have realized that there is no end to training.

Each year industry goes to considerable expense to provide advanced educational opportunities for its executives.

Managers through vice-presidential levels are sent to conferences, seminars, and institutes to broaden their intellectual scope and sharpen their decision-making capabilities.

In the military of many countries, a prerequisite for advancement to higher rank and

increased responsibilities is the progression through successively higher levels of formal education at institutions such as command and staff colleges and service and national war colleges.

Certainly, if those responsible for our economic progress and national defense find this mandatory, it must be equally so for those charged with the vital task of safeguarding our lives, liberties and properties.

Here in the United States, we in law enforcement have made considerable progress in making increased formal education and specialized training available to our operational personnel.

Our Association, for instance, has developed the Model Police Standards Council Act for adaptation by the states to assist in the establishment of minimum education and training standards for both entry-level and in-service personnel.

We have developed model curricula for both two- and four-year police science degree programs.

We have seen the number of colleges and universities providing these degree programs nearly double in the past five years to over 300.

I am confident this rise will be greatly accelerated in the next few years based on the enthusiastic cooperation shown by most educators.

A logical reaction to these and similar programs instituted by individual agencies would be: "Well, this is fine, and certainly we all agree that our young officers, and operational veterans with potential, need the best continuing education and training opportunities available, but I'm a veteran in this business with years of experience as a police executive.

"Do I too need further training?"

The answer is obvious. You gentlemen would not be here, taking the time from your important duties, if this wasn't the case.

But let's dig a little deeper into the *why* of it.

Just within the past few years far-reaching changes have taken place.

The scientific and technological advances I spoke of earlier have made more changes in the past twenty years than in the previous two thousand.

Social changes overturning hundreds of years of inertia have occurred within the past five years.

Many of these changes have been revolutionary when we would have preferred for them to be evolutionary.

But regardless of our individual desires, as police executives we must adapt to these changes.

The major requirement placed on police executives from these changes is the acquisition of managerial talents that will allow us to cope with them.

To succeed in meeting the challenges of these dynamic and demanding changes, police leaders must evaluate the adequacy of their facilities and equipment; they must make thorough and objective appraisals of the methods being used to administer and operate their departments' resources and personnel.

And, most importantly, they must grow intellectually to keep pace with the new and dynamic concepts of management and organization that are being evolved to better enable law enforcement to meet the challenges of tomorrow.

I don't propose to give you a resume of the course you have just completed. This would be redundant, because from my knowledge of the course contents it was both progressive and complete. Certainly those who devised it, and those who participated in it, are deserving of praise for a job well done.

I would, however, like to comment briefly on the functions of management to which

you have been exposed during your attendance here.

Police planning, in brief, is the setting of goals.

Broadly speaking, these goals are to protect the lives and property of the people, to prevent crime, and to detect and apprehend offenders.

To progress towards these goals, the police administrator must plan the programs of his department in context with the specific law enforcement problems of his community.

He must consider the potentialities of any course of action.

He must have a thorough knowledge of his resources, and his must be the directing force that will culminate in successful results.

And in this day and age, he certainly must take into full consideration the matter of public opinion.

He should not pander to special interests through the sacrifice of principles and professional ethics, but he should have the flexibility to change his courses of action when proven wrong or ineffective.

Organization is the blending together of people into a workable unit to achieve their goals.

As a process, organization seeks to achieve three primary goals: first, the appropriate division of labor; second, fixing authority and responsibility; and third, defining relationships within the unit.

If these organizational goals are not achieved; conflict, loss of efforts, and operational problems occur.

In the division of labor, there must be a clear division of responsibility and work.

These responsibilities and work efforts must be directed toward reaching organizational goals and objectives and eliminating duplication and undesirable overlapping of efforts.

Without a clearly defined source of authority, each individual will do what he wants, when he wants, and any integrated effort and attainment will be impossible.

Relationships must be clearly delineated so that each member of the department can have a basic understanding of his function, position and standing in the organization.

The police administrator is a leader and must assume leadership responsibilities.

He must inspire confidence in his leadership, earn the loyalty of his subordinates and be enthusiastically interested in his job.

He must always keep in mind that his organization is a team and he must constantly inspire and stimulate each member to do his best.

Within his organization, the administrator must coordinate the activities of all subordinate units.

This cannot be done by sheer exercise of authority but rather by inspiring command and supervisory personnel to exercise their authority, assume their responsibilities and make their own decisions within the framework of departmental policy.

And finally, and in my opinion the most important next to the planning function, the police executive must control results by continual follow-up, inspection, and review.

He may assign authority but he cannot delegate this ultimate control responsibility.

Periodically, he should make an objective appraisal of his department to be certain that it is functioning in conformance with his policies and towards the realization of departmental objectives.

To accomplish these leadership functions, the modern-day police executive must increase his knowledge and skills in three broad interrelated areas.

The first of these areas contains what can be defined as the conceptual skills. These center around the management function and include planning, programming, budgeting, supervising, decision-making, directing and controlling.

The second area includes those that can be defined as the human skills.

In this area are included the ability to assume leadership and the leadership responsibility to discharge authority and assign it properly and the ability to motivate personnel to higher productivity and maintain high morale.

Finally, the police administrator must have a thorough grasp of the technical skills of an executive.

These include the ability to make decisions based on careful objective analyses.

He must have a thorough understanding of materiel and personnel requirements, the ability to evaluate the social forces that must be dealt with, and the ability to measure accurately the effectiveness of the operations he supervises.

All these functions make the job of leadership a lonely one.

He must have the confidence of his staff and his commanders, but he cannot enjoy their friendship to the point where it might bias his decisions.

He must have the proper rapport with the political and civic leaders of the community, but not to the point that he is compliant to their every whim against his considered professional judgment.

And finally, he must know that he, and he alone, has the ultimate executive responsibility for law enforcement in his community—its success or failure.

The fact that police officers of your stature are here to study and develop increased capabilities of leadership to better serve the cause of law enforcement speaks more eloquently than I can of your dedication.

Not only does it reflect credit upon each of you as an individual, but it contributes importantly to the attainment of true professionalism that we of the police are sworn to provide each of our nations.

Gentlemen, the problems you face as police executives are of the gravest nature. And, generally speaking, I am sure your resources are inadequate. However, the dedication you have evidenced to better law enforcement through your completion of this rigorous course of study makes me confident that law and order will not only endure in your nation, it will prevail.

And this will happen because of the leadership you and others like you in our profession, will provide—now, and in the future.

Gentlemen, my sincere congratulations.

Thank you!

MINING OF NORTH VIETNAM PORTS

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

Mr. MIKVA. Mr. Speaker, with his decision to mine North Vietnamese ports and to continue the bombing of its major cities, the President has set this country back 10 years and raised the threat of a direct confrontation with the Soviet Union for the first time. The mining and increased bombing will do nothing to end the war or return our prisoners. Rather, it will serve only to increase the bloodshed and increase the number of American prisoners of war. The President now has implemented virtually every plank of the Goldwater war platform of 1964. The people of this country overwhelmingly rejected the Goldwater strategy then, and they should reject President Nixon's "new" strategy now the same way—by defeating him in November.

Since 1964, every military solution this country has tried in southeast Asia has

failed. There is no reason to believe the mining of North Vietnamese harbors will succeed as a "military solution" where the others have failed. The best evidence is that mining has been suggested before and rejected time and time again, simply because it will not work. The possibility of mining North Vietnamese harbors was raised specifically in 1966 and 1967 and specifically rejected by President Johnson and Secretary of Defense McNamara. It was a matter of too much risk for too little return.

In May of 1967, Secretary McNamara outlined in detail his opposition to mining. He said it would not reduce North Vietnam's capacity to wage war in the South. The CIA agreed with that assessment. It still does. The situation has not changed over the last 6 years. Nothing has happened to make mining an effective military strategy. The 1969 National Security Memo No. 1, prepared by Dr. Henry Kissinger, has more to say about mining.

OSD (Office of Secretary of Defense) and CIA believe that (if all imports from the sea were denied) the overland routes from China would provide North Vietnam enough material to carry on, even with an unlimited bombing campaign.

Besides, North Vietnam now has stockpiled enough supplies in the South to carry on its offensive for several months.

Over the last few years, this administration has promised the American people a number of "final solutions" to end the war and bring the troops and the prisoners home. First, it was the invasion of Cambodia, then the concept of Vietnamization, then increased air strikes with B-52's and now the mining of Hanoi and Haiphong harbors and the possibility of military confrontation with the Soviet Union and China. We have returned to the dark years of 1965 and 1966 when the Joint Chiefs of Staff claimed that we could "win the war if only we unleashed America's military might." Unless we accept the absurd proposition that more war will bring peace, it appears that the longing of the American people to end the war has been ignored. After all these years, the administration is still trying to "win."

The mining amounts to a declaration of war against North Vietnam without the advice or consent of Congress. It may be a violation of international law. It clearly will be ineffective from a military standpoint, and it holds the threat of a frightening confrontation with the Soviet Union or China. Will Soviet ships try to run the blockade or penetrate the mine field? What if they fire back? What if they attempt to stop American planes from seeding the mines? Is the corrupt Thieu government in Saigon worth the possibility of an American-Soviet military confrontation? The tragedy is that we in Congress do not know the answers because we do not know what the Soviets will do. We do not even know if Dr. Kissinger asked them about it on his last trip to Moscow.

The U.S. Constitution gives Congress the power to declare war. The authors did not do that capriciously. They realized that such an awful possibility should be tested in the minds of more than just one man. Since he was in-

augurated, President Nixon has ignored the constitutional requirement of input from Congress, and this latest escalation is only the latest example of that. He "notified" Congress of the mining after he made his decision. Despite this, Congress has an obligation to the people to try to end the war on its own. We will try to find ways to cut off funds for the war. We will try to convince the President to listen to the sentiment of the people, a sentiment reflected by the recent vote of the Democratic Members of the House of Representatives against escalation of the war. To do this, we need an expression from the people that is firm and clear. I hope they will tell the President and their Congressmen—by telegram, letter, phone call, and personal visit—that they oppose this war and this escalation.

Ultimately, of course, the only way to end this war once and for all is to defeat the President who is continuing it and escalating it. The policies of this President—like the policies of his predecessor—must be repudiated by the people in November. That power of the vote is direct and absolute, and it represents the last clear chance to end this war and save this country.

DISTRICT OF COLUMBIA ANTIPOLLUTION DRIVE

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

Mr. GUDE. Mr. Speaker, I wish to offer a word of congratulation to the District of Columbia Department of Motor Vehicles for their recommendations, reported in today's Washington Post by Mr. Jon Katz, for improvement in the present method of automobile exhaust emission inspections. For some time, the District has conducted auto inspections. I have visited one of these inspection stations and have inspected the pollution control equipment they have.

I only wish that my own State of Maryland would adapt an effective annual auto inspection system, giving special attention to emission control.

One problem with the District of Columbia system, however, was that it merely passed or failed a car, giving little indication to the owner of the car as to the exact correction needed to meet pollution control standards.

Following a 2-year study undertaken for the Environmental Protection Agency, the Motor Vehicle Department has recommended an inspection system which would pinpoint for the auto owner the exact problem and the corrections needed for the car to meet emission standards. The District has applied to EPA for funds to initiate such a program.

The report cites the fact that average car owners do not properly maintain their vehicles, and that the great majority of auto mechanics know little or nothing about emission control devices, caring more for an engine that runs more smoothly than for one which is pollution free.

Further, and I find this fact encouraging in our work to clean up Washington's polluted air, the report states that the

average cost of correcting emission problems on 1968 and later model cars is a minimal \$5.87. Even on older cars, the costs run an average of \$22.78.

The District of Columbia deserves special praise for this positive effort to reduce air pollution and deserves full support.

PRESIDENT'S PLAN FOR BRINGING WAR IN VIETNAM TO AN END

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

Mr. GOODLING. Mr. Speaker, President Richard M. Nixon, in an address to the Nation last night, announced a plan for bringing the lengthy war in Vietnam to an end. In effect, the President's plan is designed to cut off the arteries that feed the war heart in Vietnam, doing this by mining all North Vietnam harbors, by blocking traffic in internal waters, and by cutting rail traffic that enters Vietnam from China.

Probably not since a former President of the United States decided to use the A-bomb in World War II has any Chief Executive of the United States been called upon to make a more difficult decision than that made by the President last night.

Mr. Nixon promised that these severe war measures would terminate when all American prisoners of war held by the North Vietnamese are released and when an international cease-fire is implemented in Indochina.

When these conditions are met, the United States will stop all acts of force and will pull out all of American military personnel within a period of 4 months.

Some Americans will protest the President's action as being overly stringent. The simple truth of the matter is that war is never a pretty thing and neither are the solutions devised to bring it to an end.

In this particular case, we are dealing with an enemy that is ruthless to the core and will respond only to direct and forceful measures. This is an enemy which, for instance, has consistently violated the demilitarized zones set up in this conflict. In fact, the enemy started the current phase of fighting by using these zones for jumping-off stations for its invasion of South Vietnam with regular troops and tanks. Too, during the Tet offensive of 1968, the North Vietnamese brutally executed thousands of innocent South Vietnamese and coldly buried their bodies in shallow ditches strewn over bare acres.

It must be recognized, of course, that there are risks associated with the President's venture, because it is an outright challenge to two major powers that are supplying materials and supplies to the North Vietnamese. Russia has performed as such a provider through deliveries with her vessels in the port of Haiphong, while Red China has used an overland rail system to feed essential war goods to the North Vietnamese. Only time will tell what the reactions of these nations will be.

President Nixon has acted in accord with the responsibilities imposed upon

him by the U.S. Constitution. There are, of course, obvious political hazards involved in this move, and the President is, indeed, to be complimented for acting over and above politics and in the immediate interests of the United States.

President Nixon has weighed all of the risks involved one against the other and has, as our Commander in Chief, determined that the hazards of remaining engaged in this conflict outweigh those attached to an effort to get out of it.

The American people, in times of stress, have a remarkable aptitude for closing ranks and supporting their President. I am confident President Nixon can depend upon such support as he makes this important decision designed to bring the war in Vietnam to a quick and honorable end.

UNITED STATES-BRAZIL FISHING AGREEMENT

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

Mr. FASCELL. Mr. Speaker, in these troubled and difficult times, it is particularly pleasant to discover fresh evidence that rationality and good will can find satisfactory solutions to thorny and complex international problems. I wish to pay tribute to the skillful negotiators, both those of our country and those of Brazil, who have been able to work out an interim arrangement for continued shrimp fishing off the Brazilian coast which will assist and support our joint interest in conserving the world's marine resources while maintaining inviolate our very different conceptions of the proper juridical limitations on territorial claims and freedom of the seas.

The representatives of our two countries have been able to separate long-term disagreements from short-term common interests and worked out methods whereby the harvesting of an important seafood will continue and prosper under improved conditions. At the same time the residual juridical problems have been more clearly identified so that their ultimate resolution by multilateral international negotiation can take place during the U.S.-sponsored Law of the Sea Conference now scheduled to begin during the summer of 1973.

I have already commended the negotiators. Let me conclude by commending to you the agreement itself as one more piece of concrete evidence that all problems are solvable if men of good will decide that their objective is solution and not disagreement:

AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING SHRIMP

The Parties to this Agreement,

Note the position of the Government of the Federative Republic of Brazil,

that it considers its territorial sea to extend to a distance of 200 nautical miles from Brazil's coast,

that the exploitation of crustaceans and other living resources, which are closely dependent on the seabed under the Brazilian territorial sea, is reserved to Brazilian fishing vessels, and

that exceptions to this provision can only

be granted through international agreements.

Note also the position of the Government of the United States of America that it does not consider itself obligated under international law to recognize territorial sea claims of more than 3 nautical miles nor fisheries jurisdiction of more than 12 nautical miles, beyond which zone of jurisdiction all nations have the right to fish freely, and that it does not consider that all crustaceans are living organisms belonging to sedentary species as defined in the 1958 Geneva Convention on the Continental Shelf, and further

Recognizing that the difference in the respective juridical positions of the Parties has given rise to certain problems relating to the conduct of shrimp fisheries,

Considering the tradition of both Parties for resolving international differences by having recourse to negotiation,

Believing it is desirable to arrive at an interim solution for the conduct of shrimp fisheries without prejudice to either Party's juridical position concerning the extent of territorial seas or fisheries jurisdiction under international law,

Concluding that, while general international solutions to issues of maritime jurisdiction are being sought and until more adequate information regarding the shrimp fisheries is available, it is desirable to conclude an interim agreement which takes into account their mutual interest in the conservation of the shrimp resources of the area of this Agreement,

Having Agreed as Follows:

ARTICLE I

This Agreement shall apply to the fishery for shrimp (*Penaeus* (M.) *duorarum* notialis, *Penaeus* *braziliensis* and *Penaeus* (M.) *aztecus subtilis*) in an area of the broader region in which the shrimp fisheries of the Parties are conducted, hereinafter referred to as the "area of agreement" and defined as follows: the waters off the coast of Brazil having the isobath of thirty (30) meters as the south-west limit and the latitude 1° north as the southern limit and 47°30' west longitude as the eastern limit.

ARTICLE II

1. Taking into account their common concern with preventing the depletion of the shrimp stocks in the area of agreement and the substantial difference in the stages of development of their respective fishing fleets, which results correspondingly in different kinds of impact on the resources, the two Parties agree that, during the term of this Agreement, the Government of the Federative Republic of Brazil is to apply the measures set forth in Annex I to this Agreement and the Government of the United States of America is to apply the measures set forth in Annex II to this Agreement.

2. The measures set forth in Annexes may be changes by agreement of the Parties through consultation pursuant to Article X.

ARTICLE III

1. Information on catch and effort and biological data relating to shrimp fisheries in the area of agreement shall be collected and exchanged, as appropriate, by the Parties. Unless the Parties decide otherwise, such exchange of information shall be made in accordance with the procedure described in this Article.

2. Each vessel fishing under this Agreement shall maintain a fishing log, according to a commonly agreed model. Such fishing logs shall be delivered quarterly to the appropriate Party which shall use the data therein contained, and other information it obtains about the area of agreement, to prepare reports on the fishing conditions in that area, which shall be transmitted periodically to the other Party as appropriate.

3. Duly appointed organizations from both Parties shall meet in due time to exchange

scientific data, publications and knowledge acquired on the shrimp fisheries in the area of agreement.

ARTICLE IV

1. The Party which under Article V has the responsibility for enforcing observance of the terms of the Agreement by vessels of the other Party's flag shall receive from the latter Party the information necessary for identification and other enforcement functions, including name, port of registry, port where operations are usually based, general description with photograph in profile, radio-frequencies by which communications may be established, main engine horsepower and speed, length, and fishing method and gear employed.

2. Such information shall be assembled and organized by the flag Government and communications relating to such information shall be carried out each year between the appropriate authorities of the Parties.

3. The Party which receives such information shall verify whether it is complete and in good order, and shall inform the other Party about the vessels found to comply with the requirements of paragraph 1 of this Article, as well as about those which would, for some reason, require further consultation among the Parties.

4. Each of those vessels found in order shall receive and display an identification sign, agreed between the Parties.

ARTICLE V

1. In view of the fact that Brazilian authorities can carry out an effective enforcement presence in the area of Agreement, it shall be incumbent on the Government of Brazil to ensure that the conduct of shrimp fisheries conforms with the provisions of this Agreement.

2. A duly authorized official of Brazil, in exercising the responsibility described in paragraph 1 of this Article may, if he has reasonable cause to believe that any provision of this Agreement has been violated, board and search a shrimp fishing vessel. Such action shall not unduly hinder fishing operations. When, after boarding or boarding and searching a vessel, the official continues to have reasonable cause to believe that any provision of this Agreement has been violated, he may seize and detain such vessel. In the case of a boarding or seizure and detention of a United States vessel, the Government of Brazil shall promptly inform the Government of the United States of its action.

3. After satisfaction of the terms of Article VI as referred to in paragraph 4 of this Article, a United States vessel seized and detained under the terms of this Agreement shall, as soon as practicable, be delivered to an authorized official of the United States at the nearest port to the place of seizure, or any other place which is mutually acceptable to the competent authorities of both Parties. The Government of Brazil shall, after delivering such vessel to an authorized official of the United States, provide a certified copy of the full report of the violation and the circumstances of the seizure and detention.

4. If the reason for seizure and detention falls within the terms of Article II or Article IV, paragraph 4 of this Agreement, a United States vessel seized and detained shall be delivered to an authorized official of the United States, after satisfaction of the terms of Article VI relating to unusual expenses.

5. If the nature of the violation warrants it, and after carrying out the provision of Article X, vessels may also suffer forfeiture of that part of the catch determined to be taken illegally and forfeiture of the fishing gear.

6. In the case of vessels delivered to an authorized official of the United States under paragraphs 3 or 4 of this Article, the Government of Brazil will be informed of the in-

stitution and disposition of any case by the United States.

ARTICLE VI

In connection with the enforcement arrangements specified in Article V, including in particular any unusual expenses incurred in carrying out the seizure and detention of a United States vessel under the terms of paragraph 4 of Article V, and taking into account Brazil's regulation of its flag vessels in the area of agreement, the Government of Brazil will be compensated in an amount determined and confirmed in an exchange of notes between the Parties. The amount of compensation shall be related to the level of fishing by United States nationals in the area of agreement and to the total enforcement activities to be undertaken by the Government of Brazil pursuant to the terms of this Agreement.

ARTICLE VII

The implementation of this Agreement may be reviewed at the request of either Party six months after the date on which this Agreement becomes effective, in order to deal with administrative issues arising in connection with this Agreement.

ARTICLE VIII

The Parties shall examine the possibilities of cooperating in the developing of their fishing industries; the expansion of the international trade of fishery products; the improvement of storage, transportation and marketing of fishery products; and the encouragement of joint ventures between the fishing industries of the two Parties.

ARTICLE IX

Nothing contained in this Agreement shall be interpreted as prejudicing the position of either Party regarding the matter of territorial seas or fisheries jurisdiction under international law.

ARTICLE X

Problems concerning the interpretation and implementation of this Agreement shall be resolved through diplomatic channels.

ARTICLE XI

This Agreement shall enter into force on a date to be mutually agreed by exchange of notes, upon completion of the internal procedures of both parties and shall remain in force until January 1, 1974, unless the Parties agree to extend it.

In witness whereof the undersigned representatives have signed the present agreement and affixed thereto their seals.

Done in duplicate this 9th day of May, 1972, in the English and Portuguese languages both texts being equally authoritative.

ANNEX I

(a) Prohibition of shrimp fishing activities, for conservation purposes, in spawning and breeding areas;

(b) Prohibition of the use of chemical, toxic or explosive substances in or near fishing areas;

(c) Registry of all fishing vessels with the Maritime Port Authority (Capitania dos Portos) and with SUDEPE;

(d) Payment of fees and taxes for periodic inspections;

(e) Use of the SUDEPE fishing logs to be returned after each trip or weekly;

(f) Prohibition of the use of fishing gear and of other equipment considered by SUDEPE to have destructive effects on the stocks;

(g) Prohibition of discharging oil and organic waste.

ANNEX II

(a) Not more than 325 vessels flying the United States flag shall fish for shrimp in the area of agreement and the United States Government undertakes to maintain a

presence of no more than 160 of those vessels in the area at any one time. Such vessels shall be of the same type and have the same gear as those commonly employed in this fishery in the past, noting that electric equipment for fishing purposes has not been commonly employed by boats in this fishery in the past.

(b) Shrimp fishing in the area of agreement shall be limited to the period from March 1 to November 30.

(c) Shrimp fishing in that part of the area of agreement southeast of a bearing of 240° from Ponta do Ceu radio-beacon shall be limited to the period March 1 to July 1.

(d) Transshipment of catch may be made only between vessels authorized under this Agreement to fish in the area of agreement.

AGREED MINUTE RELATING TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING SHRIMP

The Delegations of the Government of Brazil and the Government of the United States of America consider it desirable to record the points set out below relating to the Agreement between the two Governments concerning shrimp signed on the 9th day of May, 1972:

The Brazilian Delegation informed the United States Delegation that the portion of the area of Agreement between the true bearing of 240° and 225°, drawn from the Ponta do Ceu radio-beacon, has a special interest to the Brazilian shrimp vessels, in view of its vicinity to both the port and the industries existing in Belem. State of Para. Under these circumstances, the Brazilian Delegation informed the United States Delegation that it was not the intention of the Brazilian Government to re-include such region in agreements it might conclude after 1973.

The United States Delegation stated its view to the Brazilian Delegation that the area of the Agreement between the true bearing of 240° and 225°, drawn from the Ponta do Ceu radio-beacon, lies on the high seas and is thus open to fishing by all nations.

Both the Brazilian and the United States Delegations agreed that, based on the available information, the expression "of the same type", included in item A of Annex II in relation to United States vessels that have in the past fished in the area of the Agreement, means vessels having a length up to approximately eighty-five feet.

With respect to item A of Annex II, both Delegations agreed that an excess of up to 15 vessels in the area of Agreement over the figure of 160 shall constitute, during the first fishing season of the Agreement, a situation requiring consultations between the Parties within the scope of Article X with a view toward arriving at as promptly as possible the agreed figure. In view of the special nature of the arrangements contained in item A of Annex II, both Delegations understand that consultations referred to in paragraph 2, Article II will be held as soon after the close of the current fishing season as possible, to examine the operation of this provision with a view toward revising, if necessary, the measures outlined in item A of Annex II or revising the procedures necessary to achieve better compliance with them.

NOTE

MAY 9, 1972.

The Embassy of the United States of America presents its compliments to the Ministry of External Relations of the Federative Republic of Brazil, and with reference to the Agreement Concerning Shrimp signed on this date, as well as the accompanying exchange of Notes, related to Article VI of that Agreement, has the honor to inform the Ministry of the following:

Pending the entering into force of the agreement as provided for in article eleven,

the Government of the United States of America is prepared to make every effort to encourage the voluntary compliance by its industry of the provisions of the Agreement so as to ensure that events in the interim period do not prejudice the successful implementation of those provisions. It is the understanding of the Government of the United States of America that the Government of the Federative Republic of Brazil intends also to abide by the spirit of the proposed interim Agreement.

Following the exchange of instruments of ratification, but prior to the passage of enabling legislation the Government of the United States of America proposes to continue its effort to encourage voluntary compliance.

In the period between the completion of internal procedures as noted in article eleven and the entering into force of the Agreement, the Government of the United States of America will seek, *inter alia*, with the voluntary cooperation of U.S. flag vessel owners,

1. To achieve the objectives of Article II.
2. To institute appropriate Article III procedures.
3. To achieve the intent of Articles IV and V.

In stating its willingness to encourage the voluntary compliance with appropriate provisions of the Agreement so that the intent of the accord may be achieved while awaiting its entering into force, it is the understanding of the Government of the United States of America that the Government of the Federative Republic of Brazil agrees that in this same interim period both Parties should have as their objective the achievement of the intent of the Agreement.

With specific reference to Article III, paragraph 2, the Government of the United States of America shall treat the information obtained from individual fishing logs as confidential.

Initialed by:

MARIO GIBSON BARBOZA,
Foreign Minister of Brazil.
WILLIAM M. ROUNTREE,
U.S. Ambassador to Brazil.

MAY 9, 1972.

REPLY TO THE NOTE FROM THE AMERICAN EMBASSY

The Ministry of External Relations of the Federative Republic of Brazil presents its compliments to the Embassy of the United States of America and has the honor to acknowledge receipt of the Embassy's note of today's date, which reads as follows:

(Note of the USA)

2. In reply, the Ministry of External Relations wishes to confirm that the understanding referred to in the penultimate paragraph of the Embassy's note is shared by the Brazilian Government.

3. Further more, the Ministry of External Relations wishes to state that, pending the entry into force of the Agreement, it is the intent of the Brazilian Government to apply its provisions insofar as possible from today and in a manner which will ensure that events in the interim will not prejudice the successful implementation of those provisions.

4. With specific reference to Article III, paragraph 2, the Government of the Federative Republic of Brazil shall treat the information obtained from individual fishing logs as confidential.

Initialed by:

MARIO GIBSON BARBOZA,
Foreign Minister of Brazil.
WILLIAM M. ROUNTREE,
U.S. Ambassador to Brazil.

BRASILIA, MAY 9, 1972.

His Excellency MARIO GIBSON BARBOZA,
Minister of Foreign Affairs,

EXCELLENCY: I have the honor to refer to the Agreement on Shrimp signed today by

the Governments of the Federative Republic of Brazil and the United States of America and to confirm, on behalf of my Government, the following:

(a) The Government of the United States of America shall, after the appropriation of funds by Congress, compensate the Government of Brazil in an annual amount of U.S. \$200,000 (two hundred thousand dollars) pursuant to the terms of Article VI;

(b) The Government of the United States of America shall, after the appropriation of funds by Congress, further compensate the Government of Brazil in the amount of U.S. \$100.00 (one hundred dollars) for each day a United States flag shrimp fishing vessel is under the control of Brazilian enforcement authorities pursuant to the terms of paragraph 2 of Article V.

I have the honor to propose that his Note and Your Excellency's reply confirming the above points of understanding on behalf of your Government shall be regarded as constituting satisfaction of the terms of Article VI of the aforementioned Agreement between the two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

WILLIAM M. ROUNTREE,
U.S. Ambassador.

BRASILIA, MAY 9, 1972.

His Excellency, WILLIAM M. ROUNTREE,
U.S. Embassy, Brasilia.

EXCELLENCY: I have the honor to acknowledge receipt of Your Excellency's note, of today's date, which reads as follows:

(Note of the U.S.A.)

2. In reply, I wish to confirm, on behalf of the Brazilian Government, that the above points of understanding shall be regarded as constituting satisfaction of the terms of Article VI of the Agreement on Shrimp, signed today by the two Governments.

I avail myself of this opportunity to renew to you the assurances of my highest consideration.

MARIO GIBSON BARBOZA,
Foreign Minister.

TRIBUTE TO THE LATE J. EDGAR HOOVER

The SPEAKER. Under a previous order of the House, the gentleman from South Dakota (Mr. DENHOLM) is recognized for 30 minutes.

(Mr. DENHOLM asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. DENHOLM. Mr. Speaker and my colleagues and all to whom these presents come, spoken or written, I asked for this special order today to recognize the achievements of a distinguished American—sought by many but actually accomplished by few. Some time in the early morning hours of the night, 7 days ago, a distinguished gentleman and a great American departed the earthly life of this world to his surest reward. J. Edgar Hoover died in the same quiet manner that he lived, unassuming, devoted to duty, ready always to answer in the darkness of the night and in the face of any danger—the call of his country.

He led with dignity and with decency and with the respect of those he led the fundamental cause of justice and security in and of this Nation. He led this country through a half century of troubled times. In peace and in war he was always there. He was committed to the highest ideals and objectives of liberty and freedom in search for the delicate balance of justice through the processes of law in the interest of all the citizens

of this Nation against the few who would invade the rights of others in the name of the law or obstruct the thrust of justice under the pretense of the concepts of freedom and liberty.

The name of J. Edgar Hoover became synonymous with the institution he founded and served so long, the FBI, and he was recognized as a pillar in the troubled seas of crime, corruption, deception, fraud, indecency, immorality, insurrection, riot, rebellion, sabotage, and all subversive activities, and every criminal law enacted by the Congress of the United States of America.

Mr. Hoover exercised no powers not granted by statute and not enacted by the Congress. He was sometimes criticized, from places that he was precluded from entering—in equal opportunity to answer. He was the target of criminals, "commies" and "comers" but he never abandoned his post of duty in upholding the obligation imposed upon him by acts of this Congress or any previous sessions thereof. He upheld the laws of the land.

J. Edgar Hoover was to 430,000 or more citizens serving this Nation in 40,000 different agencies of law enforcement a symbol or a harbor light in the troubled waters of the dark seas. He provided a central sense of direction which was relied upon by all.

It may be paradoxical but in the issue of the FBI Law Enforcement Bulletin, volume 41, No. 5, published on May 1, 1972, in honor of Law Day, U.S.A., Mr. Hoover wrote his final message to his associates charged with the duties of law enforcement and with the responsibility of maintaining the peace and tranquility of this great land.

Mr. Speaker, I ask unanimous consent that the last message of the late and Honorable J. Edgar Hoover to all law enforcement personnel and officials be printed at length in the official RECORD of this Congress.

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

There was no objection.

The message is as follows:

MESSAGE FROM THE DIRECTOR TO ALL LAW ENFORCEMENT OFFICIALS

Extremists of all stripes in our society ceaselessly attempt to discredit the rule of law as being biased and oppressive. They have no conception of—or purposely choose to ignore—its role and history. It is not surprising that these divisive elements concentrate their abuse on the law enforcement officer. Above all, he stands firmly in the path of mindless actions that would reduce our government of laws to mob rule or the whims of lawless men.

To permit such attempts to damage the reputation of our government by law is, of course, a necessary condition of democracy. While it must tolerate the lawfully expressed views of extremists, its citizens cannot through their own ignorance be entrapped with sympathy for bankrupt doctrines that would lay waste the foundations of their Nation.

In observing Law Day, U.S.A., this May 1st, we have an opportunity to view our laws in their proper perspective and appreciate the role they have played in developing our Nation. This day is also a time to renew our obligation of support to law enforcement officers, 126 of whom selflessly gave their lives last year in upholding the law.

Our greatest democratic heritage is the rule of law. It is the foundation for and the guardian of the rights, liberties, and orderly progress we enjoy. It is also the soil that has nurtured the "American dream" implicit in the Declaration of Independence pledge to provide "... Life, Liberty, and the Pursuit of Happiness" for all our citizens.

The tests of time and challenge in our Nation's history have more than proven the majesty of the law. Were this not so, our country would not have endured its strife to now stand before the nations of the world as a model of freedom and accomplishment. This is not to say the law has always been right, but that it has been organized to ultimately seek justice. Recognition of its power for good is not merely the experience of our nearly two centuries of democratic government. The struggle to insure the rights of the individual and his social organizations by written decree has roots which reach far back into antiquity. The authors of our Constitution were mindful of this legacy when they drafted that historic document.

Nor was the importance of a definitive rule of law lost to the general public of our infant Nation. Worn by the ravages of the Revolutionary War, our expectant forefathers appealed for and got amendments to the Constitution which formed the Bill of Rights—specific guarantees of law that responded to the heart of their grievances. Together the Constitution and the Bill of Rights gave birth to our rule of law and it is the flesh and blood of our Nation.

The law is dynamic because it responds to change as it did for those who argued for and received the Bill of Rights. And our Nation's history has been a chronicle of change. But the process of change in a democracy requires discipline and responsibility that will not unleash unrestrained forces that would rip the fabric of our freedoms. That fabric derives its strength through the warp and woof of laws that orderly guide the process of change by defining our individual and corporate duties. Change in our society would otherwise simply result from those who could impose their will on others without regard for the validity of their arguments or the rights of those who do not share their views.

Law Day honors an indispensable commitment of a free society: that democracy be dynamic but not self-destructive. If we do not value this commitment by both honoring and obeying the rule of law, the tyranny of extremists may inevitably result.

J. EDGAR HOOVER,
Director.

MAY 1, 1972.

Mr. DENHOLM. Mr. Speaker, in closing my remarks today—I acknowledge with gratitude my prior years of service as a special agent of the FBI. It was my privilege to be associated with the Federal Bureau of Investigation for several years before I voluntarily returned to my State of South Dakota to establish a law firm. During the years that I served as a special agent of the FBI I was associated with some of the best American citizens that I have ever personally known. I knew the Director as a leader of men, a man dedicated to duty—and a patriot of our time.

On that sad morning seven days ago—I said in part, that Mr. Hoover was a man of compassion, decency, dignity, and destiny. He sought no glory but glory shall seek him. His reverence for right is now a hallmark in the annals of history. His trials of life are a tribute in honor of country. His lifetime of service to others was his surest goal of service to God—and his service of the Master of all

men was his noble work on earth—now finished but never to be forgotten. He is dead but the name of J. Edgar Hoover shall live as a legend of time.

Mr. BURLERSON of Texas. Mr. Speaker, immediately following the death of Mr. J. Edgar Hoover, I joined with several of our colleagues in eulogy to him.

This is further opportunity to express a deep appreciation for this man who has meant so much to our Nation and to those who knew him personally.

A number of us here in the House of Representatives served as agents of the FBI. We value the associations which that experience afforded. I know we all have an untimed respect for the Federal Bureau of Investigation, an organization built from the very beginning by its only Director, J. Edgar Hoover.

Mr. Hoover was a man who commanded respect but never demanded it. He was a legend to those of us who were a part of the FBI and who served under his direction. In the Bureau there was always an inspiration from the Director. His dedication to the safety and welfare of our country was felt by those privileged to work for him and with him.

Mr. Hoover so formed the FBI that his predecessor can carry on its great traditions and efficient services. I wish for the new Acting Director, Mr. Gray, the very best and pledge him my support and cooperation. I know Mr. Gray will make all efforts to follow in the footsteps of his illustrious predecessor. J. Edgar Hoover will live always in the minds and hearts of the people of America. His greatest monument is the esteem and appreciation we hold for him.

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

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

Mr. DANIELSON. Mr. Speaker, today would mark the end of the 48th year in which John Edgar Hoover served as Director of the Federal Bureau of Investigation.

On May 10, 1924, the Federal Bureau of Investigation, then known as the Bureau of Investigation, a branch of the U.S. Department of Justice, formally went into operation. Mr. Hoover was the first and only Director of the FBI. Prior to that time he had served in the Department of Justice as an attorney, following his original appointment in 1917, so that his total career in the Department of Justice was about 55 years. Insofar as I know, no one in high executive office has ever served so long, nor with such excellence in performing his public duty.

At the time Mr. Hoover took over as Director of the FBI a police or investigation agency was commonly staffed by people with little if any, formal training. They were oftentimes selected from the ranks of political followers of those who were empowered to make the appointments, and were simply issued a badge and a gun and set to work. They became instant law-enforcement officers.

When John Edgar Hoover took over the FBI in 1924 he immediately set about making it a truly professional organization. He established high standards for the selection of recruits; he established

an unheard of thing, a training school for his agents. He trained them as well as possible at that time in the science of police work. He gave them training in the law and usually selected men who had a law background.

He made a truly professional organization out of the FBI, an organization whose standards of excellence have become the standard of the world.

During the nearly 50 years that he headed the FBI, he guided it and its agents through the gangsterism of the prohibition era, the crimes of kidnapping, extortion, bank robbery, and other violence which infested our country in the 1930's; into World War II when, at its inception, he was called upon to fill a gap little known to most Americans.

At the beginning of World War II the United States had no intelligence system whatsoever, and no counterintelligence system. At the direction of President Franklin D. Roosevelt, J. Edgar Hoover immediately set about filling this need. Also, pursuant to Presidential directive, the FBI, under J. Edgar Hoover, took on the responsibility of protecting our country from espionage, sabotage, and subversive activities.

During the 1950's and 1960's he continued to guide the Bureau, at all times following the laws of the United States and with a profound respect for constitutional rights.

One of the most satisfying and interesting things in my memory of the Bureau and of J. Edgar Hoover is the fact that as far back as the 1930's he insisted that his agents adhere to strict principles guaranteeing the constitutional rights of persons arrested or being investigated; principles which in recent years are finally being recognized and protected in the decisions of the Supreme Court; namely, the right to counsel, the right to remain silent, and the right to prompt appearance before a magistrate.

All of these were standard Bureau policies of the thirties, and now they are fixed in our constitutional law by Supreme Court decisions demanding that other law enforcement agencies obey these same constitutional rights.

Mr. Speaker, fairness demands that we make a special record of the fact that in the early days of World War II J. Edgar Hoover himself opposed the regrettable Japanese internment even through his agents were required to carry it out under the direction of the executive department.

There have been times in the not too distant past in which persons who had attacked Mr. Hoover were dismayed to find that documents which they had turned over to other investigatory committees were in turn being delivered to the FBI for scientific examination. Yet they promptly found that the FBI laboratories conducted the examinations and studies fairly and impartially.

Within the field of law enforcement John Edgar Hoover was the first man to employ scientific procedures of the type which we accept today as commonplace.

He set up the world's greatest identification system. He perfected the fingerprint identification system which had been experimented with in prior years.

He brought scientific laboratory experimentation and investigation within the reach of every police department in the United States, free of charge to local authorities. This included chemical laboratories, spectrographic laboratories, his laboratories involving the principles of ballistics which, again, brought another dimension to law enforcement throughout the United States and the world. Not content simply to train his own men in a professional manner, he persuaded the Congress to set up the FBI National Academy, formerly known as the National Police Academy, and thousands of police officers throughout the United States have received excellent professional and field training as the result.

John Edgar Hoover was not only a man of great understanding, knowledge, loyalty and dedication but, most of all, a man of restraint.

At no time did he abuse the vast powers which were at his disposal.

Mr. Speaker, we are going to miss John Edgar Hoover as the Director of the Federal Bureau of Investigation.

I wish his successor, well in the discharge of his responsibilities.

Mr. MAHON. Mr. Speaker, I wish to be counted among those who seek to honor the memory of the late J. Edgar Hoover.

Through the years Mr. Hoover performed a great service to the Committee on Appropriations. This inured to the benefit of the entire Nation.

In the early 1940's the Committee on Appropriations sought the cooperation of Mr. Hoover in establishing a system of investigations that would assist the committee in securing facts concerning expenditures and the operation of Government agencies. An objective system was established. It has proven invaluable to the committee over the years in arriving at decisions relating to appropriations for the operations of the Government.

Mr. Hoover was ever faithful to his trust as Director of the FBI. He did a masterful job and he meant much to this country during a very long, trying, and difficult period. I pay honor to the memory of this great American.

Mr. HAGAN. Mr. Speaker, the death of J. Edgar Hoover leaves a terrible void—for there is no doubt but that this unusual individual who had devoted a lifetime to serving the interests of justice and law and order will be hard to replace or be equalled in our time.

I think the editorial written by Mrs. Helen Williams Coxon, editor and publisher of the Ludowici News, Ludowici, Ga., best exemplifies the unique quality of Mr. Hoover and I, therefore, commend it for your attention:

SEEN AND HEARD HERE AND THERE

(By Helen Williams Coxon)

When J. Edgar Hoover passed away this week, a part of American justice went with him. The seventy-seven year old Director of the Federal Bureau of Investigation since 1924, who made the FBI a symbol of law enforcement, stood for all that is best in law enforcement.

The greatest compliment that could have been paid him in his forty-eight years in office is the fact that he has been re-

pointed to his position by every United States Attorney General who has taken office since 1924.

As the Statute of Liberty in New York Harbor stands as a beacon light of Liberty to those coming to our shores, the statute of J. Edgar Hoover will stand forever as a symbolic of law and order in America.

He was a man of firm convictions. Like anyone else, he did not welcome criticisms. Nevertheless, when they came, and from every side, he stood his ground because he knew he was standing on a firm footing. He was on the side of law and order. He knew he was right and his war on criminals never ceased to the day of his death.

It is said that when Hoover was asked to head the Bureau of Investigation he said he would take the position on certain conditions, which were, "The Bureau must be divorced from politics and not be a catch all for political hacks. Promotion will be made on ability, and the Bureau will be responsible only to the Attorney General." These standards have been rigidly enforced and there has never been any stigma of politics coupled with the name of the FBI.

Now nearing the half century mark in office, J. Edgar Hoover and his highly trained men have tracked down and brought about the conviction of some of the greatest criminals the world has ever known. It is said that with at least sixty offices in the United States with skilled personnel, no major crime is ever committed in this country but that the FBI can be on the job in one hour. FBI men live under rigid standards. Mr. Hoover's life was an exemplary one and his men, no matter where they are stationed, live by a high standard of personal conduct and discipline. The selection and training standards set up by Director Hoover is responsible for the integrity and high regard in which his men are held.

It is generally conceded that those who would have ousted Mr. Hoover from the directorship of the FBI have been those people who have been soft on Communism.

In the space of a short time we have known a Superior Court Judge to be dragged from his court room and killed; more than six hundred policemen have been killed; the National Guard has been attacked with lethal weapons; the United States flag has been pulled down and stomped; draft cards have been burned, young people have fled to other countries to evade the draft; government and university buildings have been burned and bombed by arsonists and traitors; protestors have demonstrated over trivialities; planes have been hijacked; prayer has been stripped from our schools; communists have been speaking in our colleges; Cuba is operating a training school for communists at our very door; and still we sit by and watch these things happening.

It is a great loss to this nation to see a man who has stood for law and order and who has fought communism, pass from our scene of action when his experience and judgment are so sorely needed at this time.

It is hoped that his principles will live on in the great organization which he has founded and built on such a strong foundation.

Mr. BIAGGI. Mr. Speaker, I rise to join my colleagues in paying tribute to a great American, J. Edgar Hoover.

As a former police officer, I have a profound personal respect for the memory of J. Edgar Hoover and his Federal Bureau of Investigation. The accomplishments of Mr. Hoover in the field of law enforcement made him a legend in his own time. When he became the Director of the FBI in 1924, he transformed that organization into the No. 1 crime fighting body in the world. In-

deed, we are all aware of the major cases which the FBI solved over the years.

In 1932, for example, the son of the famous aviator Charles Lindbergh was kidnapped. Once the FBI was put on the case, they used the most modern methods available to criminologists along with the scientific processing of evidence which led to the arrest of the kidnapper, Richard Hauptmann. Hauptmann was later convicted and executed for the kidnapping and murder which had shocked the country.

Other cases in the 1930's saw the FBI, under the able leadership of its Director, track down the major public enemies of the time. Mr. Hoover's highly educated agents ripped into the gangs and hoodlums and put such notorious criminals as John Dillinger, George "Baby Face" Nelson, Charles "Pretty Boy" Floyd, and "Ma" and Fred Barker out of operation.

In addition, the phenomenal success of the Bureau during World War II in apprehending Nazi spies was most impressive. These spies were arrested as fast as they infiltrated the United States.

From that time on the American public had a deep respect for J. Edgar Hoover and his Federal Bureau of Investigation. So much respect, in fact, that eight Presidents considered the Director as an indispensable crime fighter and asked him to continue in his country's service.

Mr. Speaker, the country has suffered the loss of a great man. A man who dedicated his entire life to protecting America from criminal and conspiratorial influences. No one can question the sincerity of his convictions nor the depth of his feelings for what he considered to be the fundamental values of America. This feeling was reiterated by Mr. Hoover recently when I was fortunate enough to have spent some time with him in his office. At that time he told me stories of his colorful past during which a recurrent theme came forth that his prime concern was for the betterment of the American way of life. Indeed, this great man never wavered in his conviction that America is a great Nation.

He shall always be remembered for maintaining his ideals even in the face of criticism. It is not surprising that such a man became America's No. 1 crime fighter.

GENERAL LEAVE

Mr. DENHOLM. Mr. Speaker, I ask unanimous consent that all Members have 5 days to revise and extend their remarks and include extraneous matter on the subject of my special order today.

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

There was no objection.

COMPREHENSIVE NUCLEAR TEST BAN (CTB); EXTENSION OF THE NUCLEAR TEST BAN TREATY TO INCLUDE UNDERGROUND TESTING

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

sota (Mr. FRASER) is recognized for 10 minutes.

Mr. FRASER. Mr. Speaker, today a bipartisan group of Members join the gentlemen from New York (Mr. BINGHAM) and Ohio (Mr. WHALEN) and me in introducing legislation calling upon the President to propose an expansion of the Nuclear Test Ban Treaty of 1963 to include underground testing. A list of the cosponsors follows my brief remarks.

The sponsors of this resolution may not all agree on what a comprehensive test ban—CTB—treaty should include. But we do agree that negotiations for such a treaty are a high priority matter and we ask the President, in the words of our resolution:

To propose to the Soviet Union and the other nuclear powers an expansion of the limited test ban treaty to include testing underground and to strive for its prompt acceptance.

We continue, Mr. Speaker, to seek additional cosponsors for our resolution. The list of those sponsoring the resolution today follows:

LIST OF SPONSORS

Jonathan B. Bingham of New York.
Donald M. Fraser of Minnesota.
Charles W. Whalen, Jr. of Ohio.
Herman Badillo of New York.
Seymour Halpern of New York.
Robert N. C. Nix of Pennsylvania.
Robert L. Leggett of California.
Lucien N. Nedzi of Michigan.
Abner J. Mikva of Illinois.
Edwin B. Forsythe of New Jersey.
Charles A. Mosher of Ohio.
Benjamin S. Rosenthal of New York.
William F. Ryan of New York.
John Dellenback of Oregon.
William D. Hathaway of Maine.
John F. Selberling of Ohio.
Robert F. Drinan of Massachusetts.
Robert W. Kastenmeier of Wisconsin.
Parren J. Mitchell of Maryland.
Dante B. Fascell of Florida.
Bertram L. Podell of New York.
John G. Dow of New York.
Nick Begich of Alaska.
Phillip Burton of California.
John C. Culver of Iowa.
Michael Harrington of Massachusetts.
Henry Helstoski of New Jersey.
Ralph H. Metcalfe of Illinois.
Thomas M. Rees of California.
James H. Scheuer of New York.
Frank Thompson, Jr. of New Jersey.
Bob Bergland of Minnesota.
Don Edwards of California.
Arthur A. Link of North Dakota.
William S. Moorhead of Pennsylvania.
Patsy T. Mink of Hawaii.
Charles C. Diggs, Jr. of Michigan.
Charles B. Rangel of New York.
Edward P. Boland of Massachusetts.
Walter E. Fauntroy of the District of Columbia.
Ken Hechler of West Virginia.
Augustus F. Hawkins of California.
Edward R. Roybal of California.
Peter H. B. Frelinghuysen of New Jersey.
Bill Frenzel of Minnesota.
William J. Green of Pennsylvania.
Henry S. Reuss of Wisconsin.
William S. Mailliard of California.
John Conyers, Jr. of Michigan.
Joshua Ellberg of Pennsylvania.
William (Bill) Clay of Missouri.
William D. Ford of Michigan.
Paul N. McCloskey, Jr. of California.
George W. Collins of Illinois.
Paul S. Sarbanes of Maryland.
Shirley Chisholm of New York.
John E. Moss of California.
Floyd V. Hicks of Washington.

Bella S. Abzug of New York.
Spark M. Matsunaga of Hawaii.
Donald V. Dellums of California.
John Brademas of Indiana.
Frank Horton of New York.
Jerome R. Waldie of California.
Robert A. Roe of New Jersey.
William A. Barrett of Pennsylvania.
James C. Corman of California.
Louis Stokes of Ohio.
James G. O'Hara of Michigan.
Claude Pepper of Florida.
Peter W. Rodino, Jr. of New Jersey.
Ogden R. Reid of New York.
Edward I. Koch of New York.
Bob Eckhardt of Texas.
H. John Heinz III of Pennsylvania.
Lawrence Coughlin of Pennsylvania.

VIETNAM AND THE RESPONSIBILITY OF THE HOUSE OF REPRESENTATIVES WITH REFERENCE THERETO

The SPEAKER. Under a previous order of the House the gentleman from Michigan (Mr. RIEGLE) is recognized for 1 hour.

Mr. RIEGLE. Mr. Speaker and colleagues, I rise today not in anger, but in sadness, and with a feeling of despair about the House of Representatives and, for that matter, the whole legislative branch of the Federal Government. Now, I have served here in the Congress 5½ years; I recognize that is a limited period of time when compared to many of my senior colleagues who have been here for several decades.

So, I do not stand here and suggest in any way that somehow my term of service would better equip me than anyone else to speak about the problem in Vietnam, which is what I take this special order to address.

But, Mr. Speaker, during the time I have been here I have seen the House of Representatives and the Congress plagued by the war in Vietnam.

I remember when I first ran for election in 1966. In that campaign there was the issue of Vietnam. At that time 5,000 Americans had been killed in the war. The figure today, 5½ years later, is something like 55,000. And, there is no way we can calculate the deaths of Asians, both those that were involved in some direct way in the war, but the many more who have been caught in the crossfire and whom I think can best be classified as civilians on both sides who possibly never understood the rationale and the arguments of either side, but were killed anyway.

Nonetheless their lives in terms of tens of thousands have also been sacrificed.

I have served 5½ years since I have been in Congress on the Committee on Appropriations, and I have seen us time and time again have to say "No" to requests for funds for problems here in the United States, such as on-the-job training programs, public works programs, assistance for the elderly, medical research programs, or to build new schools here in the District of Columbia, or any one of dozens of other things. We had to say "No" to those requests because there has not been enough money, and yet at the same time we have taken the money that we might have spent for those things and sent it to Indochina, and spent it on the war in

Vietnam. Probably a conservative estimate of our total Vietnam war costs is something in excess of \$150 billion, and that is more money than anyone can even understand. But the true cost is not just in terms of the dollar expenditures, but is in terms of those worthwhile things we might otherwise have done with those same dollars to solve the problems that have not been solved, either in our country or abroad. That is the worst part of our expenditure, our failure to face up to other problems far more important and worthy of our investment of lives and dollars.

In speaking about the war in Vietnam this afternoon, I do not rise in the belief that I possess any special knowledge over and above any one of my colleagues here in the House, or the Members of the other body. I rise primarily because I feel so deeply about the wrongness of our U.S. policy in Indochina. I dissent from our current policy, and most particularly the recent developments within in the last day and a half, not to be argumentative or to quarrel with the President, whose election I supported in 1968, and not to raise a divisive voice in this country, but I speak in order to meet what I believe to be my personal responsibility as a Member of this Congress.

I feel very strongly that honest dissent is essential to the health and well-being of our system of government as we know it.

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

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

Mr. YATES. Mr. Speaker, I commend the gentleman from Michigan for rising to voice his opinion, and I join him in his dissent. It does not make sense to me to make the decision that the President did last night in blockading the ports of North Vietnam, and to stop the ships of the nations of the world from entering those ports. It does not make sense to me to threaten the Soviet Union at a time when we should be winding down the war rather than threatening to escalate it. Particularly in reference to the action taken by the President which seems to be a futile gesture at best, because, according to most experts on the North Vietnamese, they have enough war material and weapons and arms on hand to carry on their military operation without the necessity for receiving any additional material from the outside for months to come.

The point that I want to make, however, is that some would criticize the gentleman in the well and some would criticize me for taking this action because the President himself called for unity last night, and for support of his decision. But, believing as we do in the dangers involved in the President's decision, should we then be quiet and let happen what we fear may happen? I do not believe so.

As a matter of fact, in 1951 at the time the Korean war was at its height there were two Senators who voiced their opinion to the contrary, saying that unity is dangerous to the well-being of our country if the country is embarking upon a disastrous course. One of them said this:

What is more important is that we adopt the right policy in a moment of great national danger. This means that, above all, our policy should represent the best thinking of our national leaders, including those who disagree with the President as well as those who agree with him.

The country wants unity, but it does not want unity on a policy which has led to disaster or on the perpetuation and power of those who made that policy and who cannot be expected to make good on any other. In other words, the country does not want unity on defeat, or unity on disaster. Disunity hurts our cause without question, but unity on a policy which was wrong could bring even greater disaster.

The Senator who made those remarks in 1951 was the distinguished Senator from California at that time, the Honorable Richard M. Nixon.

In 1951 too, rising to speak in the Senate during the Korean war the late Senator from Ohio, Senator Robert A. Taft, said this:

During recent years a theory has developed that there shall be no criticisms of the foreign policy of the administration, that any such criticism is an attack on the unity of the Nation, that it gives aid and comfort to the enemy, and that it sabotages any idea of a bipartisan foreign policy for the national benefit. I venture to state that this proposition is a fallacy and a very dangerous fallacy threatening the very existence of the Nation. . . . As I see it, Members of Congress, and particularly Members of the Senate, have a constitutional obligation to re-examine constantly and discuss the foreign policy of the United States. If we permit appeals to unity to bring an end to that criticism, we endanger not only the constitutional liberties of the country, but even its future existence.

In his speech, Senator Taft also lashed at those in the Senate who criticized by name calling rather than by intelligent debate.

So I say to the gentleman, I think it is necessary and I think it is essential that those who disagree with the President at this critical time and on this critical issue should rise in the Congress and voice their sentiments in opposition to that policy.

I commend the gentleman for doing so.

Mr. RIEGLE. Mr. Speaker, I thank the gentleman from Illinois for his statement.

Mr. Speaker, I too think it is regrettable that we cannot have a full scale, unrestricted debate on the pros and cons of American policy in Southeast Asia here in the House Chamber.

Under the normal workings of the House, as we know, we operate under a system where bills must be reported out from committees and they must receive a rule from the Committee on Rules before they can come to the House floor for open debate by Members meeting in the Committee of the Whole.

Thus far in this war, there have been some instances where amendments have been offered or efforts have been made to try to address at least tangentially the issue of the war in Vietnam, yet we have not managed ever to have a full and unlimited debate here in the Congress on this critical issue.

So what many of us have been left with, who feel strongly about the wrongness of our involvement in the war, has

been to stand up at the beginning of the day and make a 1-minute speech, and very little of course can be said in 1 minute on a problem as complicated as this one. Or maybe wait until amendments are offered to various bills and then hope to get maybe 2 or 3 minutes of time to debate the amendment which we think relates to ending American involvement in the war. Again that is not sufficient time on a really controversial and complex question to discuss it properly.

All we are left with then is the alternative that I am using here today, namely, requesting time under a special order under the rules to speak at the end of the day when the Congress has finished its regular business and most of the Members have gone home.

In a sense, standing here in this virtually deserted House Chamber to discuss the war is symbolic of how this war has gone on and on. How it continues to go on today and how it has gone on for the past 10 years. And there is no end in sight.

Last night the President announced a major escalation of U.S. military involvement in the war in Vietnam and Indochina. His policy to blockade the Haiphong harbor in North Vietnam is a clear act of war which directly violates international law.

Yet we have not declared war against North Vietnam or any other country. And the Constitution of the United States does not grant to any President, past, present, or future, the right or personal privilege to commit the United States to acts of war unless specifically authorized by the Congress.

Despite this unmistakable constitutional requirement, the Congress has not been consulted in this matter.

We have not been asked to give nor have we given any legal authority for these new acts of war.

These unauthorized acts of war are illegal and they are wrong.

If I as a Member of this Congress were to acquiesce quietly to these acts, I think I would bear equal responsibility with the executive branch for this violation of the U.S. Constitution. So I must urge my colleagues to insist that the Congress, we who have been charged with this constitutional responsibility by the people of America, immediately insist that our branch of Government become a formal party to these decisions, and that actions taken in the name of the United States be ones that we clearly and fully participate in from the very beginning.

That seems to me only a basic assertion of constitutional law.

One might ask, "Why is it, then, that the Congress, knowing this, and being charged with this responsibility, is off doing other things?" We had two bills on the House floor today, one to build a monument in the District of Columbia, the other relating to a matter with respect to the reorganization of part of the Government—certainly not matters of major attention or major concern. But did we meet to discuss the war in Vietnam? Did we meet to discuss its constitutionality and the rightness and the properness of addressing the question and resolving the question whether or

not we are at war and whether or not there ought to be a declaration of war?

Oh yes, there was a period in the 1-minute speeches when we heard Members speak briefly about these issues. But I would hope that this Congress would never feel that it had discharged its responsibility in this area in the period reserved for 1-minute speeches.

We have been at war now for 10 years. And 55,000 of our best young Americans are dead. Still we have not faced this question, and we do not face it today. And what a shame that is on this House, and it is a shame on each one of us in this House. I do not like it, and I do not think the people of America like it. Yet we seem so pitifully inept at being able to come to grips with this issue. So the war goes on, people continue to get killed, and the bombers bomb. For what purpose and under what legal authority? Well, that authority does not exist, at least not as the Constitution of the United States defines it.

Each one of us in this House stood up at the beginning of our terms. We raised our hands and we swore an oath before God to defend the Constitution of the United States—not part of it, not the part that we may like, but all of it. The war powers are very clearly set forth in the Constitution, and they do not give the President of the United States the right to send this country to war, whether that President is Lyndon Johnson, John Kennedy, Richard Nixon, or anybody else.

But what do we do? Do we stand up and try to exercise our constitutional responsibility? The record is very clear. Of course, we do not. We are busy with other things. We have monuments to build here in the District of Columbia. We have other things, but we have not yet been able to schedule for top priority consideration in this House the question of whether or not we ought to be at war in Vietnam.

I say I am prepared to accept that part of the responsibility which is mine for the failure of this Congress to act. But I feel a great shame that this fact is so, and the fact that we are silent as a House, and that we go to such great lengths not to face this issue. It makes a mockery of constitutional government.

We wonder why there is not public faith today in the process of self-government in the United States. How can we ask people to have faith in a Congress that goes 10 years without facing up to the question of the war in Vietnam?

Of course, people are not going to have faith in that kind of government. They cannot have faith in it. What a shame that is. We are the people's branch of government, but what does that mean when we know the people of the United States want this war to end? The question of whether President Thieu sits in the presidential palace in Saigon is not an issue that the people of the United States are prepared to risk all of mankind for.

They are to smart for that, and they are a great deal smarter than we are, and they deserve better leadership than they are getting—and again, that is our responsibility.

Anyone in this Congress should have to go to Arlington Cemetery only one time to bury a young American killed in this war, in the absence of a declaration of war, in the absence of any clear strategic, moral, or legal justification for our involvement in this war, to come back with a heavy heart and insist that we would take action and face the issue at least and not slip off to the side. I think we have to ask ourselves the question, "Why do we not face the issue?" And there are many reasons.

I think one of the principal reasons is something we call the seniority system. We have a system here in the Congress, as my colleagues know but unfortunately as the country does not fully know, whereby we pick our committee chairmen, the most powerful men within the legislative process, not on the basis of ability or merit or competitive leadership, but we pick them on the basis of seniority. The man who serves on the committee the longest becomes the committee chairman. We have seven committee chairmen in the Congress today in this House who are in their seventies and four who are in their eighties. A man to become a committee chairman in the House in many instances has to win 20 elections in a row, or 15. In the case of 15, that is 30 years he has to serve here before he becomes a committee chairman.

It is not surprising, therefore, that the Members avoid risks and complicated issues, and they avoid the war in Vietnam like a plague. Let us vote on anything else, but not on the war in Vietnam, because it is a political risk, particularly this year, because this is an election year. So by and large, as a Congress, we do not want to have to face this issue. We will let the President make the decisions even though that violates the Constitution. We will ignore it and look the other way, and let him decide. That is wrong, and it is not wrong because it is under this particular President, but it is wrong under any President. But that is what goes on, and we let it go on, and it is a travesty. It is an absolute travesty.

Mrs. ABZUG. Mr. Speaker, will the gentleman yield?

Mr. RIEGLE. I yield to the gentlewoman from New York.

Mrs. ABZUG. Mr. Speaker, I want to commend the gentleman for taking this special order. It is a very lonely moment for the gentleman, for me, for the American people, and for many good Members of this House, those who have spoken in support and those who have spoken in opposition to what the President has done.

I think that those who have spoken in support of what the President has done may be well meaning, but I think they have a misguided sense of where their loyalty or responsibility to the American people as a Member of Congress lies.

The overwhelming majority of the American people have indicated their desire to withdraw from Vietnam. We have only one reason for being there. It is, simply, to support the puppet regime of General Thieu, who was elected in a nonelection without any opposition.

Surely, we cannot be pledging to commit the will of the people the prestige of this Nation, the prestige of this Congress, and even the prestige of the Presidency to the maintenance of power of a dictator.

Once again, when there could have been peace, an American President has chosen the course of war. The choice was clear: Negotiations could have led to the resignation of General Thieu and the election of a neutral non-Communist government in South Vietnam. President Nixon and his military advisers have chosen the policy of death and madness. They have chosen to ignore the rational settlement that is theirs for the asking and that has been urged upon them by the American people and by men and women of conscience everywhere. They have chosen even to ignore the pleas of the wives and families of the American prisoners of war in whose name they have pursued this policy of devastation and bombing.

I think of what Mr. Tom Wicker said today in the New York Times, pointing out that:

When Nixon went on the air last night, it was terrifyingly true that no one knew what the President would do, that no immediate means of influencing his judgment was at hand, that no real way existed to stop him from following some apocalyptic course.

He was in that moment as true an emperor as ever existed and scarcely more accountable; a people who wanted peace could still be given war at his dictate; and what good would it do to vote him out of office six months from now if the world were an ash or "the enemy" had been obliterated in his honor?

Mr. Wicker's remarks underscore the humiliating position in which the Congress, and I as a Member, and you as a Member, has allowed itself to be placed. Under the Constitution—and I have studied it all my life—it is the Congress that has the right to declare war; and yet for almost a decade it has allowed three successive Presidents to wage war without the mandate of the elected representatives of the people.

I was shocked, frankly, to hear many of my colleagues roll out the drums today and support the President even though the President is wrong. I think that we fail to carry out the functions of Congress when we do so. I think that our failure to act decisively to state that the President is acting unconstitutionally and without regard to the will of the American people is a complete abdication of our power. It is an abdication which makes meaningless the repeal of the Gulf of Tonkin resolution, in which whatever alleged legality for the pursuit of this war might have existed.

Congress has the responsibility to either declare this war or not, to have this war or not. The blockade—and make no mistake about the fact that it is a blockade—is an act of war which threatens the peace of this country, threatens the peace of Vietnam, and threatens the peace of the world.

It may be that this bluff will not create that third world war, but I do not think that democracy should be based upon bluff. I think that democracy is based on action. I, for one, will not stop

in this House until action is taken by this House to declare that it is the representative of the people and that it has the sole responsibility for stopping this war, cutting off funds, facilitating the release of our prisoners, and securing the withdrawal of our troops and planes.

I think sponsoring an impeachment of the President, an action which is to be taken by a good number of Members including myself, is wholly in order. In acting as he has, the President has in fact committed high crimes and misdemeanors within the contemplation of the Constitution.

I think the people of this country are going to accelerate their demands and accelerate their protests. They are going to take political action against President Nixon and, I think, against any men and women in this House who do not act in this moment of serious crisis to relieve them of their pain, their suffering and their concern over our bringing on these conflagrations in the world.

I believe the people will act. I believe they will come, as they did today in vain, to assert their will on the House, that they will try to exercise their will, which has been ignored by the House, and will try to speak out, even though this is not normally done. What is not normally done is no longer going to matter.

The Members of the House also have a special responsibility for accelerating their legislative activities in the House to act to cut off the funds, to censure President Nixon, to insist that there be a vote in the House as to whether we approve of this blockade, as an act of war, and whether we declare war or not.

This must happen. I, for one, will not stop until we bring these resolutions and these issues to the floor of the House. I think the people of this country will accelerate their protests, their petitions for redress of grievances here in the House and at the White House. And I urge them to do it. I urge them to act to petition for redress of grievances.

The only way a democracy can survive in such a situation is if the people exercise their rights and insist that they negate actions taken unlawfully by the Executive.

Mr. RIEGLE, you are to be commended for standing here, lonely as it is. I do believe that many of our colleagues agree with us.

We have made great mistakes in believing the Executive should be sacrosanct from criticism. The "defense" of which they speak has nothing to do with us. A blockade thousands of miles away does not have any meaning at all in terms of protecting this Nation or the people of this Nation, so many, many miles away.

I commend you, and I hope that all of us will be able to act here. I hope that our leaders will also act with us to provide ways in which we can enforce what I think was a statement of clear direction by the Democratic caucus to the Democratic Party in this House that we believe there should be an end to the bombing and military activity, and the withdrawal of our troops, conditioned solely upon the release of our prisoners of war.

Mr. RIEGLE, I thank the gentlewoman from New York.

I would draw attention to the fact that nearly 200 years ago, when the Constitutional Convention met to draw up our Constitution there was a great debate as to where the war power would reside. The people at that time had a great fear—and properly so—of residing that great power, that war power, in one person. So the debate in the Constitutional Convention, if one studies history, was not a debate that centered at any time around whether the President of the United States, whoever he might be, would have the sole responsibility of making a decision as to when the United States would or would not go to war.

As a matter of fact, the debate then was between two other alternatives. One was to reside that power here in the Congress with the Members of the House and the Members of the Senate. The people who argued against that said "no, even that was too great a concentration of power on so critical an issue." They claimed there ought to be a public referendum on anything as vital as going to war and every citizen of the United States ought to have the opportunity to vote yes or no. That was the debate.

The debate was finally resolved by the decision to reside that power here in the Congress. The theory was that that would provide sufficient protection against a mistake by just one person making that decision by himself. I think that was a wise decision, because in that way all areas of the country could be represented and all of the people of the country could have a much more direct voice in the issue as to whether or not this country would go to war. It would more likely guarantee there would be a broad and full dissemination of information and facts about the reasoning that anyone would offer to suggest that the United States should go to war.

In all likelihood it would mean that the United States citizens would be much more fully informed, so if a judgment were finally made by the Congress, by the people's elected representatives here in the legislative branch, if the decision were made here to go to war, then everyone in the country would fully understand why it was done and what the stakes were, and we would have a kind of unity of purpose and a national understanding which any country needs to have if it is going to undertake anything as dramatic and serious and profound as a war effort. We have been denied that in this case.

Mr. Speaker, as I said earlier, this is a direct violation of the U.S. Constitution. But more than that, it is a violation of the very spirit of this Government and what it is all about.

So what do we see today out across the country? Not just in the young people, although very clearly there, but among all age groups in the country there is apathy and despair and cynicism and a loss of faith in Government. In all the people that have gone before, they have made great sacrifices on the public side and private side and in the legislative branch of the Government and men in

the armed services over the years, in decades past, have made great sacrifices. All of that effort and all of that sacrifice is literally being wasted today in terms of the loss of faith in this country because our Government is not now functioning as it should or as the law requires.

We can ignore that fact, if we want to, and we can lose self-government. We can lose it. I think that is the direction we are moving in. How sad it is that that is so. But we are a long way from reversing that drift today.

Frankly—well, I do not intend, I do not intend to talk at much greater length on that point because there are many other things that have to be considered with that particular problem, but it is hard to be optimistic about the future of self government in the United States when we witness the kind of pathetic self-government response that we see today, right this very day, with respect to the issue of the Congress of the United States and the Executive with reference to the war in Vietnam.

I think we have got to face the fact that we have placed world peace in jeopardy, grave jeopardy, as a result of the decisions in the last 2 or 3 days. We must be honest enough to acknowledge that, because these latest military moves by the United States, and the United States alone, have created this new threat to world peace. Until yesterday the conflict in Vietnam, despite its inhumanity and its tragic dimensions, had never posed a true threat to world peace.

Mr. Speaker, it is the United States Government that has falsely exaggerated this internal Indochinese conflict into a matter that now threatens possible world war.

At no time previously has this conflict involved a direct and belligerent confrontation between competing superpowers.

President Nixon has changed that. His actions have pushed the world to the brink of a possible military confrontation between the United States and the Soviet Union. One wonders what international circumstances could ever truly justify provoking this kind of superpower confrontation.

Every single fact that has been accumulated from 10 years of miserable United States involvement in Vietnam provides overwhelming proof in every form that the war in Vietnam could never justify that kind of confrontation. The internal struggle in Indochina is not been worth the suggestion of a world war.

Arguments about the safety of the United States troops stationed in Vietnam and the return of American prisoners of war have been very thoroughly discussed. We are all deeply concerned about those arguments. However, the final withdrawal of all United States troops from Indochina now—not 4 months from now, not 4 years from now or 10 years from now is paramount. But the only way to protect American troops in Vietnam is to bring them home. That is the only way, no matter who is President. That is the only way.

We are wrong to remain in Vietnam. The wrongs of other nations provide no

excuse or justification whatsoever for our wrongs. In the end, we are responsible for our own conduct.

Mr. Speaker, there is no moral, strategic or any other justification for our forces to remain any longer in South Vietnam.

To ignore these facts and to dramatically up the stakes, gambling all humanity against the horrors of nuclear war is so outrageous, so indefensible that all the citizens of the world are victimized, and for what?

What have we been given as the justification by the President? What statement and what list of particulars has come here to the Congress from the executive? There is none whatsoever.

So, here we are mired down as we have been for so many years.

Did the gentleman from Ohio wish me to yield to him?

Mr. SEIBERLING. Yes. I thank the gentleman for yielding. I wish to commend the gentleman for what he has just said and for the effort which he is making with reference to this matter.

I share his views on this very grave situation in which we find ourselves.

Mr. Speaker, as I listened to the President last night, I tried to reflect back through recent history to see if there was some comparable period of time when we were confronted with a similar set of circumstances. I had to think back to the summer of 1914 in order to find a situation which would be comparable, where the Chief of State of one of the great powers burned its bridges and set in motion a chain of grave events from which it was impossible to foresee the outcome. It placed its future in the hands of fate, so to speak.

If you will recall that, the German Chancellor in 1914, after the Sarajevo assassination, and after some of the ultimatums that Austria was starting to throw around, gave guarantees to Austria that Germany would back them up, and he placed no conditions or no lines of retreat for himself. The French gave similar guarantees to Russia. Each of them was burning their bridges behind them. When the situation finally got out of hand, and it looked as though it was going to develop into a major war, the German Kaiser at the very last called the Chancellor in and said, "Maybe we ought to call the Reichstag into session, and see if we ought to go any further." And the Chancellor said, "I am sorry, my Emperor, but the orders have already been given, and the troops are marching, and there is nothing we can do."

I had somewhat the same feeling as I listened to the President burn his bridges behind him, and, I might add, without even consulting the Congress in advance.

There are some aspects of this situation which I think we ought to get down on the record. The first is that with the repeal of the Gulf of Tonkin resolution, which we have done, the only statutory authorization to the President contains the requirement that he limit his actions to what is necessary to protect the withdrawal of our troops. And in view of the fact that administration spokesmen have admitted that the bombing of Haiphong or the cutting off of supplies through Haiphong would not affect the actual

armed forces of the North Vietnamese for 6 months—and the President himself last night said that one of the alternatives which he could follow was to carry out the immediate withdrawal of our troops—it seems that he has practically admitted that the action he has taken is not going to protect our troops. The only way to protect them is to withdraw them, and he has made it clear he does not intend to follow that policy. Instead he is going to follow a policy whose objective is preservation of the present government of South Vietnam.

There is another aspect to this. Fortunately, today, unlike 1914, we do have a world organization. The Secretary General of the world organization has, as recently as 10 days ago, made an offer of his good offices to all the parties in this war to mediate and help resolve the conflict. So far, as far as I have been able to determine, the United States has not responded to that offer. It seems to me that this is the very least that we should do. I see no reason why the President should not respond to it. It could not possibly injure his policy in any way, and it may help give him some line of retreat, some graceful way out of his blind alley.

Accordingly, I have circulated to all of the Members a proposed letter to the President urging that he make a positive response to the Secretary General, and I urge that all Members consider that very seriously, and act upon it at this time.

Again I thank the gentleman for yielding me some of his time.

Mr. RIEGLE. I thank the gentleman from Ohio for his remarks.

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

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

Mr. WALDIE. Mr. Speaker, I wish to associate myself with the gentleman's remarks and commend you on the presentation you have made this day and I share your sorrow and your despair that there seems to be so little that the legislative branch is willing to do—and I emphasize "willing to do"—not so little that they can do to put a brake upon the irresponsible actions of the Executive when they occur, whether that Executive be a Democratic President or a Republican President.

The power is here to do it, but the will is not here to do it.

I do not know whether the legal format that you suggest would change the lack of will that exists in the legislative branch of the U.S. Government were a declaration of war sought by either the President who preceded the present one, or the present one. It is my belief there would be an immediate reaction in favor of that in the House of Representatives particularly.

There might be some hope that the Senate would react contrary to that request for those powers by a President. But a President does not have to seek these powers when he can exercise them without having to seek them from the legislative body.

Had he sought from the legislative branch, the tragedy that seems to me to be the situation confronting Members

possessing the views that you have expressed and that I possess is that our branch of the Congress has been so supine in terms of its dealings in respect to the executive power of the United States, and that reaction has been attributed, I suspect, to the causes you have described briefly in your earlier remarks.

In addition, it seems to me, there is a syndrome of philosophy that has existed in the House, perhaps since President Roosevelt, when President Roosevelt sold the legislative branch, both the minority party, the Republican Party then, and the Democratic Party, that in foreign policy the President should have the final say and that partisanship should end at the shoreline, which was another way of saying no one should question the executive or the President.

It was misleading the legislative branch when he suggested it, and it was damaging to the people of the country when the legislative branch accepted it.

My fear is that the leadership in the House of Representatives and the individuals that occupy those posts of leadership—and I have the greatest respect for the gentlemen, both your party and mine, that occupy posts of leadership. But they came into that largely during that era when this syndrome that the executive department could and should make all foreign policy of the country and should particularly make decisions for the country involving military conflict, and I suspect that they are largely bemused and still confused by that attitude that developed during the Roosevelt administration.

There are similarities at this time with the Roosevelt administration. But it was wrong then and it is wrong now. It would be a refreshing thing indeed were we to have read in this morning's paper that the President had asked the House leadership to join him for a briefing before he discussed the matter with the people of the United States and not just the Senate and the Senate leadership.

As a matter of fact, the President pays no attention to the House of Representatives and unhappily with good cause because the House of Representatives has simply been a body on which he could rely totally and completely no matter how disordered and twisted and tortuous the terms of this involvement in Indochina have been.

So it does seem to me that though he is approaching close to the action of the majority party caucus indicating for the first time in the history of this conflict some reservations, albeit—not well defined, but some reservations by the majority of the majority caucus—I hope the leadership of the House and the gentlemen present in that capacity during this sparsely attended colloquy, if you will, between you and a few Members of the House, will have an opportunity to reassess their particular roles on behalf of the people and the people's representatives which constitute the House of Representatives in attempting to check a President of the United States and at least demand of him if not a change in his policy, consultation with them before he reveals his policy, let alone executes that policy to the American people.

I thank the gentleman for yielding.

Mr. RIEGLE. Mr. Speaker, I thank the distinguished gentleman for what he has just said.

Of course, under the Constitution the Speaker of the House is the third in line for the presidency. If something should happen to the incumbent President—and the Vice President then the Speaker of the House would become the President of the United States.

Again we trace this back to the Constitutional Convention and the belief on the part of the people who wrote the Constitution that it should be the House of Representatives that was truly the body that would represent the will of the people.

I think, as you suggest, that we have a potential for leadership and an opportunity to fill a vacuum on the national scene which thus far has not been filled, insofar as I see it, by the presidential campaigns in either party through this point in time or, for that matter, any other outside activity. So there is a need for an assertion of leadership, and I would hope that we would see more of that.

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

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

Mr. WALDIE. Let me correct a misstatement that I made. I have been informed by the Speaker of the House that my understanding of the facts was in error. I now recall a portion of the facts that the Speaker has just explained to me. When the President first indicated that there would be a reassessment of the policy in terms of the response to the military offensive from the north, I do recall—and the Speaker has stated to me that that was so—the Speaker publicly called on the President to explain the policy and the response that he was contemplating to the American people, and I am advised that the President, in fact, did bring the House leadership, at the request of the Speaker, to the White House for consultation, and they were, in fact, brought to the White House last night with the Senate.

So there was consultation to that degree, and for that I am pleased and I commend the leadership for having brought that about.

Mr. RIEGLE. I join the gentleman in being appreciative of the fact that the Speaker of the House did make that request. I recall, within a matter of the last few weeks, that I read in the newspaper that the Speaker had voted in the Democratic Caucus to support the mandate to the Foreign Affairs Committee to report out a resolution or a bill which would set a terminal date for the war in Vietnam. I thought that that was a great act of leadership and was one of the few times, as I look back over 5½ years, when I have felt encouraged about the House in that respect. So I join with you in that commendation of the leadership on your side with respect to that specific point.

I would go even further than that to say I think there probably exists, if I may say so, in the State of Oklahoma, a kind of common sense, a sensitivity, on the part of the people in that great State

with whom I have met, and which we need in policy circles on the great issues of peace and war. I personally would feel much more confident if more of that kind of input, not just from that State, but particularly from that State and from my own and from your own of California and all the rest could be a part of these decisions. But as you suggest, we are on the whip end of these events when we are told after the fact what is going to occur and what steps are being taken, we have precious little chance to exercise our mandate to speak for the people as the Constitution requires.

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

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

Mr. SEIBERLING. I wish to add my commendation to the Speaker for taking the initiative to request the meeting with the President before this grave step was taken. I think it certainly is an improvement over the situation that existed at the time the invasion of Cambodia was decided upon 2 years ago. But it seems to me a measure of the extent to which the power of the Congress as a whole has been eroded that the President no longer considers it necessary to come to the Congress as a whole, as distinct from the leaders of the House and the Senate, when he takes a step of this very grave nature.

I recall that prior to the United States entering the Second World War, when the President of the United States took significant steps, such as the Lend-Lease Act, and other similar major steps that drew us closer to involvement, he did consult the Congress. I think the President of the United States, whenever he takes a step that brings with it the risk of a confrontation that might lead to a major war, has the obligation morally, if not legally, to come to the Congress to obtain their viewpoint and their counsel.

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

Mr. RIEGLE. I yield to the gentleman from New York.

Mr. PEYSER. I thank the gentleman for yielding. In listening with great interest to the comments you have made and some other Members of the House, I find it a little bit difficult to understand all of the argument that is being offered here.

Now, if we will just move off the question of Vietnam for a moment, the gentleman, in effect, has been condemning the House for its action which it has either taken or not taken, according to one's point of view on this issue. It seems to me that in the past 2 years, the House has acted several times on this issue, and the House through its series of votes, whether on the Mansfield amendments or the various other amendments of that nature, or on appropriations, has very distinctly acted.

It is obvious the gentleman does not agree with the action the House has taken, but I do not think because of that the gentleman can condemn the House of Representatives and say the Members are no longer carrying on their job and are not acting in a responsible manner,

because I have not found that to be the case at all.

I understand, for instance, that tomorrow there is going to be a resolution on the floor to impeach the President of the United States. To me this is a grossly irresponsible move, but nevertheless if that move is made, the House is going to act on it, and I think the House will act very solidly on it.

So I think the question of whether one differs with the House or not is not so much the point. The gentleman may differ and I respect that difference, but I do not think the House stands condemned for what it has done.

Mr. RIEGLE. May I pose a question to the gentleman?

Mr. PEYSER. Yes.

Mr. RIEGLE. Does the gentleman know what the specific dollar amount is of the last Defense appropriation to conduct the war in Indochina?

Mr. PEYSER. The gentleman asks: Do I know the specific dollar figure in the 1972-73 budget?

Mr. RIEGLE. That is right.

Mr. PEYSER. The figure I would recall would be in the range of \$8 billion in that specific area.

Mr. RIEGLE. Let me say to the gentleman as a member of the Appropriations Committee, that figure is not made public at all or available to Members of Congress. The Members cannot inquire and find out the exact amount of the total U.S. expenditure in Vietnam.

I have on a previous occasion asked the chairman of the Appropriations Committee on the House floor in the midst of the debate on the Defense appropriation, to specify the exact amount of the part of the budget allocated to carry on the war in Indochina. He has steadfastly refused to make that figure public.

I say that for this reason, as I think the gentleman knows, we have never had an opportunity in the House to vote yes or no on just that part of the Defense appropriation that would be allocated to the war in Vietnam. I would submit to the gentleman the reason that is so is because there has been an effort within the House, and I think bipartisan in nature, to keep the Vietnam issue from, in fact, being separated and treated by itself, apart from the rest of the Defense appropriation. I think there has been a concerted effort to keep it hidden in the Defense appropriation and force Members of this House to either take the untenable position of voting against the entire Defense appropriation, if they oppose the war in Vietnam, or else of being forced to vote for the entire appropriation, which means, of course, supporting the money that is going to be allocated to Vietnam.

I have found for example that I have had to vote "present" in that situation, because of the impossibility of getting a direct yes or no vote just on the funding of the war in Vietnam. I think the gentleman knows that is the way we provide the dollar resources for the war in Vietnam, and we have not had a direct vote on that specific amount to date.

Mr. PEYSER. This brings up a particular point. On April 26, a resolution was

introduced on the floor of this House stating the Defense Department should make public to the Members of the House of Representatives the information pertaining to the invasion, since the invasion had taken place on March 30 in Vietnam, and the chairman of the Armed Services Committee stated at that time that the information was available to any Member of the Congress who wanted to go and view that information. It was classified secret information. The vote was taken on the floor that day to defeat the resolution, and the resolution was defeated 217 to 113.

As of this morning, two Members of the House of Representatives have viewed those secret documents, and those documents were reviewed by Congressman McCloskey, the gentleman from California, and by me.

It was very interesting for me to note that 113 Members voted to say we want the right to know the information, the same kind of information the gentleman is speaking of right now, and nearly 14 days later, only two Members of the House have gone to look at that information.

So I am not convinced that that becomes that vital a situation.

Mr. RIEGLE. I appreciate the gentleman's thoughts on the issue and the point he has made. I would say to the gentleman, if he feels, based on what has occurred in the House in the past, that we have truly faced fully the Vietnam war issue and have had unlimited debate and clear-cut "yes" or "no" votes easy for the public to understand either as to the continuation of the war or, the continuation of funding for the war, I would have to strongly disagree. I think the record proves exactly the contrary.

Most of the time we have had votes not on direct issues but on procedural questions. I think it is to the everlasting discredit of the House it is that way.

I have 2 minutes left on my special order, so I will try to summarize.

I think that today in the 1-minute speeches there were a number of points made with regard to justifying the escalation of the war by the United States which just do not hold water. I think a specific case in point is the idea that we are defending democracy in South Vietnam. There is not a democracy in South Vietnam. There was a one-man election last year. We see today that the President of South Vietnam, President Thieu, is actually harassing his noncommunist opposition rather than reaching out to try to broaden his base, and we see a disintegration occurring within the armed forces structure of South Vietnam, which indicates there is a lack of the cohesion we were led to expect there.

I could go on and cite many other things, in terms of securing the release of the prisoners of war. In fact, the policies followed today will almost certainly create additional prisoners of war. I am sure that new American prisoners of war are being taken captive today.

There is this notion about a bloodbath. Every time a cluster bomb dropped from an American plane goes off in a populated area, there is a bloodbath. It is bound to happen that innocent people

are killed, and most often it is the old people or the children who cannot get away. This fact exists.

Here we are facing this dilemma. We have had this unilateral escalation of the war, not by the American Government but by the executive branch of the American Government. I say in direct violation of the Constitution of the United States.

It is a very discouraging thing, in a sense, to stand here and to try to recount this history and to try to express a personal point of view with respect to this problem, and to know that the Congress today has basically chosen to render itself ineffective in this area. We have chosen to abdicate our responsibility.

It is a dark day, I think, for the Congress and for the American people. One can only hope as the events unfold in the days ahead that one side or the other does not miscalculate, based on pride or arrogance or fear, and set in motion a chain of events that could literally destroy this planet.

HISTORICAL ACCORD ON NARCOTICS CONTROL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, early this spring in Geneva, Switzerland, a long-awaited, historic accord was reached by representatives of over 90 nations—an accord which finally promises to set into motion a concerted international attack on the worldwide epidemic of narcotics addiction. For the first time ever the major nations of the world have chosen to define drug abuse as an enemy no less threatening than the spectre of multinational conflict, and have agreed to such significant international sanctions against the production, processing, or transit of illicit narcotics as the imposition of an embargo on the licit drug trade of any offending country, and the censure of any violating nation before the United Nations General Assembly.

The United Nations Conference To Consider Amendments to the 1953 Single Convention on Narcotic Drugs, which met in Geneva from March 6 through 25 of this year, was the ill-publicized forum at which delegations from 97 nations convened to strengthen what has been recognized by the world community for over a decade now as a woefully defective weapon in the struggle to control the international flow of narcotics. The Single Convention on Narcotic Drugs, which now includes 90 member States, was adopted in New York on March 30, 1953, and entered into force for its members on December 13, 1964. The U.S. Senate gave its advice and consent to accession on May 8, 1967.

In essence, the convention operates through two bodies: The United Nations Commission on Narcotic Drugs and the International Narcotics Control Board—INCB. The Commission exercises the function of a policymaking body, while the Board actually administers the system of controls.

The Control Board is charged with issuing quotas on the amount of opium to be produced, imported and exported by member nations. Each party to the convention is required to submit to the INCB estimates of the amount of opium to be consumed for medicinal and scientific purposes, as well as the amount to be held in stock. Using these figures, the INCB computes the amount to be produced in specially designated countries and later reviews the statistical report each nation is responsible for filing annually. These reports are supposed to catalog production, manufacture, consumption, stocks, imports, exports, and confiscation.

It has proven impossible, however, for the understaffed Control Board to oversee an elaborate, international quota system for the legal drug supply on the one hand, and to control the growing illicit traffic in narcotics on the other. The INCB was given too weak a mandate by the Single Convention conferees to identify and confiscate the estimated 1,200 to 1,400 tons of raw opium which have been entering the illegal market annually—to be processed into 120 to 140 tons of heroin.

No provision was made under the original Single Convention, for example, for:

A comprehensive information network to aid the INCB in its determination of drug quotas;

Investigatory powers to be used by the Board when it suspects any member State of violating the pact; and

Meaningful sanctions which might deter any member from making a mockery of the treaty by violating its articles with impunity.

The Control Board has even been underutilizing the weak mandate it does have to monitor international traffic in drugs, and has seemed prone to maintain a policy of "live and let live" rather than to offend member States by pointing a finger at any one nation's failure to adhere to treaty requirements. This has proven to be yet another instance of the age-old obstacle to effective U.N. action—the reluctance of member nations to yield their jurisdiction in legislative and administrative fields to international bodies.

A glaring example of the Control Board's failure to carry out one of its most basic responsibilities has been its treatment of the Turkish situation. Under the Single Convention certain nations are permitted to cultivate opium for export, in order to fulfill the world's medicinal and scientific needs. This permission is contingent, however, upon local enactment of an enforceable licensing law to control production. Turkey is one of the nations authorized to grow opium.

It was not until 1971 that Turkey put a licensing law into effect, however, and this was the result of a major diplomatic and financial incentives, initiated by the United States. No penalties, either economic or political, were ever imposed upon Turkey through the years by the Control Board and no embargo against the importation of Turkish opium was ever recommended, despite their flagrant disregard for the provisions of the Single Convention.

This combination of imputence and timidity on the part of the INCB has had tragic consequences, not only for the United States, whose addict population of over 400,000 is the largest in the world, but for such other victim populations as those in France (30,000), Iran (350,000), India (250,000), and Hong Kong (150,000)—to mention only a handful of those countries which are being seriously affected by the narcotics plague.

It appeared until recently, then, that the 1961 Single Convention on Narcotic Drugs would mark yet another failure in the efforts of modern man to control the worldwide abuse of narcotics—efforts which date back to President Theodore Roosevelt's appeal in 1909 for a conference to ban opium smoking, and continuing on through the praiseworthy but ineffective international drug conference of 1925, 1931, and 1953.

While the Single Convention espoused for the first time the objective of limiting the production of narcotic drugs exclusively to medical and scientific uses, its enforcement arm—the INCB—was simply not given the executive powers necessary to realize this admirable intent. The world community is faced with the fact that the international black market in narcotics has never before been as profitable, as destructive, and as all-pervasive as it is at this point in time.

By the end of the 1960's it had become quite obvious that dramatic action would be necessary to control the ever-spreading narcotics epidemic. The major nations of the world had joined together 10 years before in humanitarian concern for the relatively small addict population at that time. The instrument for international narcotics control fashioned in 1961 proved painfully inadequate, however, and it was in order to eliminate the loopholes in this treaty that the United States embarked on a lengthy campaign to amend the Single Convention on Narcotic Drugs.

Following up on the American initiative, the U.N. Economic and Social Council announced on May 20, 1971, that a plenipotentiary conference would be held the following year to consider amendments to the Single Convention. Every member State of the United Nations and its specialized agencies were invited to send delegations as well as all parties to the 1961 treaty.

The United States, over 1 year in advance of the Conference, had prepared a draft of suggested amendments, and began presenting and explaining these proposals to well over 100 other governments. In addition, three ambassadorial teams—headed by Ambassador David Popper, Ambassador Joseph Jova, and John Ingersoll, U.S. Delegate to the U.N. Commission on Narcotic Drugs—were dispatched to consult on and gather support for these amendments in more than 30 of the world's capitals.

The result of this lengthy series of missions is the development of a new international consensus on narcotics control—a consensus which both defines drug abuse as a critically dangerous contagion to which no country is immune, and finally equips the International Narcotics Control Board with sufficient pow-

er to adjust world opium production to scientific and medical demand, while preventing diversion to illicit channels.

The U.S. amendments, which were co-sponsored by 29 other nations, were formally presented at the conference by a capable U.S. delegation headed by Ambassador Nelson Gross, the Secretary of State's Senior Advisor for International Narcotics Affairs, and including Members of Congress and representatives from Treasury, Justice, HEW, State, and the Special Action Office for Drug Abuse Prevention.

By a vote of 71 countries for, none against and 12 abstaining, the following U.S. proposals, only slightly modified in the Conference working sessions, were adopted by the representatives of Geneva:

First. The INCB has been given new responsibilities for attacking illicit traffic in narcotic drugs. Up to now the Board's authority has been concentrated primarily on the illicit cultivation, production, manufacture, trade, and use of narcotic drugs; the Board will now be explicitly charged to join the fight against illicit trafficking;

Second. The Board now will have at its disposal information from a wider range of sources, including the U.N. and its specialized agencies and certain intergovernmental and nongovernmental organizations having direct competence in the drug field;

Third. The Board will be reorganized and strengthened by enlarging its membership to make it more representative, by assuring continuity through staggered terms, and by strengthening the independence of its administrative staff;

Fourth. The Board will be authorized to recommend to competent U.N. organs and specialized agencies that technical and financial assistance be provided to governments in support of their efforts to carry out their obligations under the Single Convention;

Fifth. If it has reason to believe that the aims of the Single Convention are seriously endangered by the failure of a country to carry out its obligations or if there is evidence that a country has become or is in danger of becoming an important center of illicit cultivation, production, manufacture, or consumption of narcotics, the INCB will be able to ask the government in question for explanations, or consultations, or take the initiative in proposing an on-site inquiry into the situation, designed to develop remedial measures where those appear necessary;

Sixth. If a country fails to provide satisfactory explanations or to adopt remedial measures when requested to do so, or if the Board believes a serious situation exists which requires cooperative remedial action, it may call this to the attention of the parties to the Single Convention, the U.N. Economic and Social Council, and the U.N. Commission on Narcotic Drugs, with appropriate recommendations. This process can now also include consideration of the matter by the U.N. General Assembly, and an INCB recommendation to that body that an embargo be placed on the import and export of all drugs by the violating nation;

Seventh. If in any country producing licit opium there is evidence of diversion into illicit traffic, the Board may, 90 days after notifying the government concerned, require that country to reduce its production in the following year;

Eighth. The new amendments would apply to narcotics offenses the same kind of improvements in the area of extradition that have recently been accepted in multilateral conventions on air hijacking and other offenses against civil aviation. Traditional extradition agreements have failed to include narcotics offenses, since it is only recently that the problem has taken on critical worldwide proportions.

Forty of the nations participating in the Single Convention must ratify and sign the amending protocol before this document becomes international law. Forty-one countries have already signed, subject to ratification by their respective governments.

The acceptance of these forceful amendments by the major nations of the world signals a new phase in the international war against narcotics abuse. This dread disease is now being accorded the attention which the United Nations has traditionally reserved for such crises as the Mideast situation or the recent India-Pakistan war.

As for our own obligations resulting from the Conference, it now remains for the Congress and those executive departments involved in formulating our policies on drug abuse prevention and control to continue our bilateral negotiations with such producing countries as Turkey and Thailand, but to concentrate more time, funding, and effort on the research, education, treatment, and rehabilitation facets of the narcotics problem at home, in anticipation of the benefits to be reaped on the supply side of the problem due to a dramatically strengthened Single Convention.

The recent Geneva Conference on drugs should serve as a warning to those black market syndicates which deal in the lethal heroin trade, and as a spur to further action for those many nations whose populations are being decimated by the scourge of narcotics addiction. The United Nations now has the power to put a stranglehold on the illicit worldwide drug traffic, and it is the responsibility of the United States and all members of the strengthened Single Convention to help attain that very objective.

URGE PRESIDENTIAL WAR REPORT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 2 minutes.

Mr. FINDLEY. Mr. Speaker, the distinguished chairman of the Foreign Affairs Subcommittee on National Security, the gentleman from Wisconsin (Mr. ZABLOCKI), and myself today sent a letter to the President, urging that he make a prompt written report to the Congress concerning the military actions in Vietnam he announced to the Nation Monday night.

We are the chief authors of House Joint Resolution 1, the bill concerning

the war powers of the Congress and the President which was passed without dissenting vote last August by this body. Although the bill has not been accepted by the Senate, the executive branch has indicated it has no objection to its enactment.

It therefore seemed appropriate that we suggest that the President meet the reporting provisions of the bill. To do so would serve two important purposes: First, it would enable the Congress to fulfill its own constitutional responsibilities in regard to the use of military force on foreign territory; second, it would give the President the opportunity to be more explicit and candid in explaining the reasons and basis for his actions than was prudent in his televised statement.

The text of our letter to the President follows:

DEAR MR. PRESIDENT: Those of us in Congress, along with other Americans, listened with intense interest last night as you announced the new initiatives you have taken to end the Vietnam War. Your request "for the same support" Americans have always given the President "in difficult moments" will naturally strike a responsive chord in most Members of Congress.

Our purpose in writing, therefore, is to urge you to report in writing to the Congress at the earliest practicable moment the circumstances necessitating your action, the authority under which it was taken, the estimated scope of activities contemplated, and such other information which you feel might be useful to the Congress in determining what course it should take to provide you with the support you have requested.

As you know, the House adopted on August 2, 1971, without a dissenting vote, H.J. Res. 1, "concerning the war powers of the Congress and the President." On several occasions, most recently in Secretary Rogers' letter of March 24, 1972, to Senator Gordon Allott, the Department of State has indicated that the Executive Branch has no objection to this legislation.

Section 3 of the bill reads as follows:

"Sec. 3. In any case in which the President without specific prior authorization by the Congress—

"(1) commits United States military forces to armed conflict;

"(2) commits military forces equipped for combat to the territory, airspace, or waters of a foreign nation, except for deployments which relate solely to supply, repair, or training of United States forces, or for humanitarian or other peaceful purposes; or

"(3) substantially enlarges military forces already located in a foreign nation; the President shall submit promptly to the Speaker of the House of Representatives and to the President of the Senate a report, in writing, setting forth—

"(A) the circumstances necessitating his action;

"(B) the constitutional, legislative, and treaty provisions under the authority of which he took such action, together with his reasons for not seeking specific prior congressional authorization;

"(C) the estimated scope of activities; and

"(D) such other information as the President may deem useful to the Congress in the fulfillment of its constitutional responsibilities with respect to committing the Nation to war and to the use of United States Armed Forces abroad."

The Senate, on April 13, 1972, passed S. 2956, cited as the War Powers Act, which contains a reporting requirement similar to that in H.J. Res. 1.

Hopefully these bills will soon go to conference.

Inasmuch as the Executive Branch has no objection to H.J. Res. 1, it would seem highly appropriate for you to fulfill the reporting requirement as it pertains to your recent actions in Vietnam, even though the requirement has not been signed into law.

The report, of course, as suggested by the House report, could be handled under whatever classification rules you deem advisable, and this would make possible a more detailed and candid discussion of the circumstances necessitating this action than you could wisely provide in your report to the nation last night.

It would provide an orderly way in which the Congress could meet its responsibilities in the war powers field.

The Congress has been aptly described as the "great anvil of democracy." A timely detailed report placed on this "great anvil" could do much to rally the public understanding and support you need in this hour.

Sincerely,

CLEMENT J. ZABLOCKI,
Chairman, National Security Policy Subcommittee,
Committee on Foreign Affairs.

PAUL FINDLEY,
Member of Congress, Ranking Minority Member.

PERSECUTION OF RUSSIAN JEWS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRENZEL) is recognized for 10 minutes.

Mr. FRENZEL. Mr. Speaker, on Sunday I spoke by telephone to a Russian Jew in Moscow. What I learned will distress lovers of freedom and liberty throughout the world.

The Soviet Government has stepped up its persecution of Russian Jews. The current tactic is the drafting into military service of Jews who have asked to emigrate to Israel.

Until recently the brave men and women who requested emigration have suffered the loss of their jobs—usually as teachers and professors—and have been assigned to manual labor. Now they are being conscripted into the Russian military.

Four Jews asked the town council of Moscow for permission to hold a demonstration on May 24, the day President Nixon is in Moscow. Their request was not approved. They and other Jewish activists are being constantly harassed, persecuted, and now they are being drafted.

I made my call to a man named Zev Shacknov in Moscow. I talked in English to another man who was afraid to identify himself. He told me the situation is difficult and that there was an emergency.

He told me about a number of Russian Jews who are threatened in concrete ways in that cases will be lodged against them in a military tribunal. They have refused to respond to the conscription.

I was also told that the new campaign of persecutions is being carried out in preparation for the visit of President Nixon. I can only conclude that it is the intention of the Soviet Government to remove by conscription all Jewish activists from Moscow prior to the President's visit.

It is a horrible and terrifying thing to contemplate that any government would prepare for our President's visit of friendship and peace by drafting people into military service who merely wish to exer-

cise an internationally recognized right of emigration. I suppose that, to the Soviets, these Jews have committed a different and even more heinous crime. Although they are powerless, they have stood up to the all-powerful Russian Government and demanded their rights.

Right now, I was told that the men in most serious difficulty are Victor Yachot, Leonid Yoffe, Gavriel Shapiro, and Sergei Gurevitz.

Yachot, a 27-year-old scholar, was given a psychiatric examination and told that his desire to leave the Soviet Union to go to Israel was abnormal behavior.

Yoffe, another intellectual, has been drafted for 2 years. Gurevitz, a Moscow physician, has been drafted to a Leningrad military corps for 2 months. Shapiro, like the others, has refused to be drafted.

In addition to the four men mentioned above, others are reported in previous telephone calls to be in similar danger. These are: David Markish, Pavel Abramovitz, Michael Klachkin, Mark Nashpitz, Don Roginski, Vladimir Lerner, Boris Einbilder, Dr. Ronelle.

The last two are interesting cases in that Mr. Einbilder was supposed to have a 5-year deferment from the Army, but has recently been given a draft notice after only 1 year had expired. Dr. Ronelle, a professor of physical science, has also been drafted, although he is known to be ill and a man over 40 years old.

The pattern is clear, and it is apparently vicious. We cannot intervene in the domestic affairs of another country. Nevertheless, we are not as powerless as the Russian Jew himself. We can bring these distressing conditions to the attention of the world and expose the escalating campaign of harassment and persecution by conscription for what it really is—a bad example of religious, ethnic, and cultural discrimination.

GUARANTEEING OF PEACE IN SOUTHEAST ASIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 10 minutes.

Mr. KEMP. Mr. Speaker, rejection of the President's offer both privately and secretly by North Vietnam has forced the President to take military steps to assure the protection of our withdrawing men, the return of our prisoners, and an internationally supervised cease-fire to stop the killing in Indochina.

Mr. Speaker, two of the leading Democratic candidates for President have, in the past, advocated such military steps for the protection of our men and for the security of Southeast Asia.

In a 1965 interview with the New York Times, Senator GEORGE MCGOVERN said:

I support the strafing ordered by President Johnson (of North Vietnamese targets) because I agree that when our forces are attacked and our interests are under fire, we have to respond with appropriate retaliation.

In October 1967, Senator HUBERT H. HUMPHREY, then the Vice President, said in a speech:

Our own American security is at stake. That's why we're there. If we fail to do it there, we'll have to meet it someplace else, and later it may be more difficult and even more dangerous.

We have no choice but to persevere. Today, the threat to world peace is militant, aggressive Communism with its headquarters in Peking, China. The aggression of North Vietnam is but the most current and immediate action of that militant Asian Communism. If it should succeed in its goal of conquest of South Vietnam, it would add to the strength of Communism in Asia and Europe. And it would stimulate the appetite for more aggression and conquests. It would represent a defeat—not only for America but for freedom everywhere.

Today, of course these candidates are vociferously critical of the President.

Mr. Speaker, John Stuart Mill wrote that:

War is an ugly thing, but not the ugliest of things: the decayed and degraded state of moral and patriotic feeling which thinks nothing worth a war is worse. . . . A man who has nothing which he cares about more than his personal safety is a miserable creature who has no chance of being free, unless made and kept so by the exertions of better men than himself.

Even in Biblical times, Moses recognized that winning the peace was a difficult task when he is quoted as saying in Deuteronomy:

When thou comest nigh into a city to fight against it, then proclaim peace unto it . . . and if it will make no peace with thee, but will make war against thee, then thou shalt besiege it.

And thou shalt build bulwarks against the city that maketh war with thee, until it is subdued.

Mr. Speaker, to confront the moral issue of the war in Vietnam, as all of us must do, one must ask some hard questions—not hard in the sense that they would be difficult to answer. But hard in the sense that so few have confronted them. Questions like:

What country was the first to invade Laos in this war?

What country was the first to invade Cambodia? Let me give you a hint. It was the same country that first invaded Laos.

What country was the first to funnel troops and ammunition through Laos and Cambodia to ignite a guerrilla war in South Vietnam?

And what country, in recent weeks, launched a massive invasion of South Vietnam with heavy artillery, tanks and sophisticated antiaircraft guns and other weapons supplied by the Soviet Union in an unconcealed attempt to gain a military and diplomatic victory in the face of the most generous peace offer in the 20th century?

Reasonable men may disagree on the degrees of guilt for this war but there are certain elementary, unmistakable truths that all can see—if they will only look.

Mr. Speaker, North Vietnam, backed by Moscow and Peking, is looking for total military and diplomatic victory and the President, as Commander in Chief, recognizes that unilateral withdrawal in the face of their aggression would not lead to peace but a prelude to more wars and further killing throughout Southeast

Asia, as well as the testing of U.S. commitments in the Mideast, Europe, and elsewhere.

The only way to assure total peace after we have withdrawn is to obtain some guarantees that there will be a cease-fire. As I see it, we are today in a major diplomatic and military confrontation as critical to this country's foreign policy as the Cuban missile crisis of 1962. Americans stood behind our President then and we should let the world know that we stand behind our President today. Negotiations are a two-way street and I am glad to see that our President has put heavy responsibility on Soviet Russia for the future success of trade, disarmament, and peace talks. There must be give and take on both sides, not just our giving and the other side taking if we are truly to enter an era of negotiations. Further, it is imperative that the vast majority of American people who agree with the President's position express their support by contacting the White House and their representatives in Congress so we may show the world our concern for a lasting peace with honor as well as our concern for our fighting men and those who are missing or held captive.

Mr. Speaker, I am reminded of a story about Clemenceau, who found himself debating a representative of the Weimar Republic years after World War I.

The subject was which country had been to blame for the war. He was asked:

What will future historians think of this issue?

Clemenceau replied:

This I don't know. But I know for certain they will not say Belgium invaded Germany.

Nor will they say, Mr. Speaker, that South Vietnam invaded North Vietnam.

The following article by Prof. Walt Rostow points out some of the reasons why this country cares about South Vietnam and why it is unfair to label all those who have tried to keep South Vietnam from being turned over to communism as somehow immoral or guilty of deception:

VIETNAM—WAS IT WORTH IT?

(By Walt W. Rostow)

The costs to us of the struggle in Southeast Asia makes sense only if you agree with the last six American Presidents that the United States will be endangered if a potentially hostile power gains control of Asia, and that control over Southeast Asia is critical to the fate of all Asia.

Southeast Asia contains nearly 300 million people—as many as Africa or Latin America. It commands the sea routes of the South Pacific and the eastern Indian Ocean. It is a buffer area separating the two giants, China and India. If any single power attempts to seize control of Southeast Asia, the other major powers must instinctively react.

America, for example, passively stood by while the Japanese took over Manchuria in 1931 and then seized the major cities of China. But in 1940-41, the Japanese moved into Indochina and toward Indonesia. President Roosevelt had every interest at that time in concentrating American attention and resources on rearming at home, and on aid to Britain and, then, to Russia. But he refused to accept passively the Japanese takeover of Southeast Asia and the balance of power in Asia, including control of the sea routes to Australia, New Zealand and India.

He cut off shipments to Japan of oil and scrap metal, and he froze Japanese assets in the U.S.

Indochina was at the center of our diplomatic dialogue with Japan right down to the eve of Pearl Harbor.

For similar reasons, President Truman threw our resources behind the French in Indochina at the time of the Korean War, despite reservations about the viability of French colonialism.

The same rationale lay behind President Eisenhower's (and the Senate's) support for SEATO in 1954-55; President Kennedy's policies in Laos and South Vietnam and his flat affirmation of the domino theory on September 9, 1963; President Johnson's basic Vietnam decisions of 1965; and President Nixon's insistence that America withdraw from Vietnam in ways compatible with stable peace.

Throughout this period of at least 30 years, it has been U.S. policy to sustain the independence of Southeast Asia from potentially hostile control. But sacrifice for a policy that cannot succeed is meaningless or worse. What have the sacrifices since 1965 achieved?

Look back and consider the panorama of Asia in 1965.

South Vietnam was on the verge of defeat and take-over, as the weight of North Vietnamese regular-army units, introduced in 1964 was fully felt.

Indonesia was out of the United Nations, in confrontation with Malaysia making common cause with Peking, and eager to complete what both Jakarta and Peking described as a pincer movement to envelop the whole of Southeast Asia, through a "Jakarta-Phnom - Penh - Hanoi - Peking - Pyongyang Axis"—a concept enunciated on August 17, 1965, by President Sukarno himself.

Peking was proclaiming that "Thailand is next."

All of Asia knew that its future hung in the balance. Robert Menzies, then Prime Minister of Australia, said if Vietnam fell, it would be "not so very long" before Australia would be menaced. And the danger was still closer and more obvious in the other capitals—as, for example, Macapagal, in Manila, and Abud Rahman, in Kuala Lumpur, made clear.

The domino theory was not just a theory in the first seven months of 1965: every observer of the scene knew the dominoes were about to fall unless American power was rushed into the balance.

Then, at the end of July, 1965, President Johnson moved to commit American forces. Now, six years later, there is a different Asia.

South Vietnam has harvested the greatest rice crop in its history and is about to conduct its second presidential election under a democratic constitution. Well over 90 percent of its population live under reasonably reliable government administration.

Indonesia is independent and advancing hopefully in economic and social progress, after the successful defense of its independence in October, 1965, which, incidentally, triggered the Cultural Revolution in China.

Asian regional organizations have come into being; for example, the Asian and Pacific Council (ASPAC), the Association of South East Asian Nations (ASEAN), the Asian Development Bank. These offer great promise that in the future, Asians, working together, can increasingly shape their own destiny.

Japan, now the third industrial power in the world, is evidently prepared to use its expanding economic resources to help others in the region whose modernization began much later, but who are now moving forward with astonishing momentum: South Korea, Taiwan, Thailand, Malaysia, Singapore.

China is beginning to enjoy economic progress after a decade of external frustration and internal violence and is experi-

menting, at least, with the idea of normalizing its relations with Asia and the rest of the world.

Without the U.S. effort in Southeast Asia, there would now be no Ping-Pong diplomacy and no presidential visit to Peking planned.

But all this is still precarious and fragile.

As the South Vietnamese assume increasing responsibility for their own defense and try to make a constitutional system work (which very few post-colonial nations have been able to manage), they feel every day the threat of hasty, total American withdrawal and the pressure of those who would cut off all military aid to them in order to guarantee a Communist victory.

North Vietnamese troops are embedded, without a shred of legality, deep in Cambodia and Laos, threatening the Mekong towns and the Thai border. Not one weapon they carry or shell they fire was manufactured in North Vietnam. Putting aside their long-neglected tasks of economic and social development, the leaders in Hanoi continue to pour young men into the infiltration pipelines to South Vietnam in an effort to destroy the process of Vietnamization.

There is a decent hope that in the years ahead an Asia could emerge in which the North Vietnamese will go back within their own borders; the independent states will survive and increasingly work together; relations with China—and, indeed, North Vietnam—will be normalized; and the American role will continue to diminish, while remaining a relevant force in Asian and Pacific affairs.

There is also a real danger that all that has been achieved since 1965 by Asians and ourselves will be lost; that a vacuum will develop in Southeast Asia which Peking, as well as Hanoi, will feel impelled to try to fill; and that Asia will move from the promise of stability and progress to chaos or a war far worse than what we now see in Indochina.

Was it worth it? Clearly, the outcome of the common effort is still uncertain. If we mindlessly walk away from Asia, we shall make sure it was not worth it. If we patiently stay the course, the suffering of these years could be repaid with stable peace and security for ourselves and the two thirds of humanity who live in Asia.

What still remains to be done in Asia may not, if we are wise, involve the use of much American military force. Asians are now able to do vastly more to defend themselves than they were in 1965. And China, with some 50 Soviet divisions on its frontiers, may now be influenced to move in more peaceful directions than in the past.

But our resources and our treaty guarantees retain a decisive margin in the Asian balance of power. We ought to ask ourselves bluntly: What is likely to happen if we bury the past and leave Asia to its own devices?

First, the end of America's commitment in Southeast Asia would change the debate now under way in mainland China. Powerful forces there are working to move China toward the long-delayed concentration of its energies and talents on the modernization of life. American withdrawal would inevitably lead Peking to exploit its new opportunities to the South. No one can predict the precise form in which a nuclear China, with its huge ground forces, would exercise its power in the vacuum we would create. But I cannot believe that Peking would remain passive.

Second, the nations of Southeast Asia, certainly as far as Singapore—quite possibly as far as Indonesia—would lose their independence, as, for example, Lee Kuan Yew, Prime Minister of Singapore, believes; or they

would be forced into a protracted military or quasi-military struggle that would force them to abandon their exceedingly promising economic, social and political development.

Third, Burma, in particular, would either fall under Communist domination or become the scene of an Indian-Chinese struggle. For Burma, not Tibet, is the point of strategic danger for the Indian subcontinent—a warning consistently made to me in private by high and responsible officials of both India and Pakistan.

Fourth, Japan and India would quickly acquire nuclear weapons, and the Nonproliferation Treaty would quite possibly die elsewhere in the world as well. The willingness of many nations to forego the production of nuclear weapons depends on a carefully balanced calculation—a calculation that says the United States can provide greater security at less risk than going it alone with a national nuclear capability. An America that walks away from a treaty commitment after bringing into the field a half-million of its armed forces and encouraging a small ally to fight desperately for its independence, would not be regarded as a reliable ally on such a mortal issue as nuclear deterrence in Asia or anywhere else.

There are many, I know, who believe that, somehow, the United States can live safely divorced from the fate of Asia.

I do not.

Thirty years ago, an Asian power, reaching for Asian hegemony, was able to mount Pearl Harbor.

There is already one nuclear power in Asia, now moving to produce ICBM's. If we walk away from our commitments in Asia, there are liable soon to be at least three. Having come in these hard years as close as we now are to the possibility of stable peace in Asia, I think it would be disastrous to throw in our hand and leave future Americans to bear the inevitable costs of a nuclear-armed Asia.

The more than 50,000 Americans—and the more than one million Asians—who died in this struggle for a stable, peaceful Asia deserve better of us.

PRESIDENT NIXON SHOULD BE COMMENDED FOR HIS COURAGEOUS ACTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CRANE) is recognized for 10 minutes.

Mr. CRANE. Mr. Speaker, I rise in support of the action of the President in mining the North Vietnamese harbors and continuing the bombing of military targets in the north.

I do not do so lightly because, as one of my constituents told me this morning, "we are all tired of the war." I know that the President shares this weariness and that his decision was not an easy one to make.

Perhaps a brief review of the situation in Southeast Asia would be in order at this time. Under four administrations we have made a huge investment in manpower and treasure for a simple, honorable objective: To give the people of South Vietnam the opportunity to determine their own future without outside pressures.

Clearly, the leaders in the north are an outside influence: The history of Vietnam over many centuries has shown that

there have only been brief periods of time when Vietnam was united under one rule imposed by outsiders. The people of the south are and have been very different from the people of the north.

In addition, and perhaps more importantly, the leaders of the north have been guilty of atrocities which put them in a class with other tyrants of the 20th century such as Hitler, Stalin, and Mao. This is the historical record—thousands of people in the north have "voted with their feet" by leaving all of their possessions to travel to the freedom of the south.

It is to these rulers in the north who have repeatedly expressed their desire to overrun the south, and eventually expand the Communist hegemony over all of Indochina, that we have appealed for reason and rational action at the peace table in Paris.

In Paris we have been met with rebuffs and rebukes which began with the extended debate over the shape of the conference table, and have continued to the present time over trivial "nonissues" while we have genuinely and generously tried to reach a rational solution which would be acceptable to all sides.

To reassess the situation in view of the recent North Vietnamese offensive, the President has called on his top military advisors to make a fresh, independent assessment of the situation in Vietnam. They have reported back to him.

In a further reassessment, the President has met with the National Security Council to discuss the situation. Here I am reminded of a notable speech which then-Congressman Melvin Laird made on the floor of this Chamber in March 1967. In that speech he pointed out that the "key to peace in Vietnam lies in Moscow." This statement was true in March of 1967 and it is true in May of 1972, as the President has explained.

I support the President because he has placed the emphasis where it properly belongs and where it should have been placed by his predecessors many years ago. At this time, when the President has shown in so many ways that he desires to reach agreement with the Soviets in numerous areas, it is inconceivable that he could permit them to continue their open support of the North. It constitutes a grave violation of the spirit in which he has entered into these other areas of negotiations.

Let me touch upon another point which many critics claim: Namely, that the Vietnamization program is failing. Vietnamization is being tested thoroughly. It has been clear to all that there will be battles won and battles lost under the Vietnamization program, and that this current offensive is the main push of the regular army of North Vietnam. The military statistics show the extent of this drive. With 12 divisions in the south, only one division is left in the north. The draft has been extended to include many citizens of the north who were formerly exempt. The army of the south, with its American advisors has been inflicting extremely heavy losses on the north's

troops. But, at the same time, the north is using new and sophisticated weapons against the south. These include the Red Eye heat-seeking missile, about which I wrote Secretary Laird only yesterday. It also includes tanks, heavy artillery, and other sophisticated weapons which make this a conventional battle in an unorthodox war.

In view of these circumstances, it is clear that dramatic and bold steps are required to stress the role which the Soviets have been playing in supporting the regime in Hanoi.

Whether Vietnamization will succeed cannot be known at this time. What is known is that those who call the regime corrupt and dictatorial, do so without considering all of the facts: The government in Saigon has been extensively arming the villagers in the South for their own self-defense. As anyone who has read history knows, you do not arm the civilian population unless you are confident of their support.

The President, Mr. Thieu, has offered to resign and hold a new election, again a sign that the government in the South is representative. In addition, it must be remembered that the South Vietnamese experiment in national democracy has been conducted during a period of war and bloodshed. In sum, this aspect of South Vietnam certainly compares most favorably with our own experience under President Lincoln during our own War Between the States.

Mr. Speaker, we cannot retreat into a fortress America. In this nuclear age, distance is not measured in miles, but in minutes, and we have allies around the world who are dependent on us for their very survival as independent nations.

There is more at stake in Vietnam than what is loosely called our "honor." What is at stake is our solemn pledge, the firmness of our commitment to our allies who have staked their very existence on the pledges of their ally, the United States. The President has gone a long way toward redefining our role in the world: He has made it clear that under the Nixon doctrine, we will help those nations who help themselves. This is a reasonable role for the United States to play during this decade. But it is dependent upon the credibility of our word. To destroy that pledge in Vietnam would be to set a pattern around the world which could lead to many further problems down the road.

Finally, permit me to say a word about the politics of the President's decision. It should be mentioned only because it again proves that the President is not playing politics with the vital security interests of the United States. I can say this with such assurance because I have only to ask a hypothetical question: Would it not have been much easier for the President to have, in effect, "copped out?" Certainly, with our own war weariness in this election year, it would have been much easier for the President to have opted for another easier alternative.

In conclusion, Mr. Speaker, I commend the President and I salute him for his courageous action.

NIXON ADMINISTRATION DESIRE FOR PEACE

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

Mr. WILLIAMS. Mr. Speaker, as I have stated in previous Washington reports, the Nixon administration has repeatedly demonstrated its desire for peace. Shortly after taking office, the President announced that the U.S. troops in South Vietnam would be orderly withdrawn. Of the 549,000 U.S. troops in South Vietnam when President Nixon took office, less than 69,000 remain there today. By the end of June we will be down to 49,000 U.S. troops, a reduction of one-half million since President Nixon took office.

This administration has shown its determination to end, with dignity, the U.S. involvement in Vietnam, which was started and escalated under previous administrations. In addition to the massive U.S. troop withdrawal, the President has visited Peking, and plans to visit Moscow this month in an effort to achieve the peace we all desire.

On March 30, 1972, the Communists answered our peace efforts with a massive invasion of South Vietnam by North Vietnamese troops using the most modern Soviet tanks, artillery, and other weapons. In violation of treaty obligations and private agreements, the major attack into South Vietnam was made through the Demilitarized Zone—DMZ. Virtually every major South Vietnamese population center has been attacked with mortar and rocket fire, or artillery shells.

We are supporting South Vietnam by our air and naval power. This we must do to avoid any apparent appeasement of the forces of communism, which could only encourage continued Communist aggression. We cannot accurately forecast the future, but the policy spelled out by the Nixon administration on the Vietnam war should be supported as the best policy to be followed to insure the future security of our country and obtain a lasting peace.

Control of drug abuse—A Special Action Office for Drug Abuse Prevention will be established since H.R. 12089 has been passed by both the House and the Senate, and has been signed into law by the President. Law 92-255. H.R. 12089 was almost identical to H.R. 12569, which I cosponsored. This new law will also concentrate the resources of the Nation against the problem of drug abuse and should effectively assist in controlling devastating growth of drug addiction in the United States.

NEW ENERGY BILL

As a result of the necessity to conserve our dwindling supply of natural fuels, I have authored a bill, H.R. 14218, to give tax relief to firms which invest in new methods of using normally wasted materials for producing energy. The bill will encourage the business community to re-examine their operations to see if they can use their waste materials to produce energy.

Examples of that which can be done to conserve energy under this bill are the

incinerator plants near Stockholm, Sweden, Chicago, Ill., and the incinerator under construction in Harrisburg, Pa. These incinerators burn trash, garbage, and other waste from the metropolitan areas in which they are located. The heat from these incinerators, which normally escapes up the smokestack, is used to produce steam which, in turn, is used to generate electric power, or could be sold to nearby manufacturing plants for use as a source of heat or operating steam turbines. Only a small part of the steam produced by the incinerators is used to operate the mechanical equipment of the incinerator plants. These incinerators operate at high efficiency and are equipped with the most modern air pollution control equipment.

Our need for new sources of electrical energy is almost overwhelming. We are faced with the possibility of electrical brownouts and blackouts in most of our major metropolitan areas again this summer. This bill gives industry an incentive to find new ways of using waste material to produce energy. This will both lessen the power shortage and reduce the pollution of the environment caused by careless disposal of incompletely consumed fuels and other waste products.

QUALITY EDUCATION

I am in complete agreement with the President's proposals to the Congress which will further the achievement of high quality education for all our children. This concept of a high quality education for all is universally accepted. Extensive student busing to achieve racial balance has, in many areas, required the spending of large amounts of funds which should have been used for improving the quality of educational facilities and instruction in our schools. Thus, the quality of educational programs is inferior due to the misuse of these funds. The proposed legislation will make quality education available in areas currently suffering with substandard curriculums.

Dr. James S. Coleman, who headed the team that produced the widely acclaimed Coleman report on equal educational opportunity, says that judges are misusing his research results to support their "busing to achieve racial balance" orders. Though studies, paid for by the Office of Education in the Department of Health, Education, and Welfare, have conclusively shown that the level of learning in a school is not affected by the number of minority group students attending the school. Therefore, all we are doing by busing students is wasting the taxpayers' money which could be much better spent on a higher quality education for all students.

OUR U.S. ECONOMY

There has been much concern about phase II of the President's economic policy. As previously stated, large increases in U.S. wages and salaries have resulted in large increases in U.S. prices and rents. This has caused drastic inflation which has priced many American products out of the world and domestic markets. In 1971, for the first time in this century, the United States had an unfavorable balance of trade, which means that we imported more than we exported.

The only way we will be able to control inflation and provide more U.S. jobs is for both management and labor to give complete cooperation during phase II of the economic stabilization program, which they have not been doing. During the Banking and Currency Committee hearings on the phase II legislation, I reminded all of the labor leaders that for our economy to recover they must remember at the negotiating table that the consideration of increasing the number of jobs for American workers is as important as increasing wages and fringe benefits. Management must keep profits at minimal levels so that they can price their products competitively and thus provide more jobs through increased sales.

WATER POLLUTION CONTROL

With my support, the House passed the Federal Water Pollution Control Act Amendments of 1972 on March 29. This legislation, H.R. 11896, is designed to correct the tragic scope of our Nation's water pollution problems. Lake Erie is now completely polluted. Both the Potomac and Delaware Rivers are polluted, and the Hudson River has reached pollution levels 170 times the safe limit. The bill provides quick, positive steps to control and eventually eliminate pollution.

The intentions of the Congress in H.R. 11896 are to prohibit the discharge of pollutants, provide financial assistance to communities to construct waste treatment facilities, encourage and promote research and development, expand regional and basin planning and management programs, and improve the administrative procedures of water pollution control programs. The bill calls for the Environmental Protection Agency to establish new Federal standards covering pretreatment to eliminate discharging toxic pollutants from industrial operations into both publicly and privately owned treatment plants.

SOVIET JEWRY

The House has passed House Concurrent Resolution 471, with my support, which calls on the Soviet Government to grant basic human freedoms to Jews and other religious minorities of the Soviet Union. The freedom to openly practice one's religion and to freely emigrate are affirmed in the United Nations Declaration of Human Rights for which the Soviet delegates voted. It is hoped that the pressure of international public opinion will convince the Soviets to honor that Declaration.

THE TELEPHONE PRIVACY BILL GAINS SUPPORT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 10 minutes.

Mr. ASPIN. Mr. Speaker, I am reintroducing again the telephone privacy bill with an additional 20 cosponsors. This brings the total of cosponsors of this legislation to 49.

The telephone privacy bill would give

individuals the right to be free of businesses trying to sell their wares over the telephone. In short, it would allow an individual to place a "no solicitors" sign on his telephone.

I believe this legislation, which was originally introduced in the House less than 2 months ago, has gained this much bipartisan support primarily because it speaks to an issue of concern to literally tens of millions of Americans. Some evidence of this is the incredible number of letters I have received from people who still believe that their home should be their castle. Some of those people who wrote to me said they had received up to 10 telephone ads in 1 day. Others said that they averaged up to five of these telephone ads per day. People complained of being awakened from restful naps, having to put down a crying baby, having to get up in the middle of dinner, just so a funeral home, a land developer, or a magazine could make its pitch.

The American people get bombarded with advertising every day from television, radio, newspapers, magazines—wherever we turn. But we have precious little privacy left, and the growing telephonic invasion is reducing it even further.

Congress has a unique opportunity to pass legislation that would serve to increase the privacy of millions of Americans. Whether Congress responds to this opportunity will say a lot about how we respond in general to the needs of the people.

A list of the 49 cosponsors of the telephone privacy bill follows:

LIST OF COSPONSORS

Hon. Bella Abzug, N.Y.
Hon. Mark Andrews, N. Dak.
Hon. Nick Begich, Alaska.
Hon. Ben Blackburn, Ga.
Hon. Clarence Brown, Ohio.
Hon. John Buchanan, Ala.
Hon. Phillip Burton, Calif.
Hon. Bob Casey, Tex.
Hon. Shirley Chisholm, N.Y.
Hon. Geo. Collins, Ill.
Hon. Dominick Daniels, N.J.
Hon. George Danielson, Calif.
Hon. Ronald Dellums, Calif.
Hon. John Dent, Pa.
Hon. Robert Drinan, Mass.
Hon. Don Edwards, Calif.
Hon. Paul Findley, Ill.
Hon. Sam Gibbons, Fla.
Hon. Ella Grasso, Conn.
Hon. Seymour Halpern, N.Y.
Hon. Michael Harrington, Mass.
Hon. James Hastings, N.Y.
Hon. Augustus Hawkins, Calif.
Hon. Ken Hechler, W. Va.
Hon. Margaret Heckler, Mass.
Hon. H. John Heinz III, Pa.
Hon. Henry Helstoski, N.J.
Hon. Edward Koch, N.Y.
Hon. Peter Kyros, Maine.
Hon. Norman Lent, N.Y.
Hon. Parren Mitchell, Md.
Hon. John Moss, Calif.
Hon. John Murphy, N.Y.
Hon. James O'Hara, Mich.
Hon. Otis Pike, N.Y.
Hon. David Pryor, Ark.
Hon. Charles Rangel, N.Y.
Hon. Benjamin Rosenthal, N.Y.
Hon. James Scheuer, N.Y.
Hon. John Seiberling, Ohio.
Hon. Louis Stokes, Ohio.
Hon. Samuel Stratton, N.Y.

Hon. James Symington, Mo.
Hon. Victor Veysey, Calif.
Hon. Jerome Waldie, Calif.
Hon. Charles Wilson, Calif.
Hon. Larry Winn, Kans.
Hon. Lester Wolff, N.Y.

COOLEY'S ANEMIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROSENTHAL) is recognized for 20 minutes.

Mr. ROSENTHAL. Mr. Speaker, more than 200,000 American children may not live to adulthood because of a little-known and largely neglected disease called Cooley's anemia. This is a hereditary, incurable childhood blood disease requiring frequent blood transfusions to keep its victims alive.

Frequency of the transfusions depends on the severity of the case, but most children with Cooley's anemia require transfusions every 2 to 4 weeks—for the rest of their lives, or until a cure can be found.

This often fatal disease occurs most commonly in individuals whose ancestors were natives of Mediterranean countries. In the United States, therefore, most of the victims are of Italian descent. Those of Greek, Turkish, Southern French and North African origins are also more susceptible. There are sporadic cases found in individuals of other origins, especially among the Chinese and Israeli.

Individuals with merely the trait or minor form of the disease have a normal life span and enjoy normal health. Those with the severe form of the disease, which occurs in about one-fourth of the children of parents who both are carriers of the trait, however, may succumb to the disease by the age of 20.

The severe form of the disease usually becomes apparent during the first year of life. Both sexes are equally affected. The earliest signs may be pallor, listlessness, loss of appetite and irritability. Blood examination will usually show a severe anemia.

As a result of the chronic state of anemia, the children with this disease are greatly handicapped. Bone growth is poor, and consequently, they tend to be small for their age. Their bones also are more fragile than normal, leading to seemingly spontaneous fractures. The anemia also causes a lack of pep and energy.

The only effective treatment today is the proper administration of blood transfusions to alleviate the constantly recurring anemia. There are other specific treatments for various complications of the basic disease.

Some children require transfusions weekly. Most need 1 or 2 a month. Some children die within a few years; others may live into their 20's. There is no known cure.

According to Dr. Herbert C. Lichtman of Kings County Hospital Center, "basic research on the problem of blood formation and destruction offers the only hope available to the sufferers."

That is why I am today introducing the National Cooley's Anemia Control Act.

This bill would establish a national program for the diagnosis, prevention and treatment of, and research in, Cooley's anemia. This would include a voluntary screening program to detect the disease.

It would provide slightly more than \$7.1 million over the next 3 years to seek out the causes and find a cure for Cooley's anemia.

Mr. Speaker, fellow Members, I ask your support for this legislation so that the children and families affected by this tragic disease can be given hope for a cure and the opportunity to live a normal, healthy life.

I am inserting a copy of my bill in the RECORD at this point:

H.R. 14861

To amend the Public Health Service Act to provide for the prevention of Cooley's anemia

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

SHORT TITLE

SECTION 1. This Act may be cited as the "National Cooley's Anemia Control Act".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds and declares—

(1) that Cooley's anemia is a debilitating, inheritable disease that afflicts approximately two hundred thousand American citizens and has been largely neglected;

(2) that efforts to prevent Cooley's anemia must be directed toward increased research in the cause and treatment of the disease, and the education, screening, and counseling of carriers of the trait;

(3) that simple and inexpensive screening tests have been devised which will identify those who have the disease or carry the trait;

(4) that programs to prevent Cooley's anemia must be based entirely upon the voluntary cooperation of the individuals involved; and

(5) that the attainment of better methods of prevention, diagnosis, and treatment of Cooley's anemia deserves the highest priority.

(b) In order to preserve and protect the health and welfare of all citizens, it is the purpose of this Act to establish a national program for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia.

AMENDMENTS TO PUBLIC HEALTH SERVICE ACT

SEC. 3. (a) Section 1 of the Public Health Service Act is amended by striking out "titles I to X" and inserting in lieu thereof "titles I to XI".

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is amended by renumbering title XI (as in effect prior to the enactment of this Act) as title XII, and by renumbering sections 1101 through 1114 (as in effect prior to the enactment of this Act), and references thereto, as section 1201 through 1214, respectively.

"TITLE XI—COOLEY'S ANEMIA PROGRAM"

"PROGRAMS RELATING TO COOLEY'S ANEMIA"

"SEC. 1101. (a) (1) The Secretary may make grants to public and nonprofit private entities, and may enter into contracts with public and private entities, for projects for the establishment and operation of Cooley's anemia screening, treatment, and counseling programs.

"(2) The Secretary may make grants to public and nonprofit entities, and may enter

into contracts with public and private entities and individuals, for projects for research in the diagnosis, treatment, and prevention of Cooley's anemia.

"(3) The Secretary may make grants to public and nonprofit private health profession schools for fellowships for training in the diagnosis, treatment, and prevention of Cooley's anemia. Fellowships provided under grants under this paragraph shall be limited to such amounts as the Secretary finds necessary to cover the cost of the training of, and stipends and allowances (including travel and subsistence expenses and dependency allowances) for, the fellows.

"(4) The Secretary shall carry out a program to develop information and educational materials relating to Cooley's anemia and to disseminate such information and materials to persons providing health care and to the public generally. The Secretary may carry out such program through grants to public and nonprofit entities or contracts with public and private entities and individuals.

"(b) (1) For the purpose of making payments pursuant to grants and contracts under subsection (a) (1), there are authorized to be appropriated \$500,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"(2) For the purpose of making payments pursuant to grants and contracts under subsection (a) (2), there are authorized to be appropriated \$1,700,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"(3) For the purpose of making grants under subsection (a) (3), there are authorized to be appropriated \$150,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"(4) For the purpose of carrying out subsection (a) (4), there are authorized to be appropriated \$25,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"VOLUNTARY PARTICIPATION"

"SEC. 1102. The participation by any individual in any program or portion thereof under this title shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program.

"APPLICATIONS; ADMINISTRATION OF GRANT AND CONTRACT PROGRAMS"

"SEC. 1103. (a) A grant under this title may be made upon application to the Secretary at such time, in such manner, containing and accompanied by such information, as the Secretary deems necessary. Each applicant shall—

"(1) provide that the program and activities for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) describe with particularity the programs and activities for which assistance is sought;

"(3) provide for strict confidentiality of all test results, medical records, and other information regarding screening, counseling, or treatment of any person treated, except for (A) such information as the patient (or his guardian) consents to be released; or (B) statistical data compiled without reference to the identity of any such patient;

"(4) provide for appropriate community representation in the development and operation of any program funded by a grant under this title;

"(5) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(6) provide for making such reports in such form and containing such information as the Secretary may reasonably require.

"(b) In making any grant or contract under this title, the Secretary shall (1) take into account the number of persons to be served by the program supported by such grant or contract and the extent to which rapid and effective use will be made of funds under the grant or contract; and (2) give priority to programs operating in areas which the Secretary determines have the greatest number of persons in need of the services provided under such programs.

"PUBLIC HEALTH SERVICE FACILITIES"

"SEC. 1104. The Secretary shall establish a program within the Public Health Service to provide for voluntary Cooley's anemia screening, counseling, and treatment. Such program shall be made available through facilities of the Public Health Service to any person requesting screening, counseling, or treatment, and shall include appropriate publicity of the availability and voluntary nature of such programs.

"REPORTS"

"SEC. 1105. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on or before April 1 of each year a comprehensive report on the administration of this title.

"(b) The report required by this section shall contain such recommendations for additional legislation as the Secretary deems necessary."

THE AIR PASSENGER SAFETY AND CONVENIENCE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. ADAMS) is recognized for 10 minutes.

Mr. ADAMS. Mr. Speaker, I am today introducing, with the cosponsorship of Mr. JARMAN, Mr. MOSS, Mr. METCALFE, and Mr. HELSTOSKI, the Air Passenger Safety and Convenience Act. This legislation will hopefully accomplish two important objectives. First, it will greatly assist in the struggle against air piracy or "skyjacking" by increasing the Federal share on airport and airways "security equipment and facilities" to 100 percent. Second, it will prohibit units of State and local governments from levying costly and inconvenient "head taxes" on airline passengers when they enplane and deplane at airports throughout the country. This legislation, then, is designed to protect the nearly 200 million individuals in this country who will travel by air this year from the threat of "skyjackers" on the one hand and from an inequitable double burden of taxation on the other.

Section 1 of this bill provides Federal assistance to prevent would-be hijackers and extortionists by increasing the Federal share of payments for security equipment under the Airport and Airways Development Act to 100 percent. It also changes the general Federal-local ratio for matching funds under the Airports and Airways Development Act for other statutory purposes from 50 to 50 percent to 75 to 25 percent. Changing the Federal/local ratio to 75 to 25 percent will help free much of the over \$270 million in eligible projects now being held in abeyance due to the lack of local funds.

Section 2 of this legislation is designed to protect interstate passengers from numerous, inconvenient and burdensome "head taxes," or fees per person, at possibly each and every airport in the

United States. In the recent case of Evansville-Vanderburgh Airport Authority District against Delta Airlines, Inc., the U.S. Supreme Court stated that Evansville, Ind., could collect a head tax on each airline passenger. In its opinion the Court stated:

"No federal statute or specific congressional action or declaration evidences a congressional purpose to deny or preempt State and local power to levy charges designed to help defray the costs of airport construction and maintenance.

Yet when the Transportation and Aeronautics Subcommittee of the House Interstate and Foreign Commerce Committee was drafting the Airport and Airways Act of 1970, we considered the head tax to finance this capital improvement system and firmly and finally rejected it. Those who have traveled in foreign countries know that many nations now collect head taxes at their airports, and that they are costly to administer and extremely inconvenient to the traveling public. In addition, there are immense problems in making such a tax uniform because the flow of passengers from one airport terminal to another is not even. Some terminals originate a great deal of traffic whereas others are receiving terminals; yet both supply the same type of services to a passenger. If this taxation system is used we will soon have taxes on those entering planes and those leaving, with resulting long lines and delays as additional ticket personnel are required to handle different taxes at each airport. The result may be that in New York City a person will pay a \$5 head tax, in Little Rock 25 cents, and in Denver \$1.40.

Finally, the traveling public is already taxed through a user charge added to the price of an airline ticket as authorized under the Airport and Airways Act of 1970. These revenues are allocated to local governments to assist in their airport development programs. In this year alone, user charge revenues, from passenger and nonpassenger sources, are expected to reach \$693 million. Thus air travelers are already being uniformly taxed for airport facilities. An additional head tax by each airport would be, in effect, double taxation on our air travelers.

Mr. Speaker, unless we pass this legislation as soon as possible, our Nation's air travelers will be burdened and harassed by a system of nonuniform local "head taxes." It is in the public interest and in the interest of an effective and freely-moving interstate commerce that the Congress preempt this field and protect the right of all Americans to travel.

TIME FOR UNCLE SAM TO RECOGNIZE THE QUALITY OF RESIDENT AMERICAN WORK FORCES IN HAWAII, ALASKA, PUERTO RICO, AND GUAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 10 minutes.

Mr. MATSUNAGA. Mr. Speaker, Federal employees assigned to overseas posts are given certain special benefits: pe-

riodic transportation at Government expense to and from their homes of record and, in some cases, pay differentials and commissary and exchange privileges.

Few persons, know, however, that Federal employees who maintain homes of record on the mainland are granted similar privileges if they are stationed in Hawaii, Alaska, Puerto Rico or Guam.

When originally instituted, these special benefits were designed to attract "qualified" workers to an area where the local labor force was deemed inadequate to meet the Federal Government's needs. Whatever justification there might have been at an earlier time in our history, Mr. Speaker, these inducements are no longer needed. The labor market in these areas are such that the need for outside recruitment has substantially diminished, or disappeared completely.

In real life, of course, mainland residents who accept positions in a place like Hawaii tend to remain there for many years, perhaps for the rest of their careers. By receiving these benefits, they are in effect being paid more than a local person hired for the same job. Often, the "mainland" employee has no intention of ever returning to his official home of record.

Mr. Speaker, there is little or no need to spend additional money attracting qualified workers to these areas. Qualified workers already reside there. In recognition of this fact, the Department of Defense, the major employer involved, instituted last fall a program to eliminate the benefits administratively. Because of the constraints of existing law, however, the only possible method for DOD was to force those who refused to accept a transfer to mainland areas, to actually leave the service and be rehired as local residents. The result has been that some of these workers, who would be more than willing to retain their former positions without the special benefits, are threatened with the permanent loss of their jobs. Once they break service, there is no guarantee that persons on a waiting list might not be selected to fill their vacated positions.

Accordingly, I am today introducing legislation to terminate these special benefits for all employees whose positions could be filled from the local labor force, while at the same time assuring those employees that they will not lose their jobs altogether.

Under my bill, any agency employing a "mainland hire" person, could terminate the special benefits if three conditions were met:

That qualified local residents were available for the position;

That the employee's contract with the agency has expired; and

That the employee refuses reassignment to a similar job on the mainland.

Mr. Speaker, the bill I introduce today will eliminate a costly and unnecessary Government expense, while safeguarding the legitimate rights of the individuals involved. I trust that it will be enacted quickly, so that this drain of dollars, which burdens the taxpayer and discriminates against local residents, can be shut off.

I include at this point the text of my bill.

H.R. 14856

A bill to amend title 5 of the United States Code in order to provide that certain benefits to which employees of the United States stationed in Alaska, Hawaii, Puerto Rico, the Canal Zone, or the territories or possessions of the United States are entitled may be terminated under certain conditions, and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That (a) subchapter II of chapter 57 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 5734. Termination of certain entitlements

"Under such regulations as the President shall prescribe when an employee of an agency of the United States who is stationed in Alaska, Hawaii, Puerto Rico, Guam, or any possession of the United States is entitled to receive for himself or his immediate family, or both, any of the benefits under sections 5722, 5724 through 5731 (except when section 5729(a)(2) applies), inclusive, 5941, and 6303(d) through 6304, inclusive, of this title, solely as a result of his claim of actual residence outside the area in which he is stationed, the employing agency may terminate his entitlement to such benefits if—

"(1) qualified local residents, who are not already employees of an agency of the United States, are eligible and available for employment in the position held by the employee;

"(2) the initial or renewal period of the employee's current contract or agreement has expired; and

"(3) the employee refuses, or otherwise indicates that he would not accept, assignment to a comparable position in the continental United States or to any other area in which he claims an actual residence;

except that the employee may continue in the same position at the same rank and pay without being separated or otherwise subject to a break in service if he certifies that he (A) has become, or has initiated appropriate action to become, a permanent resident of the area in which stationed, and (B) intends to maintain permanent residence in that area."

(b) The analysis of subchapter II of such chapter 57 is amended by adding at the end thereof the following: "5733. Termination of certain entitlement."

PRESIDENT NIXON'S DECISION TO ESCALATE THE WAR IS WRONG

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. COTTER) is recognized for 10 minutes.

Mr. COTTER. Mr. Speaker, last night I listened with deep concern and apprehension to the President's message. I have never questioned the President's courage in making decisions, but I have often questioned the wisdom of those decisions. Last night was no exception. The President announced a decision to mine Haiphong and, less clearly, to interdict ships supplying North Vietnam.

While I have no sympathy for the North Vietnamese invasion, I believe the President's drastic military action indicates the failure of his Vietnamization program. We have supported the South Vietnamese more than the Chinese and the Soviet Union have supported North Vietnam. We have sacrificed 55,000 U.S. soldiers and have spent hundreds of billions of dollars on this war. In spite of our most persistent efforts at supplying, training, and even dying, the South Vietnamese Army has failed to protect its own country. According to all reports,

only U.S. air power has staved off defeat of the South Vietnamese Army. Instead of recognizing the major fallacy of his Vietnamization policy, President Nixon has taken a drastic step. Even with this new and dangerous escalation, the key variable remains, as the President once said, "Can ARVN hack it?" The answer appears to be "No."

Without the South Vietnamese Army's will to fight, any major military escalation by the United States—in both military and political terms—is both unwarranted and fruitless. Further, according to most reports, the North Vietnamese have stockpiled enough weapons and supplies to continue the current offensive for the next several months.

Last year—my first in Congress—I warned my colleagues that as long as we maintained U.S. troops in Southeast Asia, there would be pressure for "one last strike." This prediction, unfortunately, is coming true. Our air and naval armada in the Bay of Tonkin is replacing our ground troops which have been withdrawn. Further, the 60,000 U.S. servicemen in South Vietnam can be viewed as hostages to this "one last strike" policy. The rationale to protect our remaining troops appears to be an attempt to provide a reason for further continuing a large U.S. military presence.

I vigorously denounce this dangerous escalation. For 3½ years, President Nixon has not ended the war as he promised in 1968.

I know that many of my colleagues will focus on related matters: The Soviet summit, relations with China, and the SALT talks, but I feel it is imperative to keep focused, as objectively as possible, on the situation in South Vietnam. The lynch pin of U.S. withdrawal—the end of direct U.S. military participation—is the ability of the South Vietnamese Army to go it alone. The events to date indicate this policy has been a failure and no cosmetic military action—however drastic—will cover this fatal flaw.

In conclusion, Mr. Speaker, I believe the President's decision is tragically wrong. He has chosen to bring the world to the brink of a nuclear power confrontation to save a country that has not demonstrated the willingness or the capability to fight its own battle. The result of this decision will not be known for weeks, but in the meantime, men and women will die, the land will continue to be ravaged, people's hopes and dreams will be blighted, while each of the super powers jockey for a self-perceived advantage. I believe that the United States should end its military commitment to South Vietnam. Delay in ending this war or trading air and naval troops for ground combat troops represents a thinly disguised attempt to continue this war and it serves to create the impetus for a "one more strike" policy.

I hesitate to think what our next military action will be when this new venture fails to bail out the South Vietnamese Army.

It is apparent that the President is unable to end our participation in this war. The time is long past when the Congress could exercise its constitutional

power to end this war. Since coming to Congress, I have fought for this congressional mandate. I will continue my strong efforts to end this divisive war, subject only to the release of POW's.

NATIONAL HIGHWAY SYSTEM INCOMPLETE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 30 minutes.

Mr. ALEXANDER. Mr. Speaker, I would like to bring to the attention of my colleagues a persistent dilemma which exists in the State of Arkansas—particularly in the First Congressional District. The problem to which I refer must exist, I believe, in every other State in the Nation which has a region—or regions—which is substantially undeveloped, underdeveloped or in need of revitalization.

Take a look at those regions. I expect they have something more than poverty and unemployment in common. I believe you will find that each and every one of those regions needs a proper transportation system.

In Arkansas, the First Congressional District has the largest concentration of poor and underdeveloped counties in the State. These are both delta and hill regions, and areas which have a pleasant mix of both. More importantly, they are regions of tremendous potential for growth through the wise conservation and use of our natural resources—the most valuable of which is our people.

We are working to provide better housing, more and better jobs, better education, more recreational facilities and health care. But, without a top quality transportation system—particularly an interstate quality highway running southeast from Kansas City, Mo., to Florida—the region will be unable to offer the kind of life its people have a chance to be able to make for themselves.

These are proud, hardworking people who put their whole strength into a project in which they believe. Let me use just one example to show you what I mean. The highways which serve the northeast and the northern portions of Arkansas are not capable of carrying the traffic load which they now have, and will become increasingly insufficient with the passage of time.

Seven years ago a group of interested and concerned citizens met in Newport, Ark., and organized the Ozark Express Route Association. Nine counties are participating in this group. They are Baxter, Crittenden, Cross, Fulton, Independence, Izard, Jackson, Poinsett, and Stone counties. The members of the association pooled their resources and hired a professional planning firm to study the need to build an interstate highway route from Memphis, Tenn., northwest through Arkansas to Kansas City.

Since that time the association has actively—though with limited success—sought to improve the transportation system of their region.

It would be useful, here, I believe to consider some facts about this region

the association would make more accessible to visitors from throughout the Nation and more pleasant for residents. There are a number of points which must be considered. One of the major ones is the fact that the failure of the Federal Highway program to include this area in the interstate system has deprived Americans of full access to the wonders of Arkansas during a national shortage of recreation facilities.

Tourism is potentially the most valuable asset in North Arkansas' effort to develop its economic capability. Investment in a top quality highway system in this region would provide a multitude of benefits. Chief among them, of course, would be the opening up of the region's recreation outlets to the whole Nation.

This would provide new momentum to the efforts to improve the region's economic standing. A good highway system which combines routes of interstate-quality with excellent roads designed for other kinds of use is essential to the full use of the region's recreation areas.

We have got the attractions to bring in visitors. There are Blanchard Springs Caverns which are subterranean wonders. White and St. Francis Rivers and the Bull Shoals and Norfolk Reservoirs are filled with fish enough to lure any angler. Outdoorsmen are just naturally drawn to the beauties of the Ozarks National Forest.

Every week the hills ring with the sound of folk music hootenannies. The performers are generally everyday residents of the region who have worked diligently to preserve the remnants of their musical and cultural heritage. And a number of the region's communities hold colorful, annual folklore festivals which bring visitors from many areas. With the aid of the Federal Government, we are building a folk cultural center in Mountain View.

Despite the narrow, winding and totally inadequate highway system in the region, thousands of visitors still make their way into the area annually to enjoy its wonders. But, in order that these assets may be fully utilized for the benefit of the Nation as a whole, we must have a greatly improved highway system through this region. Using tax moneys to build such facilities will provide a minimum of a return to the people. First, they will be able to cross the region quickly, conveniently and safely without being limited to the low speeds the present routes require.

Second, those who live in this region will be more able to use their ingenuity, grit and energy to earn their own way. Three, those taxpayers who live in areas poor in recreational resources, particularly those natural beauties of field and stream, would be able to conveniently visit and enjoy this region of Arkansas.

The need for improving the economy and job opportunities in the region is undeniable. Of the nine counties involved in the Ozark Express Route Association, six had increases from 1.1 to 3.5 percent in their average annual unemployment rate over that of 1969. One remained stable, and two dropped—but by less than 1 percent. Eight of the

nine had rates for both years which were higher than the national annual average rate of unemployment.

For this region, the potential for growth is proven. Again, limiting the discussion to the counties involved in the express route association, five of the nine grew by 9 percent or more. One, in fact, had a population increase of 54.1 percent. The other two experienced population decreases.

The wisdom of investing in improved highways for a region like this one in Arkansas is unquestionable in view of the multiple benefits to be gained. I would, at this time urge all members of the Congress, particularly those who have such regions as I have described in their districts, to act to assure that the Nation's countryside gets a share of available highway money which is directly related to its needs.

Let us act to see that regions like northeast and north Arkansas get their share of transportation system funds, based on a formula of benefits to be derived, need for development or redevelopment, and potential to make effective use of the money.

Such a step is a natural action if the Congress is committed—as it said it was in 1970—to the achievement of a more balanced growth in all portions of the Nation. All portions, including the almost depopulated countryside.

I would further urge every member of the Congress to consider the full development of the interstate highway system, rather than accepting its limited status as it now stands.

POSITION OF PRESIDENT SADAT OF EGYPT WEAKENS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. HAMILTON) is recognized for 10 minutes.

Mr. HAMILTON. Mr. Speaker, 1 year ago, President Sadat of Egypt took the bold step of dismissing several colleagues who were said to be planning a coup against him. Many of them were thought to have close ties with the Soviet Union. At the same time, Mr. Sadat embarked on a diplomatic offensive aimed at achieving some peace settlement on terms acceptable to Egypt.

Today, 1 year later, President Sadat's internal position has weakened and his rhetoric has toughened. His diplomatic efforts have produced no fruits and his critics have increased in numbers. His position will only weaken further the longer the status quo remains and he may be forced by internal pressures to undertake some limited military operation on Sinai despite the fact he knows it will be unsuccessful.

As much as President Sadat, like Prime Minister Golda Meir, is worried about the possibility of some United States-Soviet agreement compromising his demands in a peace agreement, Sadat is more immediately troubled by increased domestic pressures.

At least four Egyptian groups are increasingly frustrated with the course of no war and no peace that has existed for over a year now.

First, technocrats and much of the educated elite ridicule Sadat's often clumsy and false rhetoric and his inability to move toward some peace.

Second, Army officers do not know what they are preparing for, but know they do not have the offensive material for trying to recapture even part of Sinai. Sadat's stated goal in any resumption of fighting. To date, the Soviet Union has been reluctant to give Egypt large stocks of offensive weapons.

Third, students like the greater freedom of expression they have had under Sadat, but their immediate futures remain uncertain. There are few jobs available and no one knows when he might be drafted. No war and no peace frustrate them.

Fourth, those with vested interests in close ties with the Soviet Union do not like the unpredictability of Sadat and would prefer a more decisive person who might get more aid from Russia, even more sophisticated weaponry.

Unless there is some movement toward an interim or final settlement of the Arab-Israel conflict, Sadat or any other Egyptian leader is likely to suffer. If he pursues the past diplomatic efforts without success, his opposition only increases and his position deteriorates. On the other hand, if he pursues military options, he is beaten and Israel retaliates and his position worsens. Even more ominous, desperate acts can become realities. Instability in Egypt only reinforces instability throughout the area because Egypt remains a political barometer for the Arab world.

A very strong case can be made that the present quiet interlude in the Middle East is deceptive. To circumvent any gathering storm, the United States must redouble its efforts to use its good offices to bring Egypt and Israel to the table so that they can negotiate, to talk with the Soviet Union about peace and arms limitation talks on the Middle East and to facilitate Dr. Gunnar Jarring's mission pursuant to United Nations Resolution 242. No other course is in U.S. interests.

THE FUTURE OF THE AMERICAN FAMILY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. PODELL) is recognized for 15 minutes.

Mr. PODELL. Mr. Speaker, sometimes we overlook the most obvious things. There is one very important problem which we have ignored—the future of the American family. Although this problem is so close to us, we, as a nation, have a woeful lack of information concerning the family.

Despite this ignorance, we have witnessed the passage of legislative proposals which would affect fundamentally the future of the family in ways no one—liberal, moderate, or conservative—has estimated. We have a National Child Development Act. Localities have redefined the notion of family so as to restrict occupancy of housing by "communes." We have seen legislatures across the country pass new laws dealing with divorce and

abortion. Even the American Bar Association is planning to press for a national divorce law similar to the very easy California divorce law.

At this moment, the Congress is still struggling to deal with President Nixon's family assistance schemes. The President's plans were passed on the as yet unsubstantial theories about family life which were propounded by Mr. Moynihan. Those same plans would radically affect the structure of poor families.

Even my own housewives' pension scheme would have some unknown consequences for the family.

At the same time that this legislative production is going on, several changes in the family are also proceeding at a fast pace.

In one of the few articles in the public press on problems of the family, Jack Waugh of the Christian Science Monitor has written:

In part more women are being pushed beyond the traditional roles expected of them because raising a family no longer occupies all their lifetime—or even half of it.

To all this the typical male attitude is ambivalent. The non-father husband has troubles of his own. One of them is that he doesn't know exactly where he stands in the face of the growing complexity of handling, at the same time, the technological world, a liberated wife, and children who are smarter and more sophisticated than he was when he was one of them.

To many a father, the world is a more perilous place than it has ever been, because he feels he no longer has the control fathers once had. He sees his position in the family atrophying and isn't certain what to do about it.

Apparently not only the man faces this problem of identification. A few weeks ago, Life magazine ran a story about this ever increasing, but relatively new, problem of runaway wives.

Numerous social problems, from juvenile delinquency to welfare, from narcotics to alcoholism, have been connected with family problems.

I have provided an outline of a problem which is fundamental to our society. And what have we done to investigate the problem? Very, very little.

The National Science Foundation estimates that less than \$100,000 out of several millions in social science research funds have gone, each year, to research concerning the family.

The National Institute of Child Health and Human Development is the only research arm of the Federal Government that even remotely deals with the family. And even NICHD has fewer than thirty research projects out of thousands of research projects that deal directly with the family.

As I have already noted, the public press has given little attention to the picture of the family. It is about time we faced up to our responsibilities.

Mr. Speaker, I appeal to you and to our colleagues to support my proposal that Congress establish a Joint Committee on the Family. We have joint committees on economics, on atomic energy, on expenditure reduction, et cetera. Surely the family is as important as those subjects.

The Joint Committee on the Family would first focus Federal time, energy,

and money on the most important problem. It would collect data and conduct or contract research on the future of the family and family organization. It would review all legislation for possible consequences on family organization. It would develop a national family policy and monitor implementation of family programs. The Joint Committee would provide a national focus for our concern about the family.

No matter what opinion on the traditional family one may have, all of us should recognize the necessity to clarify the consequences for families of our legislative activities. If you think this legislation is unnecessary, go home tonight and look carefully at your family.

Can you be sure you know the future of your family? Can you be sure of the effect on your family of the bills you have voted on?

NEW YORK TIMES NEWSSTORY ON PANAMA CANAL TREATY NEGOTIATIONS: FURTHER CLARIFICATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Flood) is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, in a statement to the House of Representatives in the CONGRESSIONAL RECORD of April 12, 1972, I commented at some length on a news story in the New York Times of April 9 by C. L. Sulzberger in which he advocated "Removing an Old Blemish" by surrender at Panama. That story by Mr. Sulzberger did not explain the actual situation on the Isthmus and thus was misleading.

The strategically located Republic of Panama was taken over by a pro-Red oriented revolutionary government on October 11, 1968, in military coup d'etat. Omar Torrijos, the commandant of the National Guard of Panama and that country's strong man, is reported as a great admirer of the communist President Allende of Chile and as following the latter's practices in land expropriations. Moreover, the chief of the Panamanian Land Reform Program is Robledo Landero, a prominent member of the People's Party of Panama, which is the Communist Party subject to controls from Moscow.

The last Constitutional President of Panama, overthrown on October 11, 1968, after only 10 days in office, had to take refuge in the Canal Zone to avoid assassination. In addition, his home at Boquete in Panama was burned, and valuable objects of art, property, documents and personal possessions destroyed, all on express orders of the National Guard. Such facts as these are seldom, if ever, mentioned in the mass news media of the United States.

As to the April 9 Sulzberger news story, I have received a copy of a most informative letter addressed to him. From the facts therein developed it is clear that the U.S.S.R. is well along in its program for the occupation of Panama as was accomplished by pro-Red elements in the State Department in 1959 in Cuba. Moreover, by the refusal on Au-

gust 15, 1970, of the Torrijos regime to renew the lease of the Rio Hato Air Base, built by the United States during World War II, and permitting Soviet Yak-40 trijet transport planes in and out of Colombia to use it at will, the Torrijos government has indirectly enabled the U.S.S.R. to establish its first air base in Central America, close to the Panama Canal. This, Mr. Speaker, constitutes an unfriendly act and should be so recognized.

The indicated letter follows:

LOS ANGELES, CALIF., April 21, 1972.

Mr. C. L. SULZBERGER,
The New York Times,
New York, N.Y.

DEAR Mr. SULZBERGER: Congressman Daniel J. Flood recently sent me a copy of your article on April 9th concerning relations between the United States and the Republic of Panama and the blemish that is supposed to exist.

For the past two years I have been devoting my time and efforts by informing Congress, both the Senate and the House, the Executive Branch, the Department of State, the lending agencies, the Pentagon, and others about the pro-Communist de facto military regime in Panama and their close ties with the USSR who indirectly is now ruling Panama from within. To further explain how the USSR came to power in Panama and the method they used to gain control over the National Guard, I am enclosing a copy of my 5 page letter to Congressman John M. Murphy, Chairman of the Subcommittee on Panama Canal and a copy of Congressman Flood's speech to the House on March 29th. I believe that Congressman Flood's speech and my letter to Congressman Murphy clearly tell the objectives of the USSR in the Isthmus of Panama and their strategy to control all the waterways of the world.

Being the grandson-in-law of the founder of the Republic of Panama, knowing Panama well, and very familiar with the political background and the aspects of former treaties, I would like very much to comment on your article "Removing an Old Blemish" and to explain that the present pro-Communist de facto military regime in Panama does not want a new treaty with the United States. There are 2 reasons why:

1. By the 1903 constitution of Panama, it clearly states that any treaty has to be signed by a constitutional president and ratified by the National Assembly. There are no procedures in Panama today for ratification as the country is non-constitutional. Any attempt to revise the constitution to make the ratification process acceptable to the United States, still would not be valid.

2. The pro-Communist military regime in Panama have already a verbal agreement with the USSR and Japan to construct a new sea-level canal in that country.

For your perusal, I am enclosing Paul Scott's syndicated column concerning the new USSR canal in Panama and the Hoja Del Lunes newspaper article from Madrid on April 10th that further explained the proposed USSR canal. This article from Madrid mentioned 2 prominent Americans. One concerned Senator Henry M. Jackson. It said that when Senator Jackson was in Florida recently, he found out about the proposed USSR-Japan canal and had planned to release this information on television. The Department of State told him that if he did, they would issue a denial of the proposed USSR canal. The article also says the reason why the Department of State denies such a proposal, although Secretary Rogers is aware of it, because it may jeopardize President Nixon's trip to Moscow next month. The other American it mentioned was Admiral John McCain. It seems that he made some comments concerning the USSR canal in

Panama and because of these remarks, he was severely censored by Washington. The article from Spain also said that the Soviets were exploring the possibility of having an air base in Panama.

Pertaining to how this USSR-Japan proposal for a canal in Panama materialized, I am enclosing a copy of my letter to Secretary David M. Abshire of the Department of State concerning Omar Torrijos' flight to Cuba on November 1st where he met with Premier Kosygin to discuss the new USSR proposal for Panama. In my letter to Secretary Abshire I explained to him the Soviet's plan for control over the 19,000 acre, 9,000' runway of the Rio Hato Air Base only 80 miles west of Panama City. This is the air base that Torrijos refused to renew on August 15th, 1970.

Your article mentioned that "the U.S. still pays Panama only \$1,930,000.00 a year for the waterway itself although Americans living and working in the Canal Zone spend almost a hundred times that much annually." It is correct that the U.S. does pay nearly 2 million dollars annually; however, the fringe benefits that Panama receives in the way of salaries, pensions and products bought from Panama is over \$160 million dollars yearly. The large silent majority of Panamanians do not want to lose this income and livelihood.

Concerning the amount of money that Americans spend in the Canal Zone, you must take into consideration the amount of money that has been spent on U.S. investments in the canal enterprise up-to-date. For the acquisition of the canal zone, construction, maintenance, operation, sanitation, and protection of the Panama Canal, the total book value from 1904 to June 30th, 1971 is \$5,695,745,000.00. This figure does not represent 1972 values. If the expenditures made in earlier years were converted into present day currency, the total U.S. investment would be far greater, possibly by billions. These figures were given in Congressman Flood's speech to the House on April 18th. In his speech he also explained to his colleagues, as he has done so many times in the past, that Article IV, section 3, clause 2 vests the power to dispose of territory and other property of the United States in the Congress, which includes the House of Representatives as well as the Senate. This constitutional provision as regards a new treaty (which would be invalid by the constitution of Panama) has never been publicized by the USSR controlled news media in Panama; that is, property of the United States would have to be considered by the House as well as the Senate before they could be surrendered or disposed of. As Congressman Flood stated in his speech concerning this on April 18th, "Such concealment from Panama in this connection amounts to duplicity and, ultimately, a gross disservice to Panama."

If you recall, the military of Panama overthrew the constitutional government of President Arnulfo Arias, a good friend of the United States and a target of the Soviets since the early forties, on October 11th, 1968. In my enclosed letter to Congressman Murphy, I explained how the Soviets were able to do this. Today, the government is being ruined by 2 Panamanian agents of the USSR; namely, Juan Tack, the Foreign Minister, and Romulo Betancourt, the former Secretary General of the People's Party, the Communist Party of Panama. Lt. Col. Omar Torrijos (his self-proclaimed title of General has no validity) is the figurehead. Demetrio Lakas, the puppet President, was placed in that position because of his ownership of 2 houses of prostitution in which the military of Panama participate in the profits of this business.

Last month you no doubt read the accusation by the Bureau of U.S. Narcotics and Dangerous Drugs naming Panama as one of the world's key centers of the illegal narcotics

traffic. It also named the Foreign Minister, Juan Tack, and Moises Torrijos, the brother of the pro-Communist dictator, in the illegal narcotics traffic of heroin to the United States.

Concerning the illegal narcotics traffic in Panama, we must remember that in any military regime and especially the one in Panama that is now controlled by the USSR, there are no safeguards such as a constitutional government would have. I do know that President Arnulfo Arias, a former physician and now in exile in Miami, is gravely worried over this mounting problem in his country in which 12% of the heroin in the United States stem from Panama.

In your last paragraph you stated "and, above all, no more of the humiliating implication that part of its territory can perpetually be ruled by a foreign power." But today it is. And that power is the USSR. To further consolidate their position over the captive Panamanians, the USSR controlled military have increased their National Guard budget from \$6 million in 1971 to \$25 million for 1972. This increase of \$19 million is used for personal self-gain, more armaments that are bought from behind the Iron Curtain (when Tack and Lakas were in Europe last August, they made a pact with Czechoslovakia), more recruits into the National Guard, more paid informants and more agents added to the dreaded Secret Police that is now being advised by KGB agents of the USSR that are now infiltrated into Panamanian life.

Do remember that when the USSR controlled military took the country over by gunpoint, they immediately closed the National Assembly, abolished all political parties and civil liberties, and censored all news media. The 1,400,000 Panamanians deplore the treasonous act of the USSR controlled military that deprived them of all freedom and democracy. They deplore the tortures, the disappearances of prominent people, the imprisonment of former politicians, the deportations, and confiscation of private property.

To sum it up, the USSR controlled military of Panama have been demanding the return of the U.S. sovereignty of the Canal Zone but they have taken away the sovereignty of the people of Panama.

With my warmest regards.

Cordially,

PHILLIP HARMAN.

PRESIDENT'S ADDRESS TO THE NATION ON VIETNAM

(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, in his speech to the Nation last evening the President set forth precisely the situation in Vietnam and the choices that he faced in making his decision to mine and blockade North Vietnamese ports. With unanimous consent, I insert the President's address to the Nation at this point in the RECORD:

ADDRESS BY THE PRESIDENT, MAY 8, 1972

Good evening. Five weeks ago, on Easter weekend, the Communist armies of North Vietnam launched a massive invasion of South Vietnam, an invasion that was made possible by tanks, artillery, and other advanced offensive weapons supplied to Hanoi by the Soviet Union and other Communist nations.

The South Vietnamese have fought bravely to repel this brutal assault. Casualties on both sides have been very high. Most tragically, there have been over 20,000 civilian casualties, including women and children, in the cities which the North Vietnamese have

shelled in wanton disregard of human life.

As I announced in my report to the Nation 12 days ago, the role of the United States in resisting this invasion has been limited to air and naval strikes on military targets in North and South Vietnam. As I also pointed out in that report, we have responded to North Vietnam's massive military offensive by undertaking wide-ranging new peace efforts aimed at ending the war through negotiation.

On April 20th, I sent Dr. Kissinger to Moscow for four days of meetings with Secretary General Brezhnev and other Soviet leaders. I instructed him to emphasize our desire for a rapid solution to the war and our willingness to look at all possible approaches. At that time, the Soviet leaders showed an interest in bringing the war to an end on a basis just to both sides. They urged resumption of negotiations in Paris, and they indicated they would use their constructive influence.

I authorized Dr. Kissinger to meet privately with the top North Vietnamese negotiator, Le Duc Tho, on Tuesday, May 2nd, in Paris. Ambassador Porter, as you know, resumed the public peace negotiations in Paris on April 27th and again on May 4th. At those meetings, both public and private, all we heard from the enemy was bombastic rhetoric and a replaying of their demand for surrender. For example, at the May 2nd secret meeting, I authorized Dr. Kissinger to talk about every conceivable avenue toward peace. The North Vietnamese flatly refused to consider any of these approaches. They refused to offer any new approach of their own. Instead, they simply read verbatim their previous public demands.

Here is what over three years of public and private negotiations with Hanoi has come down to: The United States, with the full concurrence of our South Vietnamese allies, has offered the maximum of what any President of the United States could offer.

We have offered a de-escalation of the fighting. We have offered a cease-fire with the deadline for withdrawal of all American forces. We have offered new elections which would be internationally supervised with the communists participating both in the supervisory body and in the elections themselves.

President Thieu has offered to resign one month before the elections. We have offered an exchange of prisoners of war in a ratio of 10 North Vietnamese prisoners for every one American prisoner that they release. And North Vietnam has met each of these offers with insolence and insult. They have flatly and arrogantly refused to negotiate an end to the war and bring peace. Their answer to every peace offer we have made has been to escalate the war.

In the two weeks alone since I offered to resume negotiations Hanoi has launched three new military offensives in South Vietnam. In those two weeks the risks that a communist government may be imposed on the 17 million people of South Vietnam has increased and the communist offensive has now reached the point that it gravely threatens the lives of 60,000 American troops who are still in Vietnam.

There are only two issues left for us in this war. First, in the face of a massive invasion do we stand by, jeopardize the lives of 60,000 Americans, and leave the South Vietnamese to a long night of terror? This will not happen. We shall do whatever is required to safeguard American lives and American honor.

Second, in the face of complete intransigence at the conference table do we join with our enemy to install a communist government in South Vietnam? This, too, will not happen. We will not cross the line from generosity to treachery.

We now have a clear, hard choice among three courses of action: Immediate withdrawal of all American forces, continued attempts at negotiation, or decisive military action to end the war.

I know that many Americans favor the first course of action, immediate withdrawal. They believe that the way to end the war is for the United States to get out and to remove the threat to our remaining forces by simply withdrawing them.

From a political standpoint, this would be a very easy choice for me to accept. After all, I did not send over one-half a million Americans to Vietnam. I have brought 500,000 men home from Vietnam since I took office. But, abandoning our commitment in Vietnam here and now would mean turning 17 million South Vietnamese over to communist tyranny and terror. It would mean leaving hundreds of American prisoners in communist hands with no bargaining leverage to get them released.

An American defeat in Vietnam would encourage this kind of aggression all over the world, aggression in which smaller nations armed by their major allies, could be tempted to attack neighboring nations at will in the Mid-East, in Europe, and other areas. World peace would be in grave jeopardy.

The second course of action is to keep on trying to negotiate a settlement. Now this is the course we have preferred from the beginning and we shall continue to pursue it. We want to negotiate, but we have made every reasonable offer and tried every possible path for ending this war at the conference table.

The problem is, as you all know, it takes two to negotiate and now, as throughout the past four years, the North Vietnamese arrogantly refuse to negotiate anything but an imposition, and ultimately that the United States impose a Communist regime on 17 million people in South Vietnam who do not want a Communist Government.

It is plain then that what appears to be a choice among three courses of action for the United States is really no choice at all. The killing in this tragic war must stop. By simply getting out, we would only worsen the bloodshed. By relying solely on negotiations, we would give an intransigent enemy the time he needs to press his aggression on the battlefield.

There is only one way to stop the killing. That is to keep the weapons of war out of the hands of the international outlaws of North Vietnam.

Throughout the war in Vietnam, the United States has exercised a degree of restraint unprecedented in the annals of war. That was our responsibility as a great nation, a nation which is interested—and we can be proud of this as Americans—as America has always been, in peace not conquest.

However, when the enemy abandons all restraint, throws its whole army into battle in the territory of its neighbor, refuses to negotiate, we simply face a new situation.

In these circumstances, with 60,000 Americans threatened, any President who failed to act decisively would have betrayed the trust of his country and betrayed the cause of world peace.

I therefore concluded Hanoi must be denied the weapons and supplies it needs to continue the aggression. In full coordination with the Republic of Vietnam I have ordered the following measures which are being implemented as I am speaking to you.

All entrances to North Vietnamese ports will be mined to prevent access to these ports and North Vietnamese naval operations from these ports. United States forces have been directed to take appropriate measures within the internal and claimed territorial waters of North Vietnam to interdict the delivery of any supplies. Rail and all other communications will be cut off to the maximum extent possible. Air and naval strikes against military targets in North Vietnam will continue.

These actions are not directed against any other nation. Countries with ships presently in North Vietnamese ports have already been notified that their ships will have three days-

light periods to leave in safety. After that time, the mines will become active and any ships attempting to leave or enter these ports will do so at their own risk.

These actions I have ordered will cease when the following conditions are met: First, all American prisoners of war must be returned.

Second, there must be an internationally supervised cease-fire throughout Indochina.

Once prisoners of war are released, once the internationally supervised cease-fire has begun, we will stop all acts of force throughout Indochina, and at that time we will proceed with a complete withdrawal of all American forces from Vietnam within four months.

Now, these terms are generous terms. They are terms which would not require surrender and humiliation on the part of anybody. They would permit the United States to withdraw with honor. They would end the killing. They would bring our POWs home. They would allow negotiations on a political settlement between the Vietnamese themselves. They would permit all the nations which have suffered in this long war—Cambodia, Laos, North Vietnam, South Vietnam—to turn at last to the urgent works of healing and of peace. They deserve immediate acceptance by North Vietnam.

It is appropriate to conclude my remarks tonight with some comments directed individually to each of the major parties involved in the continuing tragedy of the Vietnam War. First, to the leaders of Hanoi, your people have already suffered too much in your pursuit of conquest. Do not compound their agony with continued arrogance; choose instead the path of a peace that redeems your sacrifices, guarantees true independence for your country and ushers in an era of reconciliation.

To the people of South Vietnam, you shall continue to have our firm support in your resistance against aggression. It is your spirit that will determine the outcome of the battle. It is your will that will shape the future of your country.

To other nations, especially those which are allied with North Vietnam, the actions I have announced tonight are not directed against you. Their sole purpose is to protect the lives of 60,000 Americans who would be gravely endangered in the event the Communist offensive continues to roll forward and to prevent the imposition of a Communist government by brutal aggression upon 17 million people.

I particularly direct my comments tonight to the Soviet Union. We respect the Soviet Union as a great power. We recognize the right of the Soviet Union to defend its interests when they are threatened. The Soviet Union in turn must recognize our right to defend our interests.

No Soviet soldiers are threatened in Vietnam. Sixty thousand Americans are threatened. We expect you to help your allies, and you cannot expect us to do other than to continue to help our allies, but let us, and let all great powers help our allies only for the purpose of their defense, not for the purpose of launching invasions against their neighbors.

Otherwise the cause of peace, the cause in which we both have so great a stake, will be seriously jeopardized.

Our two nations have made significant progress in our negotiations in recent months. We are near major agreement on nuclear arms limitation, on trade, on a host of other issues.

Let us not slide back toward the dark shadows of a previous age. We do not ask you to sacrifice your principles, or your friends, but neither should you permit Hanoi's intransigence to blot out the prospects we together have so patiently prepared.

We, the United States, and the Soviet Union, are on the threshold of a new relationship that can serve not only the interests of our two countries, but the cause of

world peace. We are prepared to continue to build this relationship. The responsibility is yours if we fail to do so.

And finally, may I say to the American people, I ask you for the same strong support you have always given your President in difficult moments. It is you most of all that the world will be watching.

I know how much you want to end this war. I know how much you want to bring our men home and I think you know from all that I have said and done these past three and one-half years how much I, too, want to end the war to bring our men home.

You want peace. I want peace. But, you also want honor and not defeat. You want a genuine peace, not a peace that is merely a prelude to another war.

At this moment, we must stand together in purpose and resolve. As so often in the past, we Americans did not choose to resort to war. It has been forced upon us by an enemy that has shown utter contempt toward every overture we have made for peace. And that is why, my fellow Americans, tonight I ask for your support of this decision, a decision which has only one purpose, not to expand the war, not to escalate the war, but to end this war and to win the kind of peace that will last.

With God's help, with your support, we will accomplish that great goal. Thank you and good night.

Mr. HALL. Mr. Speaker, thank God that finally this Nation has a Commander in Chief with the perception to determine what must be done in Vietnam, the "guts" to do it, and the perseverance to see it through, once the decision has been made.

Mr. Nixon's determination to "cut off" the Soviet-built, sophisticated supplies of war that have been provided to North Vietnamese, by mining the port of Haiphong—coupled with the decision to deny the enemy sanctuary, by eliminating his bases in Cambodia, while bombing the strategic areas in the north, will in time, limit the ability of the Communists to continue the already overly prolonged war, under conditions that have heretofore worked only to their advantage.

At the same time, the President has held open the door to peace by offering to negotiate a cease-fire with conditions that would see the withdrawal of all American forces from Southeast Asia, within a certain time, contingent upon the release of our prisoners of war.

The President inherited this war under circumstances that had denied our Air Force the right to bomb, the Navy the right to support, and the infantry the ability to attack and hold. Our military had been "handcuffed" while the enemy was permitted to roam at will. Now, even though the hour is late, we have taken the steps that should have been taken years ago. I have faith they will succeed.

Mr. Speaker, we now have fewer than 60,000 men in Vietnam, but the aggressive advance of the entire North Vietnamese Regular Army has threatened their very lives. I, for one, am not willing to see them placed in further jeopardy. It is high time we all unite and stand behind the President in this hour of determination. Let us give him the support needed to end this war with honor, while at the same time providing conditions that will bring about a peaceful settlement.

Our troop withdrawals have been met with escalation; our attempts at meaningful negotiation have been continually

rebuffed. Our envoys to private talks have obviously been insulted. Through it all, our leaders have shown infinite patience, now the Commander in Chief has finally served notice that this Nation will not be longer humiliated. On that score, I believe all thinking citizens will stand by his side.

Mr. KUYKENDALL. Mr. Speaker, there is one commodity that every Member of this body recognizes and reveres, and that is courage. And whether you agree with his decision—which I endorse without reservation or qualification—you must admire the courage that our President demonstrated last night.

All of us must realize just what is involved here, just how high the stakes are, and how easy and tempting it must have been, to take a lesser action. But lesser action would not have been Richard Nixon's way.

Even if the Vietnam war dragged on, our President could have faced future historians as the man who showed the way toward warmer relations with Mainland China, who hammered out the SALT agreement, who helped negotiate a ceasefire in the Middle East—and any one of these things might in other times have placed him in nomination for the Nobel Peace Prize. Virtually on the eve of a summit trip to Soviet Russia, which might well have been the culmination of his 4 years of stewardship of this Nation's dreams and hopes, he draws the line in front of an armed aggressor, and he says "Stop."

It is a calculated risk. It is the result, not of headlong gambling instinct, but of weighing the alternatives, and taking the courageous way—the difficult way, yes, but the honorable and forthright way, turning his back on vacillation and temporizing.

In years to come, it will rank with the forthright actions of other great leaders of the world in times past—with millions for defense, but not 1 cent for tribute; with England expects every man to do his duty; with Henry V at Agincourt and John Kennedy at the blockade of Cuba.

And, as those heroes in times past were inspired and guided by the prayers of the multitudes, so should we offer ours for the conclusion of this war we did not want, that we want to be ended so desperately, and out of which our President is so desperately trying to lead us.

Mr. BENNETT. Mr. Speaker, I sincerely hope that the President's program will succeed and that we will soon be out of the war as he plans.

The North Vietnamese would be wise to accept the President's very reasonable proposals.

Mr. CHAMBERLAIN. Mr. Speaker, last night the President in announcing the mining of North Vietnamese ports emphasized as nothing else could the vital importance of supplies to the enemy. I would like to point out the President's order to close the ports of North Vietnam is directed not only against the vessels of nations allied with North Vietnam but also against ships flying free world flags.

The Department of Defense has advised me that last month there were a total of eight arrivals of vessels flying non-Communist flags—four under the registry of the United Kingdom and four

of the Somali Republic. This brings the total so far this year to 32 such arrivals which represents an increase of 11 over the 21 similar arrivals during the first 4 months of last year.

The recent increase in this traffic demonstrates anew the significance of this trade. In 1968 there were a total of 149 free world flag arrivals in North Vietnam involving nine different countries. By the end of 1971 this had been more than cut in half to a total of 63 arrivals involving only ships of British and Somali registry.

This and other seaborne sources of supply have played an essential role in helping North Vietnam to launch its current massive invasion of the South. If the lives of the remaining American troops are to be protected, if our prisoners of war are to be returned, and if there is to be any real prospect for genuine peace in the months and years ahead the supplies destined for the battlefield and extending the war must, in some way, be denied to the aggressors.

In this most difficult decision the President deserves the full support of the American people.

The table follows:

NON-COMMUNIST SHIP ARRIVALS IN NORTH VIETNAM 1972

	United Kingdom	Somalia	Total
January.....	5	1	6
February.....	4	4	8
March.....	6	4	10
April.....	4	4	8
Total.....	19	13	32

Mr. ZION. Mr. Speaker, for 20 years now we have faced three alternatives in Southeast Asia:

First. To defeat the Communist invaders by military means. Previous administrations were reluctant to take this step for fear of triggering massive action by the Russians or Red Chinese that might lead to world war III.

Second. Fighting a stalemate war—just enough action to prevent a takeover, but not enough to win or incur the wrath of the Communist powers. This is the course we have been taking.

Third. Settle the war on the enemy's terms. This means to surrender our POW's and those men listed as missing in action. It means the assassination of the free people of South Vietnam and the continued invasion of other governments in that part of the world.

None of these alternatives would bring the parties involved to a negotiated peace. This present step by our President may result in meaningful peace talks for the first time. If his action prevents delivery of weapons of destruction to the invading armies from Hanoi they may well be caught far in the field without support and thus be forced to negotiate.

I hope all Americans join with me in praying for the success of this bold step.

Mr. WALDIE. Mr. Speaker, the President's decision to redeem the failure of his policy of "Vietnamization" by confronting Russia and China militarily is a desperate gamble with world peace that is not warranted by the prospective gain.

Saving the weak, toppling leaders of South Vietnam, who have never evinced a

sufficient will to fight for their Government, by risking more American deaths and a wider conflagration is a policy I will not support.

The President listed the alternatives, but failed to select the proper one, the most courageous and honorable one—immediate withdrawal.

The war and the carnage will continue, and so will my opposition.

Mr. FRELINGHUYSEN. Mr. Speaker, the basic significance of the President's message in my opinion is his deep desire for peace and I feel that he is moving constructively in his search for a peaceful settlement. He has promised to stop all military activity and to withdraw all American forces from Vietnam within 4 months after the return of our prisoners of war and the establishment of an internationally supervised ceasefire. These are specific commitments and I believe his terms are generous.

The President's decision to mine North Vietnamese ports and to interdict delivery of supplies as well as to continue air and naval strikes at military and communication targets is a momentous one. Although designed to bring an early end to the war it is obviously a course involving considerable risk. I pray that his decision will bring about the long-sought peaceful settlement. Additionally, the President's message was unmistakably both a warning and an appeal to the Soviet Union. The Russians have been told that they must halt shipments of heavy weapons to North Vietnam. They have also been reminded that their own best interests are not being served by a prolongation of this tragic conflict.

Mr. MIZELL. Mr. Speaker, President Nixon has acted with courage and determination and has put above everything else the safety of our troops, the release of our prisoners of war, and the complete withdrawal of American troops in his quest for peace.

He has kept every commitment he has made to the American people in regard to his action in Southeast Asia. Therefore, I believe he has earned and will receive the support of the American people to end this long and difficult conflict.

GENERAL LEAVE

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have permission to revise and extend their remarks on the subject of the President's speech last night and to include therein extraneous material.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AFTER 91 DAYS, STILL NO WORD FROM PRESIDENT NIXON ON TAX REFORM

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

Mr. MAZZOLI. Mr. Speaker, it has now been 91 days since House Ways and Means Committee Chairman WILBUR MILLS wrote President Nixon asking for the tax reform proposals the President promised last September. In his February

7 letter, Chairman MILLS asked that the President's tax reform proposals be sent by March 15 so the Congress would have time to act on them this session. To date, Mr. MILLS' request has been ignored.

Instead, we perceive indications that the administration no longer deems tax reform to be a matter of priority. The Secretary of the Treasury has indicated that he sees no loopholes in the present tax laws.

Mr. Speaker, the heavily burdened middle-income taxpayers of my district, and of the country as a whole, are not in a position to so benignly neglect the very real tax inequities which exist in this country today. The viewpoint of the average American, I believe, is far more likely to mirror the views expressed in the following editorial which appeared April 26, 1972, in Kentucky's most widely circulated newspaper, the Louisville Courier-Journal:

WHY TAX REFORM IS NECESSARY—NOW

Curiouser and curiouser, as Alice was wont to say. Just when every Democratic candidate from George Wallace to George McGovern has come to recognize that tax reform may well be the No. 1 populist issue of 1972, President Nixon suddenly seems to have decided that things are nicer just the way they are.

And so we have the intriguing sight of a top Treasury Department official making the rounds of selected businessmen's and professional organizations to insist—with a statistical slide-show to illustrate his arguments—that "there are more important problems before the nation than reshaping our tax laws. We're doing pretty well."

Tell that to the hard-pressed average citizen who has just written a larger check than usual to the Internal Revenue Service, and who can hardly open a newspaper or magazine without seeing some reference to all those wealthy individuals and corporations that manage, quite legally, to escape paying any taxes at all. As Ralph Nader wrote in an article in a recent *Courier-Journal and Times Magazine*, "Obviously something has gone wrong with the theory of taxing each citizen according to his ability to pay."

The administration, however, would now like us to believe that all those tax loopholes really don't count. The oil and other mineral depletion allowances, the tax-free interest on municipal bonds, the tax advantages of stock options, says the Treasury's lecturer—these little benefits only add up to \$4.9 billion. In fact, he continues, \$100.4 billion, or more than half of the total \$193.6 billion in tax breaks on individual incomes, goes to people with incomes under \$20,000.

A MISLEADING FIGURE

This sounds impressive until you realize (1) that the \$100.4 billion figure includes all deductions, both standard and itemized, plus "transfer payments," which is governmental jargon for Social Security benefits and welfare payments; and (2) that this little-more-than-half of all tax breaks is divided among nine-tenths of the taxpayers. A recent study by the prestigious Brookings Institution, however, showed that if all the loopholes were plugged and all tax preferences eliminated, tax rates could be cut across the board by as much as 43 per cent.

Another administration claim, that the U.S. tax burden is mild compared with other countries, is also misleading. The table in one lecture slide purports to show that the portion of the Gross National Product (GNP) represented by taxes is lower in the U.S. than that in any other major industrialized country except Japan, which spends little on defense. Let's leave out the fact that one or two countries with fairly high GNPs were omitted from the list—notably Australia,

South Africa and Switzerland; they also have tax burdens lower than ours, so that would probably spoil the chart. But what most of the European countries above us on the list have that wasn't mentioned are more and better public services: better-funded schools, free or subsidized health care, cleaner cities, more comprehensive welfare programs, more mass transit.

And this gets to the point. For what is becoming clearer by the day, despite the efforts of official Washington to ignore it, is that we're going to have to raise more tax money—if not this year, then next—to pay for all the extra services and programs that the American public keeps demanding.

Some of the burden of financing our schools, for example, will have to be shifted to other sources, for the property tax stone has been squeezed dry. Earlier this year President Nixon floated the idea of a value-added tax—in effect, a national sales tax—but the outcry against such a regressive and concealed tax, which hits the poor harder than the rich, seems to have knocked out that proposal for the time being.

Yet, once it gets through to the average citizen that the total national revenue from taxes probably will have to be raised, a taxpayers' revolt will really be upon us—unless at the same time there is a real redistribution of taxes, with the more affluent segment of the nation paying its share and with the glaring inequities of the present system eliminated. The notorious loopholes may represent only a minor fraction of the total tax picture, but so long as they're there and used, the taxpayer who has few or no escape holes is going to be resentful and rebellious.

A ROADBLOCK IN THE HOUSE

Tax reform is thus a tempting issue for the presidential candidates to latch onto, but it's not entirely in the hands of the man who sits in the White House. Congress controls the national purse and there are powerful interests at work on Capitol Hill, particularly among members of the key House Ways and Means Committee.

For years these members have been in the habit of meeting behind closed doors to pass bills designed to create new loopholes for wealthy individuals or corporations. Slowly, other Congressmen are succeeding in blocking some of these bills on the House floor. But they're in an uphill fight. Even the so-called Tax Reform Act of 1969, which was supposed to set a 10 per cent minimum tax for everyone, has been riddled with enough holes for those both affluent and astute to slip through.

During the current session, a House group led by Representative Henry Reuss (and including Representative Romano Mazzoli of Louisville) has sponsored a strong reform bill, and another has been filed in the Senate with Senators Hubert Humphrey and Edward Kennedy among its sponsors. President Nixon, however, has indicated that he won't be presenting any tax reform proposals this year, since Congress' schedule is already too full.

Yet, could this be the year when the voters finally make their influence felt over their representatives, in defiance of big business and the other special interests? It's a long shot, but the Nixon administration, with its bland dismissal of tax reform as unnecessary, may suddenly emerge from Wonderland to find that the voters, curiously enough, were really serious in their demands for change.

AN UNDERSTANDABLE POLICY IN VIETNAM

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

Mr. WYMAN. Mr. Speaker, in light of President Nixon's courageous and wise decision announced last night, to cut off supplies to the enemy forces invading South Vietnam, I would like to point out that I urged this course of action more than 5 years ago, on January 24, 1967. Had it been done then the tragedy that has been our involvement in Southeast Asia would have long since been ended.

This is what I said in 1967:

[FROM THE CONGRESSIONAL RECORD, Jan. 24, 1967]

NEEDED—AN UNDERSTANDABLE POLICY IN VIETNAM

Mr. WYMAN. Mr. Speaker, an understandable American policy in Vietnam is urgently needed. We do not have one—or at least if we do it is perhaps the No. 1 best kept secret both at home and abroad. Many people believe that our participation in an undeclared war, 10,000 miles away in Vietnam, is the wrong kind of war, at the wrong time and in the wrong place. Certainly a land war on the continent of Asia in a hostile environment with a supply line reaching halfway around the world is the wrong place in the judgment of every trained military man, be he five-star general or buck sergeant.

But—and it is a big "but"—we are now heavily committed by the Johnson administration in Vietnam, rightly or wrongly, to the extent of nearly half a million American lives. We cannot now simply walk out on these men. We cannot now pull back to enclaves on the beachheads. We cannot now, having gone this far, say to the Communist aggressor, we will go no farther; we will sit here until you negotiate or we are destroyed.

Such indecisiveness is not a policy worthy of the name. It is chaotic and confused, as well as a virtual betrayal of every man in uniform in Vietnam. It invites attrition, guarantees eventual defeat, and exhibits to the world a weakness in American government which is the proper relationship of civilian political control over the military in time of war. Surely the Joint Chiefs of Staff are not responsible for, and want no part of, the sometimes inadequate military tactics that have characterized much of the American performance in Vietnam to date. Examples are legion, but only two need be mentioned. First, leaving the port of Haiphong unmolested while supplies used in killing Americans are received and handled on a daily basis in huge quantities; and second, sending the cream of America's pilots to battle will-o'-the-wisps and jungle swamps to a point where they are publicly begging to be given "half a chance to win."

Even if we could get our entire 450,000 men back home without a further casualty we could not abandon the courageous South Vietnamese to the tender mercies of the Vietcong. Eighty percent of these brave people voted for freedom at the risk of life and limb. We promised them that we would underwrite their independence when we should instead have helped the French to defend Vietnam against the Communist Ho Chi Minh on condition that a timetable spell the end of colonialism and assure the eventuality of independence for all of Vietnam. Then it was France in the frontline, asking for our help and we said no. Now it is us in the frontline, virtually alone, asking not only the help of France but of the entire remaining free world and they say no.

Something must be radically wrong with our position in Vietnam when we continue to fight on almost alone. What is it?

With every passing day of this sorry war we go further into monstrous debt, lose more and more frontline planes, wear out more and more carrier decks, lose more and more combat pilots, sap the reserve strength of more and more home based divisions—all while the Soviet Union grows relatively

stronger, and the free world is appalled that the mighty America cannot even win a war in an area no larger comparatively in terms of world affairs than a football field.

So, Mr. Speaker, since we cannot now withdraw with honor, and we must not condemn our loyal troops to slow attrition in the swamps by a mere holding operation, there is but one policy that has validity at this hour, a policy which transcends political considerations and ought to be supported by Republicans and Democrats alike in the interests of getting this abominable war over with as soon as possible.

This policy is for our President to announce to the Vietcong and to North Vietnam that their continuing aggression against South Vietnam must be stopped. That to do this means to effectively cut off their supplies, and that the United States is first declaring a blockade of Haiphong and if this fails will block the entranceway to Haiphong, and if this fails will, as a last resort, destroy the port facilities at Haiphong.

That the United States will proceed to destroy the airstrips and Sam sites of North Vietnam and that if the North Vietnamese deliberately locate these in the middle of civilian populations, they must realize that this will not shield them.

That the United States will not use atomic weapons, or bugs or chemicals, but that the independence of South Vietnam will be attained and a beachhead of freedom established and maintained in Southeast Asia.

And, finally, that they and the world should now know that unless the Communist aggression is ended it will mean such destruction of North Vietnam as is necessary to win and end this war.

Mr. Speaker, here is a policy our Armed Forces and the world can understand. Here is a policy that will mean independence for South Vietnam. Here with such a policy will be marked the resurgence of America's declining leadership in a deteriorating situation. Here is a policy that will unite, inspire and highly motivate the South Vietnamese who know so bitterly that the source of their scourge is North Vietnam.

Actually, there is no other choice. The demand to negotiate now falls on deaf ears. And why not? For it is we who are losing in Vietnam, blood and billions and staggering commitments of reserves.

The Communists know this. It is to their advantage to keep us thus committed—indeed, if they can.

Our present indecision means just this. It is playing into the enemy's hands. It is unfair to our troops and downright deceitful to the concerned families back home.

Let us lead in Vietnam. Let us get this war over with. Let us for once do something because it is right and necessary and not because it might nor might not mean some votes on some future election day.

After all, we are on God's side, and there can be no greater cause than freedom and independence and eventual genuine peace, everywhere in the world.

This can never happen in our lifetime if Communist aggression succeeds in South Vietnam.

Mr. Speaker, no doubt President Nixon felt he had to first go the full route with the olive branch. He has done this, and it still falls on arrogantly deaf ears in North Vietnam. He has offered a cease-fire, a complete withdrawal of all U.S. forces within 4 months following the return of Americans held prisoner by North Vietnam, and a continuation of negotiations toward a political settlement but between Vietnamese of North and South and without American presence.

To all these offers the North Vietnamese have said "Nuts." To all the ges-

tures toward peace they have responded with aggression, invasion, terrorism, and war—which now endangers the very lives of thousands of American support forces still in South Vietnam.

President Nixon has acted courageously. He deserves the commendation and support of concerned Americans rather than the bleating, hysterical calls for turn-tail surrender to aggression from politicians who seek the easy path of political expediency at the risk of more Vietnams in other parts of the world.

Thanks to President Nixon's policy of Vietnamization it is South Vietnamese ground forces fighting the invaders and not U.S. troops. The U.S. support role of denying Soviet supplied arms and munitions may risk a confrontation but without the cut-off of supplies there can be no end to this aggression. President Nixon's courageous decision can end this tragic war and get American prisoners returned as well. He deserves the support of the American people.

PRESIDENT NIXON'S COURAGE

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

Mr. WYMAN. Mr. Speaker, it took courage for President Nixon to make the decision to cut off supplies to North Vietnam. The easy way out is to turn tail and run out—avoiding further confrontation and giving the Communist aggressor what it demands despite the huge American sacrifice to help South Vietnam remain free.

But President Nixon will accept no part of American dishonor or infamy in a sell-out. Neither will he set the stage for more Vietnams by action that would be a signal to other nations that they cannot rely on the United States.

At considerable political risk he undertook a visit to Communist China in the cause of peace. There were charges of sell-out then—from the right—but the cause of our great President in that visit and in the forthcoming one to Moscow—if it takes place—is world peace through rational commitment but without dishonor. It is the same in Vietnam at this hour as he offers a cease-fire, withdrawal of all U.S. Forces within 4 months following the return of Americans held prisoner, and continued negotiations between the Vietnamese themselves on an internal political settlement of differences between North and South.

How many more invasions of the South by the North: how much additional slaughter of innocent civilians: how many additional insults, lies and arrogant rejections from so-called negotiators from Hanoi will be needed to prove the fact that the naked aggression of communism endangers not only South Vietnam but the entire free world?

American help in cutting off supplies to Communist invading forces in the South will enable South Vietnam to defeat and expel the enemy. Because of Vietnamization it is South Vietnamese ground forces who are doing the ground combat now—not Americans.

Five years ago, on January 24, 1967, on the floor of this House in urging essentially the course of action the President has now undertaken, I said:

Mr. Speaker, here is a policy our Armed Forces and the world can understand. Here is a policy that will mean independence for South Vietnam. Actually there is no other choice. The demand to negotiate falls on deaf ears. Let us lead in Vietnam. Let us get this war over with.

Mr. Speaker, I am proud of our President.

POLLUTED ESTUARY

(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 Washington Metropolitan Area is facing the realization that the Potomac Estuary will be used for water supply purposes in the near future. This is necessitated by the fact that the quantity of the river at low flow may be exceeded by the consumption requirements of the metropolitan area. At normal periods our area's water comes from further up the river—above the estuarine line.

If we are to use estuary water for drinking purposes, we must redouble our efforts to get the river cleaned up. We must not allow the expansion of the Blue Plains waste treatment plant to be held up further for lack of funds. We must devise a method to handle the sewage overflow and storm runoff problem that comes with heavy rainfall.

Finally, we must press on with our studies of recycling waste water for the purposes of consumption. This is the inevitable solution to Washington's water supply problems and as well as for many other cities around the country.

I submit for the information of my colleagues an article on this matter which appeared in the Washington Star on May 9, 1972.

POLLUTED ESTUARY—OUR EMERGENCY WATER SOURCE

(By John Flalka)

The broad expanse of water that most Washingtonians refer to as the Potomac River is really not a river.

From Chain Bridge downstream it is technically the Potomac Estuary. Instead of flowing like a river, it sloshes back and forth, governed by the tides.

Area residents may be drinking from it soon. Government engineers warn that Washington's increasing demands for water soon will exhaust the river during prolonged dry spells. They point to the estuary as the next major source of drinking water.

The problem is that the Nation's Capital has fouled its own nest. Parts of the estuary, which receives most of the area's sewage, are grossly polluted.

The solution to the problem will have national implications. The estuary is now the base for a critical, unprecedented study on the detection and removal of disease-causing viruses from drinking water, a problem which nearly every major city may have to face.

In theory, at least, the estuary would be a likely place to look for drinking water. It can be considered a natural reservoir, containing more than 100 billion gallons of fresh water in the 35-mile stretch between Chain Bridge and a point below Ft. Belvoir, where the water turns salty.

The U.S. Army Corps of Engineers, which is charged with collecting and purifying the water used by the District, Arlington and parts of Falls Church, has always looked to the river for water.

In 1963, and every two years since, the corps has gone to Congress for money to build a network of dams on the upper Potomac and its tributaries to help supplement the river's flow during dry months.

Except for emergencies, one corps general told Congress early in these hearings, the estuary would be unfit for use because it "consists of a mixture of the effluents from several sewage treatment plants, local drainage from urban areas, raw sewage from combined sewer overflows, discharges from recreational and commercial craft, backwash from the water purification plant and the unused water of the Potomac River."

NOW IS THE TIME

The emergency has arrived. The area's appetite for water on a peak day now exceeds the lowest recorded flow of the river, although the two events have not, as yet, occurred on the same day.

Since 1969, the corps has been ready to pump from the estuary on an emergency basis during the driest part of the summer. The makeshift emergency system will be completed this summer.

An intake pipe will be situated on a barge moored near Chain Bridge. The water will be pumped into the C & O Canal and then sucked back out of the canal behind the Dalecarlia Filter Plant, where it will be given an extra dose of chlorine and then blended with the city's water supply.

By the summer of 1974, a permanent intake system will be installed, with a capacity to take up to 100 million gallons a day from the estuary.

RUNNING UPSTREAM

Among the long-range plans for estuary use now being weighed by government engineers is the possibility of piping the water upstream, to a point above the Washington Suburban Sanitary Commission's intake. (The commission supplies most of the water for suburban Montgomery and Prince Georges Counties.)

This would dilute the estuary water and give the natural elements which tend to purify a river's water—the sun, certain bacteria and algae—time to work before it reaches the purification plants.

"It would also give the suburbs a shot at the estuary water," one engineer added.

The estuary has become the focal point of water supply planning because the corps' dream of a network of 16 dams on the upper Potomac and its tributaries has never materialized.

Influenced by stubborn opposition from conservationists and others interested in preserving the historic beauties of the river, Congress has only authorized one dam, which will not be ready until 1977.

HOW MUCH TO PUMP?

Now the engineers, and other federal and local agencies that have become involved, are frantically trying to untie a host of knotty problems involved in estuary use.

First, how much water can you pump from the estuary? According to Gary Baltis, an engineer-planner for the Corps, the pumping will begin in 1974 by drawing a total of about 10 or 15 million gallons a day.

Based on a mathematical model of the estuary developed by the Environmental Protection Agency, there will come a point—somewhere beyond 3 billion gallons—where the major "slug" of sewage emitted by the area's largest treatment plant at Blue Plains will be sucked upstream to the intake.

"What we hope to do is simply draw off water from the relatively clean upper end of the estuary. After that we'll stop," Baltis explained.

One problem is that in the dry summer months, when the estuary water may be needed, what current there is in the estuary diminishes. The 270 million gallons a day of dark gray liquid emitted by the Blue Plains plant tends to remain longer in the estuary, feeding massive blankets of green, foul-smelling algae.

A ping-pong ball, dropped into the water at Blue Plains during a low flow period, will go back and forth in the estuary approximately 41 times, coming as far upstream as Hains Point, before it is washed into the salty water below Ft. Belvoir.

MORE SALT WATER

The corps' planners have even considered pumping Blue Plains sewage downstream as far as the Route 301 bridge. However, the mathematical model of the Potomac shows that this would simply move the saltwater front in the river upstream, further fouling the water supply.

This problem will be somewhat alleviated after 1975, when Blue Plains and other area treatment plants which discharge into the Potomac are scheduled to begin tertiary treatment, which produces an effluent that is much cleaner.

Second, assuming the District and other area jurisdictions can clean up the estuary using tertiary sewage treatment, will it stay that way?

The short answer to this question is no. The District, like most older cities, has a combined storm and sanitary sewer system. If it rains during a low flow period when water is being pumped from the estuary, raw sewage will be leaking into the water supply from at least 65 overflow points, according to Paul V. Freese, head of the District's water resources management office.

OVERFLOW TO RIVER

The sewage treatment plant keeps running at its rated capacity and the rest of the millions or even billions of gallons of mixed sewage and storm runoff goes directly into the Potomac.

According to Freese, the cost of separating the two systems would be about \$500 million and would require digging up a good part of the city.

Other cities, faced with this problem, are considering storing storm runoffs in huge underground reservoirs. Some, including the District, have experimented with huge, floating plastic bags that would store the runoff until it could be processed through the treatment plant during less than peak periods.

"Whatever we look at takes two things, time and money," Freese added. "We're running out of time and we don't seem to get the money."

(If the rain continues long enough, however, this problem would become moot because the flow in the river would be restored and the District could take all of its water from its two regular pumping stations at Great Falls and Little Falls.)

VIRUS PROBLEM

The third major knotty problem involved in the use of estuary water concerns viruses.

Until ten years ago, there was almost no research on whether the presence of viruses in public water supplies was harmful to man.

Then a few scientists began to point out that in waters which had a heavy concentration of human or animal fecal matter, there could be as many as 100 different types of enteric viruses.

(Enteric viruses cause a number of human diseases, including polio, infectious hepatitis and intestinal flu.)

In the late sixties, when it became apparent to the Corps of Engineers that it would have to consider the estuary as a temporary source of water in the 1970's and 1980's, and, perhaps, as a permanent source after that, it asked the U.S. Public Health Service to study viruses in the Potomac.

RESULTS STILL PENDING

The project, still under way, has been taken over by the Environmental Protection Agency (EPA).

So far, according to the Baltis, the Corps' planner, the results have been "inconclusive." A total of 25 different viruses have been grown in Potomac water and then subjected to chlorination. "We've found that some strains are far more resistant (to chlorination) than others," he added.

J. H. McDermott, head of EPA's water supply program's division is conducting the testing, explained that so little work has been done on viruses that scientists are still trying to perfect ways to detect them.

Because laboratory methods could not find the minute quantities of viruses living in small samples of Potomac water, scientists have first had to "spike" the water with sized with some type of polio virus.

Once the water is spiked, scientists try to track down and identify the virus they put in the water. Then they observe how much chlorination will kill it.

"We have gotten it up to being able to find 60 percent of the known quantity (of viruses) that was spiked in it," said McDermott, who added that a scientist working at Baylor University in Texas may have found a way to identify up to 90 percent of the virus population in a given water sample.

POLIO VIRUS IS TOUGH

One type of polio virus was found to have survived 120 minutes of chlorination. (The average dose given to municipal tap water lasts between 15 and 30 minutes.)

Polio viruses have become common inhabitants of sewage water, McDermott pointed out, since most people have been immunized with some type of polio virus.

While the estuary testing continues, other EPA studies have isolated viruses that have survived chlorination in the drinking water of Lawrence, Mass., and Billerica, Mass., a Boston suburb.

"It is quite conceivable that we have detected the tip of an iceberg," McDermott says.

The highly complicated questions of how to find and eliminate viruses in the public water supply seems to have set off a controversy among the scientists themselves. Some argue that huge amounts of money should now be earmarked for virus research, pointing out that, heretofore, most water supply money has gone into sewage treatment.

WE'RE DRINKING IT

Others including one EPA water quality scientist (who asked that his name be withheld) take a more conservative stance:

"Look, whatever is in the water has been there for a long time. Some cities on the Mississippi and the Ohio have been making tap water out of each other's sewage for years. So far, we've survived."

The virus controversy is somewhat confusing to traditional Potomac watchers, men like Dr. Spencer Smith, the head of the Citizens Permanent Conference on the Potomac (CITPERCON), a coalition of conservationists and like-minded groups who have battled against the Corps' plans to dam the Potomac for years.

CITPERCON has argued long and consistently that the cheapest and best solution to the area's water problems would be to clean up the Potomac Estuary.

This also would fulfill the group's major goal, which is to keep the upper Potomac, "The National River," in its natural state.

HOW MANY UPSTREAM?

Smith sometimes worries about viruses, but because the corps has raised so many objections to alternatives to dams, he often wonders whether the question is a red herring.

"Hell, there are viruses coming down the river. They tell you there's viruses in the

estuary, ask them how many they've looked for in the river," he said.

"There should be an answer to that," Gen. Kenneth B. Cooper, the corps' deputy director for civil works, replies. He has asked his staff to come up with an answer.

"At the moment, there isn't an answer to your question," a corps spokesman said later. He said that virological tests of the river may begin this year.

UNITED STATES-BRAZILIAN SHRIMP AGREEMENT TO BE SIGNED TODAY

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

Mr. PELLY. Mr. Speaker, my colleagues will recall that I have on numerous occasions spoken on behalf of the interests of American distant-water fishermen who have had their vessels seized and have been made to pay heavy fines for fishing on areas of the high seas where coastal countries have made extensive claims to jurisdiction. It has been my contention that with good will on both sides and a proper understanding of the real fishery issues involved, such disputes could be settled by negotiation and agreement with due regard for the economic interests of coastal and distant-water fishermen, the requirements for conservation of the resources in question, and the desire of the governments to preserve their respective legal position.

I am happy to be able to report to the House that my contention appears to have been vindicated by the announcement that the Governments of the United States and Brazil are to sign today an agreement on the conduct of the shrimp fishery and the conservation of shrimp stocks in waters off the coast of Brazil. I am hopeful that the agreement will contribute not only to the rational and prosperous development of the shrimp industries of both countries and to the maintenance of a high level of productivity from the resources but also to strengthening of the traditionally friendly and cooperative relations between these two great countries.

It is my hope that this agreement may serve as a model for an equally satisfactory and mutually advantageous solution of problems which have arisen with other countries off the coasts of which our high seas fishermen ply their trade. The diplomats, fishery experts, and fishing industry advisers who successfully negotiated this agreement are to be congratulated for having established what may well turn out to be a landmark on the way to an era of more harmonious relations in all of the international fisheries in which Americans participate.

Mr. Speaker, I ask unanimous consent to have printed hereafter the text of the United States-Brazilian Shrimp Agreement.

AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA, CONCERNING SHRIMP

The Parties to this Agreement,

Note the position of the Government of the Federative Republic of Brazil, that it considers its territorial sea to extend to a distance of 200 nautical miles from Brazil's coast,

that the exploitation of crustaceans and other living resources, which are closely dependent on the seabed under the Brazilian territorial sea, is reserved to Brazilian fishing vessels, and

that exceptions to this provision can only be granted through international agreements.

Note also the position of the Government of the United States of America that it does not consider itself obligated under international law to recognize territorial sea claims of more than 3 nautical miles nor fisheries jurisdiction of more than 12 nautical miles, beyond which zone of jurisdiction all nations have the right to fish freely, and that it does not consider that all crustaceans are living organisms belonging to sedentary species as defined in the 1958 Geneva Convention on the Continental Shelf, and further

Recognizing that the difference in the respective juridical positions of the Parties has given rise to certain problems relating to the conduct of shrimp fisheries,

Considering the tradition of both Parties for resolving international differences by having recourse to negotiation,

Believing it is desirable to arrive at an interim solution for the conduct of shrimp fisheries without prejudice to either Party's juridical position concerning the extent of territorial seas or fisheries jurisdiction under international law,

Concluding that, while general international solutions to issues of maritime jurisdiction are being sought and until more adequate information regarding the shrimp fisheries is available, it is desirable to conclude an interim agreement which takes into account their mutual interest in the conservation of the shrimp resources of the area of this Agreement,

Have Agreed as Follows:

ARTICLE I

This Agreement shall apply to the fishery for shrimp (*Penaeus* (M.) *duorarum* notialis, *Penaeus* *brasilensis* and *Penaeus* (M.) *aztecus* *subtilis*) in an area of the broader region in which the shrimp fisheries of the Parties are conducted, hereinafter referred to as the "area of agreement" and defined as follows: the waters off the coast of Brazil having the isobath of thirty (30) meters as the south-west limit and the latitude 1° north as the southern limit and 47° 30' west longitude as the eastern limit.

ARTICLE II

1. Taking into account their common concern with preventing the depletion of the shrimp stocks in the area of agreement and the substantial difference in the stages of development of their respective fishing fleets, which results correspondingly in different kinds of impact on the resources, the two Parties agree that, during the term of this Agreement, the Government of the Federative Republic of Brazil is to apply the measures set forth in Annex I to this Agreement and the Government of the United States of America is to apply the measures set forth in Annex II to this Agreement.

2. The measures set forth in Annexes may be changed by agreement of the Parties through consultation pursuant to Article X.

ARTICLE III

1. Information on catch and effort and biological data relating to shrimp fisheries in the area of agreement shall be collected and exchanged, as appropriate, by the Parties. Unless the Parties decide otherwise, such exchange of information shall be made in accordance with the procedure described in this Article.

2. Each vessel fishing under this Agreement shall maintain a fishing log, according to a commonly agreed model. Such fishing logs shall be delivered quarterly to the appropriate Party which shall use the data therein contained, and other information it

obtains about the area of agreement, to prepare reports on the fishing conditions in that area, which shall be transmitted periodically to the other Party as appropriate.

3. Duly appointed organizations from both Parties shall meet in due time to exchange scientific data, publications and knowledge acquired on the shrimp fisheries in the area of agreement.

ARTICLE IV

1. The Party which under Article V has the responsibility for enforcing observance of the terms of the Agreement by vessels of the other Party's flag shall receive from the latter Party the information necessary for identification and other enforcement functions, including name, port of registry, port where operations are usually based, general description with photograph in profile, radio-frequencies by which communications may be established, main engine horsepower and speed, length, and fishing method and gear employed.

2. Such information shall be assembled and organized by the flag Government and communications relating to such information shall be carried out each year between the appropriate authorities of the Parties.

3. The Party which receives such information shall verify whether it is complete and in good order, and shall inform the other Party about the vessels found to comply with the requirements of paragraph 1 of this Article, as well as about those which would, for some reason, require further consultation among the Parties.

4. Each of those vessels found in order shall receive and display an identification sign, agreed between the Parties.

ARTICLE V

1. In view of the fact that Brazilian authorities can carry out an effective enforcement presence in the area of Agreement, it shall be incumbent on the Government of Brazil to ensure that the conduct of shrimp fisheries conforms with the provisions of this Agreement.

2. A duly authorized official of Brazil, in exercising the responsibility described in paragraph 1 of this Article may, if he has reasonable cause to believe that any provision of this Agreement has been violated, board and search a shrimp fishing vessel. Such action shall not unduly hinder fishing operations. When, after boarding or boarding and searching a vessel, the official continues to have reasonable cause to believe that any provision of this Agreement has been violated, he may seize and detain such vessel. In the case of a boarding or seizure and detention of a United States vessel, the Government of Brazil shall promptly inform the Government of the United States of its action.

3. After satisfaction of the terms of Article VI as referred to in paragraph 4 of this Article, a United States vessel seized and detained under the terms of this Agreement shall, as soon as practicable, be delivered to an authorized official of the United States at the nearest port to the place of seizure, or any other place which is mutual acceptable to the competent authorities of both Parties. The Government of Brazil shall, after delivering such vessel to an authorized official of the United States, provide a certified copy of the full report of the violation and the circumstances of the seizure and detention.

4. If the reason for seizure and detention falls within the terms of Article II or Article IV, paragraph 4 of this Agreement, a United States vessel seized and detained shall be delivered to an authorized official of the United States, after satisfaction of the terms of Article VI relating to unusual expenses.

5. If the nature of the violation warrants it, and after carrying out the provision of Article X, vessels may also suffer forfeiture of that part of the catch determined to be taken illegally and forfeiture of the fishing gear.

6. In the case of vessels delivered to an authorized official of the United States under paragraphs 3 or 4 of this Article, the Government of Brazil will be informed of the institution and disposition of any case by the United States.

ARTICLE VI

In connection with the enforcement arrangements specified in Article V, including in particular any unusual expenses incurred in carrying out the seizure and detention of a United States vessel under the terms of paragraph 4 of Article V, and taking into account Brazil's regulation of its flag vessels in the area of agreement, the Government of Brazil will be compensated in an amount determined and confirmed in an exchange of notes between the Parties. The amount of compensation shall be related to the level of fishing by United States nationals in the area of agreement and to the total enforcement activities to be undertaken by the Government of Brazil pursuant to the terms of this Agreement.

ARTICLE VII

The implementation of this Agreement may be reviewed at the request of either Party six months after the date on which this Agreement becomes effective, in order to deal with administrative issues arising in connection with this Agreement.

ARTICLE VIII

The Parties shall examine the possibilities of cooperating in the development of their fishing industries; the expansion of the international trade of fishery products; the improvement of storage, transportation and marketing of fishery products; and the encouragement of joint ventures between the fishing industries of the two Parties.

ARTICLE IX

Nothing contained in this Agreement shall be interpreted as prejudicing the position of either Party regarding the matter of territorial seas or fisheries jurisdiction under international law.

ARTICLE X

Problems concerning the interpretation and implementation of this Agreement shall be resolved through diplomatic channels.

ARTICLE XI

This Agreement shall enter into force on a date to be mutually agreed by exchange of notes, upon completion of the internal procedures of both parties and shall remain in force until January 1, 1974, unless the Parties agree to extend it.

In witness whereof the undersigned representatives have signed the present agreement and affixed thereto their seals.

Done in duplicate this 9th day of May, 1972, in the English and Portuguese languages both texts being equally authoritative.

ANNEX I

(a) Prohibition of shrimp fishing activities, for conservation purposes, in spawning and breeding areas;

(b) Prohibition of the use of chemical, toxic or explosive substances in or near fishing areas;

(c) Registry of all fishing vessels with the Maritime Port Authority (Capitania dos Portos) and with SUDEPE;

(d) Payment of fees and taxes for periodical inspections;

(e) Use of the SUDEPE fishing logs to be returned after each trip or weekly;

(f) Prohibition of the use of fishing gear and of other equipment considered by SUD EPE to have destructive effects on the stocks;

(g) Prohibition of discharging oil and organic waste.

ANNEX II

(a) Not more than 325 vessels flying the United States flag shall fish for shrimp in the area of agreement and the United States

Government undertakes to maintain a presence of no more than 160 of those vessels in the area at any one time. Such vessels shall be of the same type and have the same gear as those commonly employed in this fishery in the past, noting that electric equipment for fishing purposes has not been commonly employed by boats in this fishery in the past.

(b) Shrimp fishing in the area of agreement shall be limited to the period from March 1 to November 30.

(c) Shrimp fishing in that part of the area of agreement southeast of a bearing of 240° from Ponta do Ceu radio-beacon shall be limited to the period March 1 to July 1.

(d) Transshipment of catch may be made only between vessels authorized under this Agreement to fish in the area of agreement.

AGREED MINUTE RELATING TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA, CONCERNING SHRIMP

The Delegations of the Government of Brazil and the Government of the United States of America consider it desirable to record the points set out below relating to the Agreement between the two Governments concerning shrimp signed on the 9th day of May, 1972:

The Brazilian Delegation informed the United States Delegation that the portion of the area of Agreement between the true bearing of 240° and 225°, drawn from the Ponta do Ceu radio-beacon, has a special interest to the Brazilian shrimp vessels, in view of its vicinity to both the port and the industries existing in Belem, State of Para. Under these circumstances, the Brazilian Delegation informed the United States Delegation that it was not the intention of the Brazilian Government to re-include such region in agreements it might conclude after 1973.

The United States Delegation stated its view to the Brazilian Delegation that the area of the Agreement between the true bearing of 240° and 225°, drawn from the Ponta do Ceu radio-beacon, lies on the high seas and is thus open to fishing by all nations.

Both the Brazilian and the United States Delegations agreed that, based on the available information, the expression "of the same type", included in item A of Annex II in relation to United States vessels that have in the past fished in the area of the Agreement, means vessels having a length up to approximately eighty-five feet.

With respect to item A of Annex II, both Delegations agreed that an excess of up to 15 vessels in the area of agreement over the figure of 160 shall constitute, during the first fishing season of the Agreement, a situation requiring consultations between the Parties within the scope of Article X with a view toward arriving at as promptly as possible the agreed figure. In view of the special nature of the arrangements contained in item A of Annex II, both Delegations understand that consultations referred to in paragraph 2, Article II will be held as soon after the close of the current fishing season as possible, to examine the operation of this provision with a view toward revising, if necessary, the measures outlined in item A of Annex II or revising the procedures necessary to achieve better compliance with them.

MARCH 1972.

NOTE

The Embassy of the United States of America presents its compliments to the Ministry of External Relations of the Federative Republic of Brazil, and with reference to the Agreement Concerning Shrimp signed on this date, as well as the accompanying exchange of Notes related to Article VI of that Agreement, has the honor to inform the Ministry of the following:

Pending the entering into force of the agreement as provided for in article eleven,

the Government of the United States of America is prepared to make every effort to encourage the voluntary compliance by its industry of the provisions of the Agreement so as to ensure that events in the interim period do not prejudice the successful implementation of those provisions. It is the understanding of the Government of the United States of America that the Government of the Federative Republic of Brazil intends also to abide by the spirit of the proposed Interim Agreement.

Following the exchange of instruments of ratification, but prior to the passage of enabling legislation, the Government of the United States of America proposes to continue its efforts to encourage voluntary compliance.

In the period between the completion of internal procedures as noted in article eleven and the entering into force of the Agreement, the Government of the United States of America will seek, *inter alia*, with the voluntary cooperation of U.S. flag vessel owners,

1. To achieve the objectives of Article II
2. To institute appropriate Article III procedures
3. To achieve the intent of Articles IV and V.

In stating its willingness to encourage the voluntary compliance with appropriate provisions of the Agreement so that the intent of the accord may be achieved while awaiting its entering into force, it is the understanding of the Government of the United States of America that the Government of the Federative Republic of Brazil agrees that in this same interim period both Parties should have as their objective the achievement of the intent of the Agreement.

With specific reference to Article III, paragraph 2, the Government of the United States of America shall treat the information obtained from individual fishing logs as confidential.

Reply to the Note from the American Embassy:

The Ministry of External Relations of the Federative Republic of Brazil presents its compliments to the Embassy of the United States of America and has the honor to acknowledge receipt of the Embassy's note of today's date, which reads as following:

(Note of the USA)

2. In reply, the Ministry of External Relations wishes to confirm that the understanding referred to in the penultimate paragraph of the Embassy's note is shared by the Brazilian Government.

3. Furthermore, the Ministry of External Relations wishes to state that, pending the entry into force of the Agreement, it is the intent of the Brazilian Government to apply its provisions insofar as possible from today and in a manner which will ensure that events in the interim will not prejudice the successful implementation of those provisions.

4. With specific reference to Article III, paragraph 2, the Government of the Federative Republic of Brazil shall treat the information obtained from individual fishing logs as confidential.

BRASILIA, March, 1972.

No. —
EXCELLENCY:

I have the honor to refer to the Agreement on Shrimp signed today by the Governments of the Federative Republic of Brazil and the United States of America and to confirm, on behalf of my Government, the following:

(a) The Government of the United States of America shall, after the appropriation of funds by Congress, compensate the Government of Brazil in an annual amount of U.S. \$200,000 (two hundred thousand dollars) pursuant to the terms of Article VI;

(b) The Government of the United States of America shall, after the appropriation of funds by Congress, further compensate the

Government of Brazil in the amount of U.S. \$100.00 (one hundred dollars) for each day a United States flag shrimp fishing vessel is under the control of Brazilian enforcement authorities pursuant to the terms of paragraph 2 of Article V.

I have the honor to propose that this Note and Your Excellency's reply confirming the above points of understanding on behalf of your Government shall be regarded as constituting satisfaction of the terms of Article VI of the aforementioned Agreement between the two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

His Excellency,
MARIO GIBSON BARBOZA,
Minister of Foreign Affairs, Brasilia.

BRASILIA, March, 1972.

Excellency,

I have the honor to acknowledge receipt of Your Excellency's note, of today's date, which reads as follows:

(Note of the USA)

2. In reply, I wish to confirm, on behalf of the Brazilian Government, that the above points of understanding shall be regarded as constituting satisfaction of the terms of Article VI of the Agreement on Shrimp, signed today by the two Governments.

I avail myself —

J. EDGAR HOOVER—LAST MESSAGE

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

Mr. DEVINE. Mr. Speaker, in the May 1, 1972, issue of the FBI Law Enforcement Bulletin, the late Director J. Edgar Hoover, left an important message, which ironically turns out to be his last.

As we all know, Mr. Speaker, Mr. Hoover passed away last week, and all America will suffer due to the loss of this great and dedicated man.

President Nixon, in his fine eulogy, properly described Mr. Hoover as one of the few giants, and he truly was.

I had the honor, Mr. Speaker, to serve under Mr. Hoover as an FBI agent for nearly 5 years. During that time I learned to respect and revere the "Boss." He was not for an age, but for all time. He was fair, honorable, dedicated, and the very personification of integrity.

As the years rolled on after I resigned from the Bureau, my admiration and respect for Mr. Hoover continued. In fact, they increased, and I am sure history will record J. Edgar Hoover as the most dedicated, honorable public servant of all time.

Mr. Hoover's final message to all law enforcement officers follows:

MESSAGE FROM THE DIRECTOR TO ALL LAW ENFORCEMENT OFFICIALS

Extremists of all stripes in our society ceaselessly attempt to discredit the rule of law as being biased and oppressive. They have no conception of—or purposely choose to ignore—its role and history. It is not surprising that these divisive elements concentrate their abuse on the law enforcement officer. Above all, he stands firmly in the path of mindless actions that would reduce our government of laws to mob rule or the whims of lawless men.

To permit such attempts to damage the reputation of our government by law is, of course, a necessary condition of democracy. While it must tolerate the lawfully expressed views of extremists, its citizens cannot

through their own ignorance be entrapped with sympathy for bankrupt doctrines that would lay waste the foundations of their Nation.

In observing Law Day, USA, this May 1st, we have an opportunity to view our laws in their proper perspective and appreciate the role they have played in developing our Nation. This day is also a time to renew our obligation of support to law enforcement officers, 126 of whom selflessly gave their lives last year in upholding the law.

Our greatest democratic heritage is the rule of law. It is the foundation for and the guardian of the rights, liberties, and orderly progress we enjoy. It is also the soil that has nurtured the "American dream" implicit in the Declaration of Independence pledge to provide "... Life, Liberty, and the Pursuit of Happiness" for all our citizens.

The tests of time and challenge in our Nation's history have more than proven the majesty of the law. Were this not so, our country would not have endured its strife to now stand before the nations of the world as a model of freedom and accomplishment. This is not to say the law has always been right, but that it has been organized to ultimately seek justice. Recognition of its power for good is not merely the experience of our nearly two centuries of democratic government. The struggle to insure the rights of the individual and his social organizations by written decree has roots which reach far back into antiquity. The authors of our Constitution were mindful of this legacy when they drafted that historic document.

Nor was the importance of a definitive rule of law lost to the general public of our infant Nation. Worn by the ravages of the Revolutionary War, our expectant forefathers appealed for and got amendments to the Constitution which formed the Bill of Rights—specific guarantees of law that responded to the heart of their grievances. Together the Constitution and the Bill of Rights gave birth to our rule of law and it is the flesh and blood of our Nation.

The law is dynamic because it responds to change as it did for those who argued for and received the Bill of Rights. And our Nation's history has been a chronicle of change. But the process of change in a democracy requires discipline and responsibility that will not unleash unrestrained forces that would rip the fabric of our freedoms. That fabric derives its strength through the warp and woof of laws that orderly guide the process of change by defining our individual and corporate duties. Change in our society would otherwise simply result from those who could impose their will on others without regard for the validity of their arguments or the rights of those who do not share their views.

Labor Day honors an indispensable commitment of a free society: that democracy be dynamic but not self-destructive. If we do not value this commitment by both honoring and obeying the rule of law, the tyranny of extremists may inevitably result.

JOHN EDGAR HOOVER, *Director*.

MAY 1, 1972.

PROPOSED INCREASE IN MINIMUM WAGE

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

Mr. BROWN of Ohio. Mr. Speaker, on Wednesday of this week the House is scheduled to take up consideration of H.R. 7150, the Fair Labor Standards Act Amends of 1971. The primary issue in this legislation is the proposed in-

crease in the Federal minimum wage from the current level of \$1.60 to \$2. As I am sure my colleagues know, the Senate Committee on Labor and Public Welfare is currently considering S. 1861 which would require an increase to \$2.20 an hour for covered employees.

Over the past several months the Joint Economic Committee on which I serve has heard testimony from a number of distinguished economists concerning the current status and future outlook for the American economy. During those hearings I had occasion to ask the views of these gentlemen on the wisdom and impact of an increase in the minimum wage at this time.

I think that it is important that every Member of the House have the benefit of this expert opinion as we decide how to act on H.R. 7130. I am, therefore, inserting in the RECORD at this point the pertinent testimony of these economists.

Henry C. Wallich—member, President Eisenhower's Council of Economic Advisers from 1959 to 1961; currently Seymour H. Knox, professor of economics at Yale University—testified on February 18, 1972:

I would regard an increase in minimum wage as very unfortunate.

Arthur Okun—member and chairman, President Johnson's Council of Economic Advisers from 1964 to 1969; currently a senior fellow at the Brookings Institute—testified on February 18, 1972:

I would agree that there is evidence of a ripple effect, evidence of unfavorable effects, certainly on the employment of teenagers, and I would think that this is not the time to move the minimum wage up, certainly not up significantly.

Saul H. Hymans—professor of economics, and codirector of the research seminar in quantitative economics at the University of Michigan—testified on February 18, 1972:

I am not sure about the long-range effects, but I feel very strongly that on the short-run right now increases in the minimum wage should not be had.

Herbert Stein—Chairman, President Nixon's Council of Economic Advisers from 1969 to present—testified on April 14, 1972,

... we have these estimates of the addition to the unemployment rate that would be caused by raising the minimum wage for teenagers to \$2 at this time. And we estimate that it would add by July 1972 9/10th of a point, that is, almost one percentage point, to the unemployment rate of white teenagers, and by October it would add 1.7 percentage points to the unemployment rate of white teenagers. And for non-whites it would add 2.8 percent to the unemployment rate of teenagers by July and 5.1 percent by October. So we think that the failure to provide the differential for youth, if the minimum wage is to be raised at all, would be quite disastrous.

He continued:

Well, the Administration, as you know, has proposed a moderate increase in the minimum wage more or less to keep pace with the increase of average wages of the country, and not to upset a long-standing policy of the government with respect to the minimum wage. My own preference would be for no increase at all.

Dr. Stein concluded by saying:

I think that the minimum wage is the enemy of full employment and price stability, and it is unnecessary in the kind of economy that we now have. But I think that what we are most able to demonstrate statistically is the bad effect on the employment of youth, because it is the young people whose productivity is closer to the minimum wage and who, therefore, become unemployable if the minimum is raised.

NEW STEEL AGREEMENT

(Mr. DENT asked and was given permission to extend his remarks at this point in the RECORD and to include a synopsis of a new steel agreement.)

Mr. DENT. Mr. Speaker, Japan and the European Community, including the United Kingdom, announced last week their intention to renew for 3 years the 1969 voluntary trade agreements.

Mr. Speaker, I am a longtime fighter for American industry and jobs, and one who has studied in depth the tariff and trade problem of our country.

Mr. Speaker, although I have not yet examined the full details of the new steel import agreement negotiated by the State Department, I cannot consider it a breakthrough in trade relations, because it is merely a voluntary agreement, and, therefore, subject to the same disregard with which every other such arrangement has been met. Previous voluntary restraints on the importation of steel, stainless steel tableware, textiles, and oil have been violated, and there is no reason to believe this most recent restraint extension will be treated otherwise.

As meager as the details are, this point stands out: With Japan planning to export 6,498,000 tons per year to the United States, and the European Community 8,093,573 tons—accounting for 85 percent of the anticipated steel imports—a total of over 17 million tons of steel mill products would be imported by our country this year. During the life of this new 3-year agreement, over 41 million tons of these products would be shipped to the United States. These figures do not even include the 2½-percent per annum increase allowed on the previous year's limitation.

Since we lose 6,000 steelworker jobs each year for every million tons of imported steel, a yearly job loss of 142,000 is sustained.

From my point of view, it looks like a bad deal. However, since Congress has abdicated its authority over trade matters, there is nothing we can do but accept this agreement, but we do not have to like it. The specialty steel industry in this country deserves and demands special attention—and soon—or we may find ourselves out of the picture in this industry altogether. Since the State Department now negotiates all trade deals, foreign diplomacy appears to be the major consideration, with little or no attention given to the employment needs of the United States.

PRESIDENT'S ACTION IN VIETNAM

(Mr. O'HARA asked and was given permission to extend his remarks at this

point in the RECORD and to include extraneous matter.)

Mr. O'HARA. Mr. Speaker, 8 days ago I stood in this Chamber to express my support for the President's decision to return to the conference table in an effort to end the war in Indochina through negotiations instead of by the force of arms.

At that time, Mr. Speaker, I also expressed my concern over the fact that the President had coupled this action with bellicose words about a war which, in the President's view, still could be "won" or "lost" on the battlefield.

Today, I stand here to express my horror at the decision of the President, by his own admission, to "intensify" the war in Indochina. The ports of North Vietnam are being mined. The rail and highway arteries to that country are to come under air and naval bombardment. Through these actions, the President sets this Nation on what could be a collision course with two other major nuclear powers—the Soviet Union and mainland China. These actions have been taken, and the risks are to be incurred, because the President views the struggle in that faraway land as being one involving the prospects of our "surrender" or our "humiliation"—as a struggle in which America's "honor" is at stake.

It is sheer hypocrisy for the President to use that word "honor" now to justify intensification of a war he has supposedly been "winding down" throughout these long and agonizing months. It is reckless bravado to promise the American people that, through these new military adventures, we will now achieve peace—and that we will do it with 60,000 American troops in Vietnam, when we could not attain that goal with more than half a million troops there in years past.

The President talked to the American people last night about sliding back into the "dark shadows of a previous age." By taking this dangerous course of deepening the American involvement, the President has turned the clock back to the dark shadows of 4 years ago or more. And I would like to remind my colleagues of where the President, himself, stood then.

It was in February 1968—and I invite my colleagues to check the record for themselves—it was in February 1968 that Mr. Nixon, in pursuit of the highest office of the land, gave President Johnson a 9-month ultimatum. Mr. Nixon said then that the President could end the war in that length of time—or else he should be replaced with new leadership, unencumbered by the past, Mr. Nixon said, and therefore capable of ending this terrible conflict.

The American people elected President Nixon—more on his pledge to end the war than on any other single promise. Today, 40 months later, the war grinds inexorably on. The President's promised peace plan never materialized. His vaunted Vietnamization program lies now in ruin. His attempts at clandestine international relationships, conducted by a mere member of his staff, stand exposed as little more than the futile comings and goings of an amateur diplomat who, unlike the Secretary of State—the

official charged with the responsibility for foreign affairs—is beyond the reach of either the Congress or the American people. And a new "domino theory"—embracing the Middle East and Europe, rather than merely the Southeast Asian dominos of John Foster Dulles—is put forth as a rationale for defending our "honor" by bringing all of us nearer the brink of global war, and total annihilation.

President Kennedy, President Johnson, and, until now, President Nixon, have all rejected the idea of mining North Vietnamese harbors on the ground that doing so involved unacceptably high risks of a greatly expanded war that could not be justified by our limited objectives in Vietnam. The reasons that deterred President Kennedy, President Johnson, and, for 3 years, 4 months and 18 days, President Nixon are even more cogent today when we are engaged in "winding down" the Vietnam war and withdrawing our troops. The President's reckless decision announced last night is wrong for those same reasons. The risks of confrontation with another nuclear superpower are much too great to justify any such action.

VIETNAM DILEMMA

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

Mr. ASHLEY. Mr. Speaker, all thinking Americans would agree that U.S. military involvement should require that two basic conditions exist: First, that there is a substantial, identifiable national interest at stake; and, second, that the ability exists to achieve the military and political objectives being pursued.

Today it is doubtful that either of these conditions exist.

Our interest in South Vietnam, in my view, is a legitimate one, but certainly is not one upon which the fate of our Nation hinges. If it were, we would not be engaged in the systematic withdrawal of our troops at a time when the military situation is as doubtful as it has been and continues to be.

From the mining of North Vietnam's harbors and the other actions ordered by the President, it is clear that such political objectives as we have in Vietnam will require greatly increased military commitments and therefore much greater risks. Yet prospects of success are doubtful at best.

President Nixon has said that the actions he has taken escalating the war will cease when certain conditions are met. Among these conditions is that there must be an internationally supervised cease-fire throughout Indochina. This condition has been unacceptable to Hanoi and in my view will continue to be.

Do we then escalate one step further? Do we recommit American troops? Do we use tactical nuclear weapons?

Why should North Vietnam accept U.S. peace terms at a time when there are only 60,000 U.S. troops in Vietnam and the President does not dare increase this number significantly. Why should this mining of ports push them to the peace

table when the north must have adequate supplies for at least 4 months and, as one expert last night said, for several years. They can afford to hold out with the good likelihood that their resistance will cost Nixon the election and bring in a Democrat who will simply withdraw.

At the same time, Nixon's making Russia the villain of the peace presents a real dilemma for Russia. As former Secretary McNamara said several years ago, the mining of North Vietnam's ports "would place Moscow in a particularly galling dilemma as to how to preserve the Soviet position and prestige in such a disadvantageous place." This would seem to be particularly difficult for the Russians in light of the fact that the Cuban missile crisis helped lead to the ouster of Khrushchev. If Russia does not back down, they could send in pilot volunteers or mine the south's harbors and we would be on the brink of world war III. If they back down, we might well not get our peace anyway and then later we would surely have to pay a grave price, as we did in Czechoslovakia in 1968.

Equally important, the President has jeopardized the SALT talks where we have a chance for an agreement to freeze our nuclear missile stockpiles for the first time, not to mention expanded trade opportunities and the real chance for a thawing of East-West tensions.

If this interpretation is accurate, then Nixon's move has little or no chance of bringing about peace in Vietnam and could well bring on a nuclear war. What, then, is the alternative? The mining, coupled with the North Vietnamese invasion, reflect the failure of Vietnamization and show us that we would have to be in South Vietnam indefinitely for this program to have a chance to work. South Vietnam has a standing army of 1 million men and the best weapons. If this is not enough against a much smaller, less well-equipped force, then I find it hard to believe that these people really care who runs the country. In any event, who could ask more of America than 7 years, 50,000 dead, hundreds of thousands wounded and maimed and billions of dollars.

In light of this, while it is far from acceptable as the ideal solution, I submit that Congress should legislate a U.S. withdrawal as the only rational option left open to us.

Therefore, I will support the resolution, soon to be reported by the House Committee on Foreign Affairs, that will set a date to terminate all U.S. military involvement in Indochina, subject only to obtaining the release of our prisoners of war and all available information on the missing in action.

MOORHEAD CALLS NIXON'S ACTIONS DANGEROUS

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

Mr. MOORHEAD. Mr. Speaker, I am extremely distressed that President Nixon is taking an action which previous Presidents have rejected because of the inherent danger.

To blockade North Vietnamese harbors is more an act against the Soviet Union than against the North Vietnamese. I believe that the President, unless he has some understanding with the Soviets, with this recent action, is endangering whatever rapport we have reached with the Russians and this includes his coming talks in Moscow and the very important SALT talks.

His thinking and rationale, as expressed last night, is a throwback to the cold war rhetoric of the 1950's. His constant use of the word "arrogance" and references to "bombastic" talk by the Communists shows the degree to which he has taken the talks' stalemate personally, a very dangerous attitude for the leader of the most powerful nation in the free world.

Nixon obviously wants to get out of Vietnam, but his cold warrior's pride refuses to allow for the concessions necessary to achieve a settlement.

Once again, there was no discussion with Congress before this statement was made. I believe this is a purposeful distortion of the Constitution. He has continually refused to seek the support and counsel of the people's representatives in Congress before launching into his military adventures.

The introduction of mines and the word that Soviet minesweepers are proceeding toward North Vietnam conjure a menacing set of possibilities. What would our Navy do if the Soviets began clearing away our minefields? Would they attempt to sink the Russian vessels? This would be an act of war which would throw the world previously close to Armageddon.

I think the President, through his intentional boycotting of the Congress, has strengthened the hand of those of us who believe that the Congress should immediately establish a date for total withdrawal of all U.S. forces from Southeast Asia contingent upon release of our prisoners of war. I do not believe that the fate of the free world rests on propping up the South Vietnamese regime with more American lives and treasure.

SOVIET MILITARY BUILDUP IN CUBA

(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 May 3, my good friend, and distinguished and able commentator, Dr. Manolo Reyes, testified before the Special Committee on Security of the Organization of American States, expressing the growing concern over the recent buildup of the Soviet military presence in Cuba.

Dr. Reyes, who has come to Washington seven times in the past 2 years to argue eloquently the dangers of Soviet military and political expansionist tactics, stressed the significance of the new Soviet-Cuban offensive. He has kept a continued vigilance over the Castro regime, and has with untiring effort exposed the threats of communism in the Western Hemisphere. Dr. Reyes commented as follows:

Cuba has been supplied with the latest Soviet weaponry, including the most ad-

vanced MIG fighters and ships, each capable of firing four missiles. Castro has renewed his guerilla infiltration into Latin America using Chile as a central base of operation. He hopes to use the Andes in the same manner as the Sierra Maestra Mountains from which he launched his successful guerilla takeover of the island of Cuba.

Dr. Reyes testified, and I wholeheartedly concur:

There is a substantial and significant difference between establishing relations with Communist China and Cuba. Thousands of miles separate our country and China, but a mere 90 miles is all that stand between the United States and the Soviet war planes, ships, and submarines stationed in Cuba.

In conclusion, Mr. Speaker, though the administration has steadfastly refused to acknowledge that Soviet nuclear submarines patrol a few short miles off our coast in Cuban waters, commander John Heekin, Soviet area analyst in the Department of Defense, on September 28, 1971, appearing before the House Subcommittee on Inter-American Affairs, admitted the presence of such submarines off the Florida coast.

I believe that until the Castro government ceases to use Cuba as a Soviet military base and until the exportation of Castro-trained Communist guerillas throughout Latin America is brought to a halt, the reestablishment of relations with Cuba cannot and must not realistically be considered.

SUPPORT FOR PRESIDENT NIXON ON VIETNAM WAR MOVE

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

Mr. MICHEL. Mr. Speaker, President Nixon has taken a major step toward ending the Vietnam war. It is a serious move. It has come only after long consideration and painful recognition of military realities. He has made it plain that this step has the aim of protecting the safety of 60,000 American troops still in Vietnam, obtaining a cease-fire, release of our prisoners of war and ultimately a negotiated peace based on self-determination by the Vietnamese of their own governments.

To those who seem eager to jump in and pitch a few political bales of hay because the President has acted, I would offer a word of caution. They are playing politics with the lives of 60,000 troops and 1,500 prisoners of war. The President made clear the fact that our evacuation of troops has been steady—we have proved to Hanoi that we seek only peace. They have been adamant, and now have turned aggressive.

To those who shrill that it cannot work, I submit that the latest Vietcong offensive is based on mechanized warfare. This requires vast supplies—especially of oil, gasoline, and parts—and these supply lines, once the restraints on our firepower have been removed, are highly vulnerable.

It ill behooves the opposition party, who supported a massive buildup in Vietnam, to castigate our President for taking measures to end our involvement. It also would be a disservice to our men still in Vietnam to undermine at home what

our Nation is trying to do in Indochina to end the war and bring all Americans home.

RELIGIOUS LEADER OPPOSES WAR

(Mrs. MINK asked and was given permission to extend her remarks at this point in the Record and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, as the horrors of that far away war continue inevitably to ricochet ever so grotesquely back into the hearts and minds and consciences of Americans, the resolve of the vast majority of Americans grows firmer every day, that our involvement must be ended.

On May 1, 1972, the Right Reverend Monsignor Daniel J. Dever, of Hawaii, was compelled by conscience and deep religious belief to state his moral opposition to this war by distributing his statement to members of the armed services and their dependents at the gate of Hickam Air Force Base in Hawaii.

Monsignor Dever is a highly respected citizen of Hawaii. He is superintendent of all Catholic schools in Hawaii and is a valued participant in a wide range of community endeavors. I applaud Monsignor Dever and I would like to share his statement with my colleagues:

NO MORE WAR

My fellow Catholics at Hickam Air Force Base and friends of other faiths: Whatever have been our reasons for failure to judge the evil of our participation in the Vietnam War, or refusal to speak against it, this failure and this refusal are no longer justified.

Even before the renewal of bombing of North Vietnam, the American Catholic Bishops (November 1971) raised a serious doubt whether the good we had hoped to achieve through the continuation of the war was outweighed by the greater harm we were causing.

The harm is too obvious to detail—more harmful to us than to those we injure and kill. Evil made remote by automation or distant by others carrying it on in our behalf comes home to roost—more evil still by reason of untruth and irresponsibility.

If we had been deceived by "Vietnamization" that untruth is made clear by the increased deployment of Americans on the sea and in the air.

If concern for POW's had kept us silent, that false hope is shattered daily by their growing number.

If the sacrifice of so many lives till now had conjured up the absurd desire to protect our investment, we had only to recall the French, more than twenty years ago protesting the holding up of dead soldiers as models to justify additional sacrifices.

In 1965, Pope Paul pleaded with us: "No more war, war never again." We have preferred to go on with the hope that this war would come to an end, lacking the courage and the humility to end it. Our leaders are blind and we share their darkness. If only we could see what Father Delp saw from his death cell in Nazi Germany:

"The cataclysmic presence of an apocalyptic lie that is at work not only in this or that nation, this or that class or party, this or that race, but in all of us everywhere. But how shall we see it seeing how we are shielded by a dehumanized bureaucratic conscientiousness—the absurd and monumental deception that practices the greatest evil with ritual solemnity as if it were somehow noble, intelligent and important. The inhuman complacency that is totally incapable of seeing in itself either sin, or falsity or absurdity, or even the slightest impropriety.

"In truth each of us must be shocked to

his depth at what he is capable of, not for the sake of perverse pleasure of contemplating his own ruin but to find a way out—a way of liberation from fixation upon subjective needs and compulsions—a way of encounter with the redeeming God—our only hope—a way of serving and rebuilding the world threatened by untruth in its every disguise."

PIED PIPERS OF VIETNAM

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, a constituent of mine recently expressed quite eloquently the frustration and despair so many Americans feel at the tragic human losses and suffering in Vietnam which cannot be justified.

Mr. Marshall M. Reddish, a retired attorney, moved to Hawaii from Colorado where he was active in the practice of law and a State Commander of the American Legion. Mr. Reddish submitted his statement to one of Hawaii's major newspapers where it was printed, and he has since transposed it to blank verse form, which further vivifies the unanswerable anguish contained in its words.

In his poem "Pied Pipers of Vietnam," Mr. Reddish portrays so well the blind and mindless fascination of our Government for Vietnam. We follow a wistful, idyllic tune which leads us down a path of unbelievable bloodshed, suffering, and horror. The cliffs of destruction lie just ahead but still we cannot seem to turn away and ignore the treacherous tune to which we dance.

The wasteful and wanton slaughter of the young and old, and the dismal heritage we leave for succeeding generations in robbing them of the dream of America's goodness and morality is so poignantly expressed in this poem that I would like to share it with my colleagues in the hope that we will be able to ignore the "Pied Pipers of Vietnam" before it is too late.

The poem follows:

PIED PIPERS OF VIETNAM

(By Marshall M. Reddish)

Some day the mists of the swamps of Vietnam may rise and we may see the Communists playing the pipes and the tunes of the Pied Piper which have long beguiled us.

And the people will find they have once again been fooled,

And there may even be a little indignation.

But we cannot console the mothers and the widows as Lincoln did because these mothers and widows will not have laid a costly sacrifice upon the altar of human freedom,

But will have found them wasted,

And they will say that life is full of sound and fury signifying nothing.

And the fathers will say with King Eadgar "My life has been but a heaping of sticks under an empty pot",

Or with Macbeth that their sons' blood has been splashed out in the dust like a bucket of kitchen slop,

Or with King Eadgar again that all of America weeping could not weep their worth.

And the world will say "We reminded you again and again that this was an immoral war."

And some of us blind followers will won-

der whether we should not have finally spoken out,

And whether Pied Pipers will again play a hypnotic tune,

And whether the people will again be misled by demagogues,

And whether the Congress will ever reassume its constitutional responsibility and never again permit an undeclared war,

And for solace we shall listen intently for the drums at Valley Forge, Gettysburg, and San Juan Hill,

And we shall think of Verdun and the Marine, Iwo Jima and the three chaplains who joined their hands as they sank beneath the waves.

And we shall further search our souls to see whether we have any torch to pass to succeeding generations,

And whether there is still an American dream to dream,

And the clergy will wonder whether it fulfilled its responsibilities,

And our wounded will try to bear their pain and not to moan.

And our beautiful dead sons, in bits and pieces, shall lie in some cemetery or in the silt of Vietnam,

And the waves of the seas shall cradle the rest.

PRESIDENT'S SPEECH

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, Americans have a right to be angry at President Nixon's announcement to increase the bombing to nonmilitary targets and to impose a naval blockade of North Vietnam. It is a foolish and terribly dangerous course of action.

This decision of the President is the act of a desperate man, intent upon covering up the fact that his policy of Vietnamization has failed. His plan of gradual withdrawal of American troops so that the South Vietnamese could defend themselves has failed. The South Vietnamese do not see their future in a war against their brothers. They do not support the Thieu regime which under threat of death orders them to fight. No matter how well we train their army, no matter how well equipped with American arms they are, without the will to fight and a belief in what they are fighting for, they will never succeed. And President Nixon has finally come to the realization that America cannot implant that will to fight where it is nonexistent.

I have analyzed the President's statement of last night carefully and compared it with his other statements. Beneath the hardline statement of escalation of the bombing is a retreat from his earlier demands that we would not leave Vietnam without a political settlement.

Last night he finally agreed with his critics. He finally set aside his support of the Thieu regime as the price for an end to the war.

President Nixon announced a new basis for withdrawal. His new terms are much like those we all have been advocating for years. He says that we will get out totally within 4 months from the date of the return of our prisoners of war and a cease-fire, internationally supervised. He no longer insists upon the terms of a political settlement of the civil war. He did not speak of keeping Thieu in power until 1 month before the

elections. In fact, he said that his new offer will allow for negotiations on a political settlement between the Vietnamese themselves. The President has finally removed the only barrier which has kept us from ending this war 3 years ago, and 20,000 American deaths too late.

The tragedy is that he had to wait until now to see the light. The danger is that he is trying to mask his reversal of policy by a final, unnecessary show of power which could have disastrous consequences.

Why could President Nixon not just announce his new proposal without more killing? Whom does he have to appease? He said last night his new proposal is not a surrender. He said it will allow the United States to withdraw with honor.

I beseech the President, therefore, to put aside his own personal considerations, and in name of national honor, pursue the plan he advocated last night: an internationally supervised cease-fire which we can achieve without more killing.

THE PRESIDENT'S ACTION

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

Mr. MATSUNAGA. Mr. Speaker, the tragedy of the action taken by the President last night is that he has completely usurped the constitutional power of the Congress to declare war.

An even greater tragedy is that the Congress has supinely acquiesced and even supported the President in his acts of usurpation of its constitutional authority, and the American people, more than 80 percent of whom oppose the war in Vietnam, find themselves being led closer and closer to the brink of world war III, against their wishes, at the will and command of one man. This great democracy, of which I am proud to be a citizen, has become dangerously close to permitting itself to be run as a dictatorship.

If we are to preserve the balance of power and Congress is to remain a co-equal branch of Government with the Executive, as intended by the Founders of this great Nation, the Congress must insist that the President cease and desist from exercising those powers reserved to the Congress.

It has become increasingly evident that the only way we are going to do this is to cut off all funds for the further prosecution of the war.

ADDRESS BY THE HONORABLE WILBUR MILLS

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

Mr. DORN. Mr. Speaker, Chairman WILBUR MILLS, our great and beloved colleague, delivered a significant address this morning at the change of command of the U.S.S. *Simon Bolivar* at Newport News, Va. Comdr. Claude C. Cross, the new commander of the *Simon*

Bolivar, is a friend of the family of our distinguished chairman.

Chairman MILLS' address, though brief, was outstanding in that it points out the absolute necessity of patrolling the sea lanes of the world for peace and for freedom. In the light of world events today I particularly commend to the attention of my colleagues and the American people Chairman MILLS' splendid comments:

REMARKS OF CONGRESSMAN WILBUR D. MILLS

This is a most significant—and a most symbolic—day in the history of our country.

It has been the experience of free men that all freedom is indivisible—whether it be the freedom of the individual man—or the freedom of the seas for all nations. How fitting it is, therefore, that this ship, dedicated to the preservation of freedom, recognizes freedom's indivisibility in its very name, the U.S.S. Simon Bolivar. The name of this ship, as it patrols the ramparts we watch, signals the appreciation of the American Republic that the same freedom for which Simon Bolivar, the Great Latin American Liberator fought, unites the countries of this hemisphere in the desire of common freedom, common friendship and common ideals which will make them inseparable in peace, in war, and in common future destiny.

I need not say that these are days of deep challenge for all freedoms and for all free men. But I feel I must say that it is often overlooked that the keystone of our national security is the freedom of the seas. For a century and a half, the sea posture of the United States has been so secure that we have taken it for granted. For more than a hundred and fifty years, a de facto British-American naval understanding was observed by which the preponderance of sea power was vested in the English speaking nations.

Indeed, if this were not so, two Great World Wars would have been lost—for our nation—neither then nor now—can protect its own shores, much less project its force in support of its allies—unless the United States Navy can secure the sea lanes which are the only presently feasible means of common defense.

Our country came into existence in large measure because the French Navy won the Battle of the Chesapeake Capes, a few miles from here—in a few hours. When the Royal Navy lost control of the seas for only a few months, General George Washington's army and the French Fleet crushed General Cornwallis at Yorktown. Great Britain defeated Napoleon not at Waterloo, but at Trafalgar. It was Admiral Nelson's victories at the Nile and Trafalgar which cut off Napoleon from the victory by General Wellington. It was Admiral Jellicoe's victory over the German High Seas Fleet at Jutland which sealed the fate of the Kaiser's Army; and it was the U. S. Navy's great victory at Midway which marked the end of the Japanese control of the Pacific, the turning point in that theatre. I will not labor the point; but from Carthage to Hitler the message is unmistakable: that nation which loses control of the seas risks loss of its life.

There have been vast changes in the techniques of warfare in the past quarter of a century: but the fundamental rules of history haven't changed a bit. That rule is that a nation cannot expect by mercy what it has yielded in strength and respect. Our colonial forefathers recognized this—in our first ensign—even before we were a nation—with the Flag—"Don't tread on me."

This is still the rule—a tragic rule in this day and age—but our deterrent force as represented by this ship, the U.S.S. Simon Bolivar—is the strongest deterrent at our country's disposal. Heaven knows, we have sought peace and we will always seek it in the four quarters of the globe—but, if stand we must, stand we will.

Accordingly, I count this one of the most

solemn and proud moments of my life, as I speak to the two captains and crews, Commander Cross and the Gold Crew, and Commander Browder and the Blue Crew, for more than a U. S. naval warship and its flag is entrusted to your care. Nothing less than the safety of the Nation is in your hands, and as was said once before, never have so few had so much responsibility for so many. I bless you and I bless your ship, as I bless our Flag and our beloved country—for as the fate of our Nation rode that night with Paul Revere, it rides the waves with the U.S.S. Simon Bolivar.

I pray God that may you never be called upon for action—but I thank God that you will be ready, in the great traditions of the U. S. Navy, if you are.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PREYER of North Carolina (at the request of Mr. O'NEILL), for today and the balance of the week, on account of committee 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. RIEGLE, for 60 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. PEYSER) and to revise and extend their remarks and include extraneous matter:)

Mr. McCLOSKEY, for 60 minutes, today.
Mr. HALPERN, for 5 minutes, today.
Mr. FINDLEY, for 2 minutes, today.
Mr. FRENZEL, for 10 minutes, today.
Mr. KEMP, for 10 minutes, today.
Mr. MICHEL, for 5 minutes, today.
Mr. CRANE, for 10 minutes, today.
Mr. WILLIAMS, for 10 minutes, today.

(The following Members (at the request of Mr. DENHOLM) and to revise and extend their remarks and include extraneous matter:)

Mr. ASPIN, for 10 minutes, today.
Mr. GONZALEZ, for 10 minutes, today.
Mr. ROSENTHAL, for 20 minutes, today.
Mr. ADAMS, for 10 minutes, today.
Mr. MATSUNAGA, for 10 minutes, today.
Mr. COTTER, for 10 minutes, today.
Mr. ALEXANDER, for 30 minutes, today.
Mr. HAMILTON, for 10 minutes, today.
Mr. PODELL, for 15 minutes, today.
Mr. FLOOD, for 5 minutes, today.
Mr. LEGGETT, for 30 minutes, on May 10.

Mr. HAMILTON, for 10 minutes, on May 10.
Mr. GONZALEZ, for 60 minutes, on May 15.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ARENDS, that his remarks, under general leave granted to Mr. GERALD R. FORD, follow those of Mr. GERALD R. FORD today.

(The following Members (at the request of Mr. PEYSER) and to include extraneous matter:)

Mr. LENT in five instances.
Mr. DUNCAN in two instances.

Mr. ARCHER.
Mr. RIEGLE in two instances.
Mrs. HECKLER of Massachusetts.
Mr. DERWINSKI in two instances.
Mr. MCCLORY in two instances.
Mr. SCHWENGEL in two instances.
Mr. WHITEHURST.
Mr. BRAY in three instances.
Mr. WYMAN in two instances.
Mr. SCHERLE.
Mr. KEATING.
Mr. HOSMER in two instances.
Mr. SHOUP.
Mr. BROWN of Ohio.
Mr. SANDMAN in two instances.
Mr. HALPERN in three instances.
Mr. ERLBORN.
Mr. ZWACH.
Mr. BOB WILSON in four instances.
Mr. GOLDWATER.
Mr. KEMP in two instances.
Mr. MCDADE in two instances.
Mr. DAVIS of Wisconsin.
Mr. BELCHER.
Mr. ANDERSON of Illinois.
Mr. QUIE.
Mr. ASHBROOK in three instances.
Mr. McCLOSKEY.

(The following Members (at the request of Mr. DENHOLM) and to include extraneous matter:)

Mr. DINGELL in three instances.
Mr. GONZALEZ in three instances.
Mr. HAGAN in three instances.
Mr. ROGERS in five instances.
Mr. RARICK in three instances.
Mr. BINGHAM in three instances.
Mr. VANIK in two instances.
Mr. RONCALIO in 12 instances.
Mrs. GRIFFITHS.
Mr. BEGICH in three instances.
Mr. ROSTENKOWSKI in two instances.
Mr. EVINS of Tennessee in three instances.
Mr. STOKES.
Mr. RANGEL.
Mr. O'HARA in two instances.
Mr. PODELL in three instances.
Mr. HUNGATE.
Mrs. SULLIVAN.
Mr. GIBBONS in three instances.
Mr. VAN DEERLIN.
Mrs. GREEN of Pennsylvania in two instances.
Mr. METCALFE.
Mr. WALDIE in three instances.
Mr. MILLER of California in five instances.
Mr. MAHON.
Mr. DORN in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 855. An act to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H.R. 13591. An act to amend the Public Health Service Act to designate the National Institute of Arthritis and Metabolic Diseases as the National Institute of Arthritis, Metabolism, and Digestive Diseases, and for other purposes; and

H.J. Res. 1174. A joint resolution making an appropriation for special payments to international financial institutions for the fiscal year 1972, and for other purposes.

ADJOURNMENT

Mr. DENHOLM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 10, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1955. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army, and detailed to the Army General Staff on March 31, 1972, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

1956. A letter from the Director of Civil Defense, Department of the Army, transmitting the 82d report of Federal Contributions Program Equipment and Facilities for the quarter ending March 31, 1972, pursuant to subsection 201(1) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1957. A letter from the Secretary of Defense, opposing enactment of title III of H.R. 7130, relating to procedures to relieve domestic industries and workers injured by increased imports from low-wage areas; to the Committee on Education and Labor.

1958. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the National School Lunch Act and the Child Nutrition Act of 1966; to the Committee on Education and Labor.

1959. A letter from the Assistant Secretary for Economic Affairs, Department of State, transmitting the 24th report on operations under the Mutual Defense Assistance Control Act of 1951 (Battle Act); to the Committee on Foreign Affairs.

1960. A letter from the Assistant Secretary of the Interior, transmitting the annual report of the U.S. Government Comptroller for the Virgin Islands for the fiscal year ended June 30, 1971, pursuant to Public Law 90-496; to the Committee on Interior and Insular Affairs.

1961. A letter from the Attorney General, transmitting a draft of proposed legislation to make level III of the executive schedule applicable to the Special Assistant Attorney General, and to make level IV of the executive schedule applicable to the U.S. Attorney for the Central District of California; to the Committee on Post Office and Civil Service.

1962. A letter from the Assistant Secretary of Defense, transmitting a report showing grants for basic scientific research made by the Department of Defense to nonprofit institutions during calendar year 1971, pursuant to Public Law 85-934; to the Committee on Science and Astronautics.

1963. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend section 210(c) of title 38, United States Code, to extend the authority of the Administrator of Veterans' Affairs to grant equitable relief from admin-

istrative error; to the Committee on Veterans' Affairs.

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. BRADEMAS: Committee on House Administration. House Concurrent Resolution 483. Concurrent resolution providing for the reprinting of a House document entitled "Report of Special Study of Securities Markets by the Securities and Exchange Commission" (Rept. No. 92-1050). Ordered to be printed.

Mr. BRADEMAS: Committee on House Administration. House Concurrent Resolution 530. Concurrent resolution to reprint brochure entitled "How Our Laws Are Made" (Rept. No. 92-1051). Ordered to be printed.

Mr. BRADEMAS: Committee on House Administration. House Concurrent Resolution 545. Concurrent resolution authorizing the printing of additional copies of hearings on "American Prisoners of War in Southeast Asia, 1971—Part 2" by the Subcommittee on National Security Policy and Scientific Developments (Rept. 92-1052). Ordered to be printed.

Mr. BRADEMAS: Committee on House Administration. House Concurrent Resolution 552. Concurrent resolution to provide for the printing of the Constitution of the United States together with the Declaration of Independence (Rept. 92-1053). Ordered to be printed.

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 41. Concurrent resolution authorizing the printing of the report of the proceedings of the 45th biennial meeting of the Convention of American Instructors of the Deaf as a Senate document (Rept. 92-1054). Ordered to be printed.

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 54. Concurrent resolution to print additional copies on "War Powers Legislation"; with an amendment (Rept. 92-1055). Ordered to be printed.

Mr. ICHORD: Committee on Internal Security. H.R. 9669. A bill to amend the Subversive Activities Control Act of 1950, as amended; with an amendment (Rept. 92-1056). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 14742. A bill to amend title 38, United States Code, to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage under servicemen's group life insurance for such members and certain members of the Retired Reserve up to age 60. (Rept. 92-1057). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 14752. A bill to provide for the conversion of Servicemen's group life insurance to veterans' group life insurance, and for other purposes (Rept. 92-1058). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 13780. A bill to authorize the Administrator of Veterans' Affairs to convey certain property in Canandaigua, N.Y., to Sonnenberg Gardens, a nonprofit educational corporation (Rept. 92-1059). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 480. A bill to amend section 3101 of title 38, United States Code, to prevent consideration of proceeds of, or transfer of proceeds of, U.S. Government life insurance and national service life insurance

for Federal estate tax purposes; with amendments (Rept. 92-1060). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 968. A resolution providing for the consideration of H.R. 7130. 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 (Rept. No. 92-1061). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 969. A resolution providing for the consideration of H.R. 7375. A bill to remove the statutory ceiling on salaries payable to U.S. magistrates. (Rept. No. 92-1062). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS (for himself, Mr. JARMAN, Mr. MOSS, Mr. METCALFE, and Mr. HELSTOSKI):

H.R. 14847. A bill to amend the Airport and Airway Development Act of 1970 to increase from 50 to 75 percent the U.S. share of allowable project costs payable under such act; to amend the Federal Aviation Act of 1958 to prohibit State taxation of the carriage of persons in air transportation; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ALEXANDER:

H.R. 14848. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. DAVIS of Wisconsin:

H.R. 14849. A bill to provide for the duty free entry of animal glue valued under 40 cents per pound; to the Committee on Ways and Means.

By Mr. GAYDOS:

H.R. 14850. A bill to authorize the Office of Management and Budget to establish a system governing the creation and operation of advisory committees throughout the Federal Government which are created to advise officers and agencies of the Federal Government; to the Committee on Government Operations.

By Mr. HEINZ:

H.R. 14851. A bill exempting State lotteries from certain Federal prohibitions; to the Committee on Ways and Means.

By Mrs. HICKS of Massachusetts:

H.R. 14852. A bill to authorize the establishment and operation of a model secondary school for the deaf in the Greater Boston area; to the Committee on Education and Labor.

By Mr. KOCH (for himself, Mr. ALEXANDER, Mr. ARCHER, Mr. BROOKS, Mr. CELLER, Mr. DELANEY, Mr. FISH, Mr. FORSYTHE, Mrs. HANSEN of Washington, Mr. HEINZ, Mr. KEE, Mr. KEMP, Mr. LENT, Mr. McCLOSKEY, Mr. McEWEN, Mr. MELCHER, Mr. MOSS, Mr. PRYOR of Arkansas, Mr. SYMINGTON, Mr. YATRON, and Mr. YOUNG of Florida):

H.R. 14853. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; and to remove rate inequities for married persons where both are employed; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 14854. A bill to amend title 39, United States Code, to permit the attendance, without loss of pay or deduction from annual leave, of certain U.S. Postal Service employees

at funerals of honorably discharged members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McKEVITT:

H.R. 14855. A bill to authorize designated employees of the National Park Service and the U.S. Forest Service to make arrests for violation of Federal laws and regulations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 14856. A bill to amend title 5 of the United States Code in order to provide that certain benefits to which employees of the United States stationed in Alaska, Hawaii, Puerto Rico, the Canal Zone, or the territories or possessions of the United States are entitled may be terminated under certain conditions, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PEPPER:

H.R. 14857. A bill to amend the Federal Aviation Act of 1958 so as to limit the power of the Secretary of Transportation to delegate his authority to examine medical qualifications of airmen; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 14858. A bill: Joint Committee on the Family; to the Committee on Rules.

By Mr. PRYOR of Arkansas:

H.R. 14859. A bill to provide additional readjustment assistance to veterans by providing improved job counseling, training, and placement service for veterans; by providing an employment preference for disabled veterans and veterans of the Vietnam era under contracts entered into by departments and agencies of the Federal Government for the procurement of goods and services; by providing for an action program within the departments and agencies of the Federal Government for the employment of disabled veterans and veterans of the Vietnam era; by providing a minimum amount that may be paid to ex-servicemen under the unemployment compensation law; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. QUILLEN (for himself, Mr. DOWNING, Mr. HOSMER, Mr. HECHLER of West Virginia, Mr. ABERNETHY, Mr. SIKES, Mr. JONAS, Mr. JONES of North Carolina, Mr. LENNON, Mr. HAYS, Mr. SPRINGER, Mr. NICHOLS, Mr. MAYNE, Mr. MINSHALL, Mr. DANIEL of Virginia, Mr. DENHOLM, Mr. FISHER, Mr. WYMAN, Mr. KUYKEN-BALL, Mr. CHARLES H. WILSON, Mr. FINDLEY, Mr. HOGAN, Mr. WAMPLER, and Mr. DANIELS of New Jersey):

H.R. 14860. A bill to amend title 5 of the United States Code with respect to the observance of Memorial Day and Veterans Day; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 14861. A bill to amend the Public Health Service Act to provide for the prevention of Cooley's anemia; to the Committee on Interstate and Foreign Commerce.

By Mr. SANDMAN (for himself and Mr. DU PONT):

H.R. 14862. A bill to amend the Federal-Aid Highway Act, 23 U.S.C. 121, and for other purposes; to the Committee on Public Works.

By Mr. SIKES:

H.R. 14863. A bill to provide that a Federal building being constructed in the District of Columbia shall be named the "J. Edgar Hoover FBI Building"; to the Committee on Public Works.

By Mr. STEIGER of Arizona:

H.R. 14864. A bill to amend the Internal Revenue Code of 1954 to permit deduction of the cost of pollution control facilities; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (by request):

H.R. 14865. A bill to amend section 210(c) of title 38, United States Code, to extend the authority of the Administrator of Vet-

erans' Affairs to grant equitable relief from administrative error; to the Committee on Veterans' Affairs.

By Mr. VANIK:

H.R. 14866. A bill to amend the Mineral Lands Leasing Act of 1920 to authorize the Administrator of the Environmental Protection Agency to assist the Secretary of the Interior in granting leases for the extraction of oil shale; to the Committee on Interior and Insular Affairs.

By Mr. BIAGGI (for himself, Mr. ROSENTHAL, Mr. CORMAN, Mr. CEDERBERG, Mr. BELL, Mr. GUDE, Mr. PICKLE, and Mr. BYRNE of Pennsylvania):

H.R. 14867. A bill to amend the Maritime Academy Act of 1958 in order to authorize the Secretary of the Navy to appoint students at State maritime academies and colleges as Reserve midshipmen in the U.S. Navy, and for other purposes; to the Committee on Armed Services.

By Mr. BRASCO:

H.R. 14868. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 14869. A bill to convey to the City of Alexandria, Va., certain lands of the United States, and for other purposes; to the Committee on the District of Columbia.

By Mr. DANIELS of New Jersey:

H.R. 14870. A bill to provide for the cessation of bombing in Indochina and for the withdrawal of U.S. military personnel from the Republic of Vietnam, Cambodia, and Laos; to the Committee on Foreign Affairs.

By Mr. MATHIS of Georgia:

H.R. 14871. A bill to authorize equalization of the retired or retainer pay of certain members and former members of the uniformed services; to the Committee on Armed Services.

By Mr. PERKINS (for himself, Mr. QUITE, and Mr. PUCINSKI):

H.R. 14872. A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966; to the Committee on Education and Labor.

By Mr. ROE:

H.R. 14873. A bill to amend the Internal Revenue Code of 1954 to provide that employees receiving lump sums from tax-free pension or annuity plans on account of separation from employment shall not be taxed at the time of distribution to the extent that an equivalent amount is reinvested in another such plan; to the Committee on Ways and Means.

By Mr. RUPPE:

H.R. 14874. A bill to amend the Public Health Service Act to provide for the prevention of Cooley's anemia; to the Committee on Interstate and Foreign Commerce.

By Mr. BRADEMAS:

H. Con. Res. 604. Concurrent resolution to authorize the printing as a House document of a revised edition of "The Capitol", and to provide for additional copies; to the Committee on House Administration.

H. Con. Res. 605. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag", and to provide for additional copies; to the Committee on House Administration.

By Mr. SCOTT:

H. Con. Res. 606. Concurrent resolution to provide that the Liberty Bell be available for tour and exhibition; to the Committee on Interior and Insular Affairs.

By Mr. STOKES (for himself, Mr. CLAY, Mr. COLLINS of Illinois, Mr. DELLUMS, Mr. HAWKINS, Mr. METCALFE, Mr. NIX, Mr. RANGEL, Mr. MITCHELL, Mrs. CHISHOLM, Mr. DIGGS, and Mr. FAUNTROY):

H. Con. Res. 607. Concurrent resolution expressing the sense of Congress that the blockade of North Vietnamese ports constitute an overt act of war and usurps the constitu-

tional powers granted to the Congress; to the Committee on Foreign Affairs.

By Mr. BLATNIK:

H. Res. 970. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 142; to the Committee on House Administration.

By Mr. FRASER (for himself, Mr. BINGHAM, Mr. WHALEN, Mr. MIKVA,

Mr. RYAN, Mr. DRINAN, Mr. KASTENMEIER, Mr. MITCHELL, Mr. DOW, Mr. BURTON, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. EDWARDS of California, Mr. RANGEL, Mr. CONYERS, Mr. CLAY, Mrs. ABZUG, Mr. KOCH, Mr. COLLINS of Illinois, Mr. BADILLO, Mr. HAWKINS, Mr. ECKHARDT, Mr. METCALFE, Mr. FAUNTROY, and Mrs. CHISHOLM):

H. Res. 971. Resolution calling on the President to propose an extension of the nuclear test ban treaty to include underground testing; to the Committee on Foreign Affairs.

By Mr. FRASER (for himself, Mr. BINGHAM, Mr. WHALEN, Mr. HATHAWAY, Mr. SEIBERLING, Mr. PODELL,

Mr. BEGICH, Mr. REES, Mr. SCHEUER, Mr. THOMPSON of New Jersey, Mr. BERGLAND, Mr. LINK, Mr. MOOREHEAD, Mrs. MINK, Mr. BOLAND, Mr. HECHLER of West Virginia, Mr. ROYBAL, Mr. GREEN of Pennsylvania, Mr. REUSS, Mr. ELBERG, Mr. WILLIAM D. FORD, Mr. SARBANES, Mr. MOSS, Mr. WALDIE, and Mr. STOKES):

H. Res. 972. Resolution calling on the President to propose an extension of the nuclear test ban treaty to include underground testing; to the Committee on Foreign Affairs.

By Mr. FRASER (for himself, Mr. BINGHAM, Mr. WHALEN, Mr. MAILLIARD, Mr. FRELINGHUYSEN, Mr. NIX,

Mr. ROSENTHAL, Mr. FASCELL, Mr. HALPERN, Mr. REID, Mr. CULVER, Mr. DIGGS, Mr. DELLUMS, Mr. BRADEMAS, Mr. FORSYTHE, Mr. MOSHER, Mr. LEGGETT, Mr. NEDZI, Mr. DELLENBACK, Mr. O'HARA, Mr. FRENZEL, Mr. McCLOSKEY, Mr. HICKS of Washington, Mr. HORTON, and Mr. MATSUNAGA):

H. Res. 973. Resolution calling on the President to propose an extension of the nuclear test ban treaty to include underground testing; to the Committee on Foreign Affairs.

By Mr. FRASER (for himself, Mr. ROE, Mr. BARRETT, Mr. CORMAN, Mr. PEPPER, Mr. RODINO, Mr. HEINZ, and

Mr. COUGHLIN):

H. Res. 974. Resolution calling on the President to propose an extension of the nuclear test ban treaty to include underground testing; to the Committee on Foreign Affairs.

By Mr. RYAN:

H. Res. 975. Resolution impeaching Richard M. Nixon, President of the United States, of high crimes and misdemeanors in office; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia:

H.R. 14875. A bill for the relief of James Phillip Briggs; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 14876. A bill for relief of Eugene Peyton Floyd; to the Committee on the Judiciary.

By Mr. HARRINGTON:

H.R. 14877. A bill for the relief of Sgt. Michael Garabedian; to the Committee on the Judiciary.

By Mr. HOGAN:

H.R. 14878. A bill for the relief of Payton Bailey; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 14879. A bill for the relief of Francesco Sita; to the Committee on the Judiciary.