in lieu thereof "was not satisfied with respect to each county in such State".

SEC. 2. (a) The amendments made by the first section of this Act shall apply only with respect to unemployment compenstaion for weeks beginning after the date of the enactment of this Act.

(b) For purposes of subsection (a), the benefit period under the Federal-State Extended Unemployment Compensation Act of 1970 and the benefit period under the Emergency Unemployment Compensation Act of 1971 in any State for which such a period existed at any time before the date of the enactment of this Act shall be deemed to have been in existence for the most recent week beginning on or before such date of enactment and shall not be deemed to have terminated by reason of a State "off" indicator or "emergency off" indicator unless it would have terminated for a week beginning after such date of enactment pursuant to a State "off" indicator or "emergency off" indicator determined by taking into account the applicable amendment made by the first section of this Act.

(c) For purposes of the amendments made by the first section of this Act, in any State where, for part or all of its geographic area, the next unit of local government below the State is a city or other unit, such unit shall be treated as a county with respect to that portion of the State's geographic area.

HOUSE OF REPRESENTATIVES—*Thursday, August 10, 1972*

The House met at 12 o'clock noon.

Rev. Harold Burlingame, Bliss Baptist Church, Bliss, N.Y., offered the following prayer:

Almighty God, with whom all things are possible, look down with favor upon us as we seek to keep alive the spirit of loyalty that has made our free Nation a bulwark of democracy.

O Lord, may the persistence of our leadership help others to know that "The weapons of our warfare are not carnal, but mighty before God."

Our Father, as we continue to maintain our freedom, help us not to be discouraged by difficult tasks. Encourage us, as we experience anew the therapy of "the Master Physician."

Grant that our President, our Speaker, and all our dedicated leaders will never surrender their talents or seek deliverance from their God-given responsibilities.

In Christ's name we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

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

On August 7, 1972:

H.R. 736. An act to designate certain lands in the Cedar Keys National Wildlife Refuge in Florida as wilderness; and

H.R. 8708. An act to extend the authority of agency heads to draw checks in favor of financial organizations to other classes of recurring payments, and for other purposes.

On August 8, 1972:

H.R. 15951. An act to authorize the Secretary of the Army to undertake a national program of inspection of dams.

MESSAGE FROM THE SENATE

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

H.R. 631. An act for the relief of the village of River Forest, Ill.;

H.R. 2127. An act for the relief of the estate of Charles Zonars, deceased; and

H.R. 11632. An act for the relief of Vincent J. Sindone.

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

H.R. 10676. An act for the relief of Lester L. Stiteler; and

H.R. 15474. An act to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15580) entitled "An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EAGLETON, Mr. INOUYE, and Mr. MATHIAS to be the conferees on the part of the Senate.

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

S. 2854. An act to amend title 28, United States Code, relating to annuities of widows of Supreme Court Justices.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15690) entitled "An act making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 1, 30, 35, 36, 48 to the foregoing bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5065) entitled "An act to amend the Natural Gas Pipeline Safety Act of 1968."

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

S. 82. An act for the relief of Mrs. Wanda Martens;

S. 633. An act for the relief of James E. Fry, Jr., and Margaret E. Fry;

S. 655. An act for the relief of certain postal employees at the Elmhurst, Ill., Post Office;

S. 884. An act for the relief of Comdr. Howard A. Weltner, U.S. Naval Reserve;

S. 2507. An act to apply the same standards to prohibit the sale of domestically produced Saturday night special handguns as have been applied to foreign-made Saturday night special handguns since adoption of the Gun Control Act of 1968; and

S. 2516. An act to authorize the Secretary of Agriculture to reimburse owners of equines and accredited veterinarians for certain expenses of vaccinations incurred for protection against Venezuelan equine encephalomyelitis.

The message also announced that Mr. TAFT was appointed to replace Senator PACKWOOD as a conferee on H.R. 15692, to liberalize SBA loan programs in order to assist victims of disasters which occurred between January 1, 1971, and June 30, 1972.

AN IMPORTANT STEP FORWARD IN THE DEMOCRATIC PARTY

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

Mr. LEGGETT. Mr. Speaker, it is most gratifying to hear that the Democratic National Committee yesterday took another major step along the road of reform politics by adopting a wise and well-thought-out resolution that had been submitted by former Massachusetts Gov. Endicott Peabody.

The resolution calls for establishing a special commission on the method of selection of the Democratic nominee for Vice President. The commission will hold hearings and make studies and submit its report by January 1, 1974. That report, with any revisions made by the DNC, will become part of the temporary procedural rules of the 1976 Democratic National Convention.

It is particularly appropriate that the DNC action resulted from a recommendation by Governor Peabody, who truly made a pioneering effort this year. As you know, he was himself a candidate for the Democratic nomination for Vice

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President—the first ever to actively campaign for the office—and he conducted a vigorous 7-month campaign in 37 States. He entered the only vice-presidential primary available to him—New Hampshire's, in March—and he got 85 percent of the vote.

In his campaign, Governor Peabody set forth these principles on the Vice-Presidency:

That the Vice President belongs to the people and should be elected in a free and open convention;

That selection of the vice-presidential nominee by the party leader demeans the office and the man;

That, considering that the Vice President historically has one chance in three of becoming President, he should have a "mandate from the people"; and

That vice-presidential aspirants should campaign for the office, and the convention delegates "should have a choice, not an edict."

Mr. Speaker, there is no one else in our Nation as well qualified in this area as Chub Peabody. I am sure that he will be named a member of the commission that his resolution inspired, and nothing could be more fitting than that he should be the chairman of the commission.

CONFERENCE REPORT ON H.R. 15586, PUBLIC WORKS APPROPRIATIONS, 1973

Mr. EVINS of Tennessee. Mr. Speaker, pursuant to the order of the House of yesterday, I call up the conference report on the bill (H.R. 15586) making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1973, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 7, 1972.)

Mr. EVINS of Tennessee (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

The SPEAKER. The gentleman from Tennessee is recognized.

Mr. EVINS of Tennessee. Mr. Speaker, we bring to the House today the conference report on the Public Works-AEC Appropriation bill for fiscal year 1973.

Let me briefly summarize—when this appropriation bill passed the House on June 26, 1972, it was passed by a vote of 345 to 17. The bill passed the Senate on June 30, 1972, by a vote of 73 to 3.

The original House bill provided total appropriations of $5,437,727,000. This was a total of $51,331,000 below the budget estimate. I repeat—that is $51,331,000 less than the amount recommended by the President.

The Senate bill provided a total of $5,571,696,000. This was $82,638,000 above the budget estimate and $133,969,000 above the House bill. We have brought this amount down and have been able to make some reductions.

We are recommending today an appropriation of $5,504,914,000. This final amount is $15,856,000 over the budget estimate and $67,187,000 over the House bill. But it is $66,782,000 below the recently passed Senate bill.

The conference action is $710.8 million above the appropriation for 1972, including the budgeted increase of $695.0 million. Concerning the increases carried in the bill over 1972, I would point out that $339,030,000 is for the AEC; $230,631,000 is for the Corps of Engineers; and $98,278,000 is for the Bureau of Reclamation.

The increase over 1972 for AEC includes $188.7 million for operating expenses and $150.4 million for additional plant and capital equipment.

The major programs involved in the increases are for the weapons program, including nuclear materials, and for reactor development, including initiating the protoype for a new submarine reactor.

For the Corps of Engineers and Bureau of Reclamation we are providing some increases to provide optimum funding levels for projects already under construction.

The committee strongly endorses this policy—increases provided in the budget to expedite work on going projects.

The committee has deplored the slowdown, stretchout, and delays of projects in recent years, including the impoundment and freezing of funds appropriated by the Congress.

The reversal of this policy will result in significant savings in project construction costs and speed up the date on which essential flood control, water supply, power, and other water resource benefits will be available.

Considering the relatively small amounts of appropriations involved in water resources construction in relationship to other public works and the overall Federal budget, we urge the administration to continue its current policy of optimum funding levels in future budgets in order that projects underway can be completed as soon as possible at the least cost to the Government.

With respect to new starts, the bill reflects a continuation of the practice in recent years of approving new planning and construction starts on only a limited basis, and generally for projects involving a small total cost. Only $22.8 million is included in the bill for this purpose.

Because of the large unfunded backlog of projects, I feel that at an early date we must make more adequate provision for new starts. However, because of the need to give highest funding priorities at the present time to projects under construction, the bill makes provision for only 46 planning starts for the Corps of Engineers and the Bureau of Reclamation, including 10 proposed in the budget, and only 32 construction starts, including 15 in the budget request. The number of new planning and construction starts is less than the average number funded annually over the last 10 years.

Concerning the conference action on the Appalachian Regional Development Commission portion of the bill, the bill includes a total of $327 million for the Appalachian regional development program. This is $25 million above the budget request and this increase is for the highway development program to expedite high priority projects and to assist those States which are fully utilizing their current allocations and are prefinancing with State funds, the Federal share of urgent projects.

In summary, this is a good bill serving the needs of our Nation. However, when we consider the large backlog of authorized projects which are urgently needed to provide water quality and supply, additional power generation, flood control, and other water resource requirements, this bill might well be considered an austere bill.

I strongly urge that we must proceed with our planning and construction schedule at a deliberate pace, or we will face a greater water and power crisis in the future. The demand for these vital resources are growing by leaps and bounds annually.

Mr. Speaker, this is a well considered and prudent report. The amounts recommended are minimal to carry forward valuable programs essential to the Nation. I repeat, we have cut and reduced the Senate appropriation by $66,782,000.

We have made adjustments in the President's request, and have rearranged the priorities in many instances. However, I repeat that the bill is only $15.8 million over the budget.

So, we urge approval of the conference report.

I will insert at this point a table outlining the conference action by appropriation item compared with the 1972 appropriation, the 1973 budget estimate and the actions of the House and Senate.

The table follows:

PUBLIC WORKS-AEC APPROPRIATION BILL, FISCAL YEAR 1973—SUMMARY TABLE

Item	New budget (obligational) authority, fiscal year 1972 (enacted to date)	Budget estimates of new (obligational) authority fiscal year 1973 (as amended) [6]	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended in conference action	Conference action compared with— New budget (obligational) authority fiscal year 1972 (enacted to date)	Budget estimates of new (obligational) authority fiscal year 1973	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TITLE I—ATOMIC ENERGY COMMISSION									
Operating expenses	[1] $1,952,974,000	[6] $2,126,182,000	$2,129,000,000	$2,150,635,000	$2,138,800,000	+$185,826,000	+$12,618,000	+$9,800,000	−$11,835,000
Plant and capital equipment	[1] 341,406,000	[7] 530,910,000	486,860,000	500,110,000	494,610,000	+153,204,000	−36,300,000	+7,750,000	−5,500,000
Total, title I, new budget (obligational) authority, Atomic Energy Commission	2,294,380,000	2,657,092,000	2,615,860,000	2,650,745,000	2,633,410,000	+339,030,000	−23,682,000	+17,550,000	−17,335,000
TITLE II—DEPARTMENT OF DEFENSE—CIVIL									
DEPARTMENT OF THE ARMY									
Corps of Engineers—Civil									
General investigations	50,714,000	[7] 54,445,000	54,200,000	57,750,000	55,975,000	+5,261,000	+1,530,000	+1,775,000	−1,775,000
Construction, general	[2] 1,025,084,000	[7] 1,193,704,000	1,181,098,000	1,222,722,000	1,201,493,000	+176,409,000	+7,789,000	+20,395,000	−21,229,000
Flood control, Mississippi River and tributaries	86,000,000	95,000,000	105,000,000	119,115,000	110,620,000	+24,620,000	+15,620,000	+5,620,000	−8,495,000
Operation and maintenance, general	[3] 388,519,000	427,109,000	400,000,000	417,479,000	409,100,000	+20,581,000	−18,009,000	+9,100,000	−8,379,000
Flood control and coastal emergencies	5,000,000	7,000,000	7,000,000	7,000,000	7,000,000	+2,000,000			
General expenses	[2] 29,723,000	31,483,000	31,483,000	31,483,000	31,483,000	+1,760,000			
Total, Corps of Engineers—Civil	1,585,040,000	1,808,741,000	1,778,781,000	1,855,549,000	1,815,671,000	+230,631,000	+6,930,000	+36,890,000	−39,878,000
Cemeterial Expenses									
Salaries and expenses	22,588,000	29,170,000	28,920,000	28,920,000	28,920,000	+6,332,000	−250,000		
Total, title II, new budget (obligational) authority, Department of Defense—Civil	1,607,628,000	1,837,911,000	1,807,701,000	1,884,469,000	1,844,591,000	+236,963,000	+6,680,000	+36,890,000	−39,878,000
TITLE III—DEPARTMENT OF THE INTERIOR									
BUREAU OF RECLAMATION									
General investigations	22,400,000	21,400,000	23,000,000	24,627,000	23,827,000	+1,427,000	+2,427,000	+827,000	−800,000
Construction and rehabilitation	[3] 217,200,000	271,546,000	267,625,000	275,014,000	271,425,000	+54,225,000	−121,000	+3,800,000	−3,589,000
Upper Colorado River storage project	27,889,000	45,550,000	45,750,000	47,300,000	46,720,000	+18,831,000	+1,170,000	+970,000	−580,000
Colorado River Basin project	1,775,000	11,000,000	11,000,000	11,500,000	11,200,000	+9,425,000	+200,000	+200,000	−300,000
Colorado River Basin project (appropriation to liquidate contract authorization)	(31,500,000)	(53,000,000)	(53,000,000)	(53,000,000)	(53,000,000)	(+21,500,000)			
Operation and maintenance	[3] 71,990,000	78,505,000	77,000,000	78,000,000	77,500,000	+5,510,000	−1,005,000	+500,000	−500,000
Loan program	11,395,000	19,170,000	22,380,000	19,680,000	20,380,000	+8,985,000	+1,210,000	−2,000,000	+700,000
Emergency fund	1,000,000	1,000,000				−1,000,000	−1,000,000		
General administrative expenses	[3] 15,890,000	16,765,000	16,765,000	16,765,000	16,765,000	+875,000			
Total, Bureau of Reclamation	369,539,000	464,936,000	463,520,000	472,886,000	467,817,000	+98,278,000	+2,881,000	+4,297,000	−5,069,000
ALASKA POWER ADMINISTRATION									
General investigations	500,000	597,000	597,000	597,000	597,000	+97,000			
Operation and maintenance	457,000	631,000	631,000	631,000	631,000	+174,000			
Total, Alaska Power Administration	957,000	1,228,000	1,228,000	1,228,000	1,228,000	+271,000			
BONNEVILLE POWER ADMINISTRATION									
Construction	91,000,000	90,563,000	90,000,000	99,000,000	94,500,000	+3,500,000	+3,937,000	+4,500,000	−4,500,000
Operation and maintenance	27,825,000	31,020,000	31,020,000	31,020,000	31,020,000	+3,195,000			
Total, Bonneville Power Administration	118,825,000	121,583,000	121,020,000	130,020,000	125,520,000	+6,695,000	+3,937,000	+4,500,000	−4,500,000
SOUTHEASTERN POWER ADMINISTRATION									
Operation and maintenance	870,000	900,000	900,000	900,000	900,000	+30,000			
SOUTHWESTERN POWER ADMINISTRATION									
Construction	[4] 870,000	820,000	700,000	700,000	700,000	−170,000	−120,000		
Operation and maintenance	[4] 5,180,000	5,098,000	5,098,000	5,098,000	5,098,000	−82,000			
Total, Southwestern Power Administration	6,050,000	5,918,000	5,798,000	5,798,000	5,798,000	−252,000	−120,000		
OFFICE OF THE SECRETARY									
Underground electric power transmission research	875,000	1,000,000	1,000,000	1,000,000	1,000,000	+125,000			

See footnotes at end of table.

Item	New budget (obligational) authority, fiscal year 1972 (enacted to date)	Budget estimates of new (obligational) authority fiscal year 1973 (as amended) [6]	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended in conference action	Conference action compared with— New budget (obligational) authority fiscal year 1972 (enacted to date)	Budget estimates of new (obligational) authority fiscal year 1973	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TITLE III—DEPARTMENT OF THE INTERIOR—Continued									
OFFICE OF THE SECRETARY—Continued									
Total, title III, new budget (obligational) authority, Department of the Interior	$497,116,000	$595,565,000	$593,466,000	$611,832,000	$602,263,000	+$105,147,000	+$6,698,000	+$8,797,000	−$9,569,000
TITLE IV—INDEPENDENT OFFICES (EXCLUDING AEC)									
Appalachian Regional Commission: Salaries and expenses	1,113,000	1,217,000	1,217,000	1,217,000	1,217,000	+104,000			
Appalachian regional development programs (funds appropriated to the President)	297,000,000	302,000,000	327,000,000	327,000,000	327,000,000	+30,000,000	+25,000,000		
Delaware River Basin Commission:									
Salaries and expenses	[5] $65,000	$69,000	69,000	69,000	69,000	+4,000			
Contribution to the Delaware River Basin Commission	179,000	216,000	216,000	216,000	216,000	+37,000			
Total, Delaware River Basin Commission	244,000	285,000	285,000	285,000	285,000	+41,000			
Federal Power Commission: Salaries and expenses	22,200,000	23,890,000	23,500,000	23,500,000	23,500,000	+1,300,000	−390,000		
Interstate Commission on the Potomac River Basin: Contribution to Interstate Commission on the Potomac River Basin	20,000	34,000	34,000	34,000	34,000	+14,000			
National Water Commission: Salaries and expenses	1,200,000	760,000	760,000	760,000	760,000	−440,000			
Susquehanna River Basin Commission:									
Salaries and expenses	[5] 51,000	68,000	68,000	68,000	68,000	+17,000			
Contributions to Susquehanna River Basin Commission	75,000	150,000	150,000	150,000	150,000	+75,000			
Total, Susquehanna River Basin Commission	126,000	218,000	218,000	218,000	218,000	+92,000			
Tennessee Valley Authority: Payment to Tennessee Valley Authority fund	67,150,000	63,700,000	60,800,000	64,550,000	64,550,000	−2,600,000	+850,000	+3,750,000	
Water Resources Council: Water resources planning	5,960,000	6,386,000	6,886,000	7,086,000	7,086,000	+1,126,000	+700,000	+200,000	
Total, title IV, new budget (obligational) authority, independent offices	395,013,000	398,490,000	420,700,000	424,650,000	424,650,000	+29,637,000	+26,160,000	+3,950,000	
Total, new budget (obligational) authority, titles II, III, and IV (excluding AEC)	2,499,757,000	2,831,966,000	2,821,867,000	2,920,951,000	2,871,504,000	+371,747,000	+39,538,000	+49,637,000	−49,447,000
Total, new budget (obligational) authority, titles I, II, III, and IV	4,794,137,000	5,489,058,000	5,437,727,000	5,571,696,000	5,504,914,000	+710,777,000	+15,856,000	+67,187,000	−66,782,000
Memoranda:									
Appropriations to liquidate contract authorizations	(31,500,000)	(53,000,000)	(53,000,000)	(53,000,000)	(53,000,000)	(+21,500,000)			
Total appropriations, including appropriations to liquidate contract authorizations	(4,825,637,000)	(5,542,058,000)	(5,490,727,000)	(5,624,696,000)	(5,557,914,000)	(+732,277,000)	(+15,856,000)	(+67,187,000)	(−66,782,000)

[1] Reflects transfer of $2,844,000 from "Plant and Capital Equipment" to "Operating Expenses" in Second Supplemental Appropriation Act, 1972.
[2] Reflects transfer of $4,519,000 to "Operation and Maintenance, General" and $723,000 to "General Expenses" from "Construction, General" in Second Supplemental Appropriation Act, 1972.
[3] Reflects transfer of $490,000 to "Operation and Maintenance" and $365,000 to "General Administrative Expenses" from "Construction and Rehabilitation" in Second Supplemental Appropriation Act, 1972.
[4] Reflects transfer of $180,000 from "Construction" to "Operation and Maintenance" in Second Supplemental Appropriation Act, 1972.
[5] Includes $1,000 appropriated in Second Supplemental Appropriation Act, 1972.
[6] Includes budget estimates contained in H. Doc. 92-267 and H. Doc. 92-269.
[7] Reflects transfer in the estimates of $296,000 from "Construction, General", to "General Investigations" for restudies of previously authorized projects.

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

Mr. EVINS of Tennessee. I yield to the gentleman from Arizona.

Mr. RHODES. Mr. Speaker, I concur completely in what the gentleman from Tennessee has said and associate myself with his remarks.

This is, I think, a well-considered conference report and as he has said, it is practically on the budget figure. I do not think you can come much closer to the budget on a bill which is over $5 billion.

Mr. Speaker, most of the increases which were added by the other body were modest increases. They were for small projects, mainly for flood control and along the lines of policy which had previously been adopted by the House committee.

Mr. Speaker, I hope the conference report will be adopted.

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

Mr. EVINS of Tennessee. I shall be glad to yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, we bring to the House of Representatives and to the Congress an excellent conference report which I know will be approved promptly.

It is a pleasure to serve on this Appropriations Subcommittee under the chairmanship of the able gentleman from Tennessee, Hon. JOE EVINS, and with other members of the subcommittee.

Mr. Speaker, when the public works bill was first before the House on June 26, 1972, pages 22428 and 22429, I discussed in some detail provisions of the

bill. Today, I wish to point up two matters especially.

THE APPALACHIAN PROGRAM

First when the Appalachian program was enlarged to include my State of Mississippi, our State and several others were not included in the existing highway corridor program for funding. Though we have not participated in this phase, we have greatly benefited from many other phases which I shall not mention here, including access roads.

HIGHWAY CORRIDORS

When our committee first held our hearings on this bill, I pointed out the need for highway corridors in my State and others. The inclusion of the States not now included would have to be accepted by members of the Appalachian Commission and the particular highway corridor and under the law would be selected and initiated by the State. However, whichever highway or highways are selected, the selection of these highways would leave that much more for other highways in the regular road program—pages 1375, 1377, part 3 of hearings.

HOUSE REPORT

In our House bill, we provided an additional $25,000,000 to enable Mississippi and other States not presently included in funding to be included—page 66 of the report. This action was concurred in by the Senate under the chairmanship of my friend and colleague, Hon. JOHN STENNIS.

Thus we have included this extra $25,000,000 for the corridor highway program, in part for this purpose in this conference report and we hope the Commission will act expeditiously.

YAZOO BASIN

Mr. Speaker, in the House bill, we also provided for special attention to the Yazoo Basin. This is set out on page 47 of the House report as follows:

Yazoo Basin: Within the funds provided the Committee directs that initial planning be undertaken on a pilot program to meet the soil erosion and bank caving problems of the streams in the Yazoo Basin, including the foothill area, in cooperation with the Soil Conservation Service, as authorized by Public Law 46, 84th Congress, as amended by Public Law 91-566, 91st Congress.

The allocation for the Yazoo Basin includes $845,000 for continued planning on the Upper Auxiliary Channel or other alternate means of main drainage facilities to meet the flood control needs of the Upper (Delta) Yazoo Basin, the Ascalmore-Tippo, and the Opossum Bayou drainage projects. The Committee reiterates its directive that planning shall proceed from South to North so as not to aggravate prevailing conditions.

In this connection, yesterday in presenting the Conference Report on the bill making appropriations for Agriculture, Environmental and Consumer Protection, page 27523 of the CONGRESSIONAL RECORD of August 9, 1972, as chairman and floor manager, I quoted this language and pointed out that, quote: "The Soil Conservation Service is expected to use its appropriated funds to install measures determined necessary to the pilot program contemplated."

The language is repeated here for it is part and parcel an essential part of the program authorized and directed in the preceding language.

Again, Mr. Speaker, I appreciate the opportunity to serve on this subcommittee of the Committee on Appropriations.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. YATES).

Mr. YATES. Mr. Speaker, if there were any need for further proof of the Nixon administration's almost total lack of concern for the American consumer, that proof was given last week. With administration support, an order was entered by the Federal Power Commission, which will inevitably result in the additional payment by American gas consumers of hundreds of millions of dollars to the Nation's largest oil and gas corporations.

The order is bound to stimulate inflationary pressures at a time when such pressures should be restrained.

The wholesale price index will rise again, as it does every month. The price of gas for heating and cooking will go up in the same way as the prices of food continue to go up. And afterward, some administration spokesman, like Dr. Herbert Stein, the Chairman of the Council of Economic Advisers, will hold a press conference to rationalize the rise in prices by saying, "Oh, it's not as bad as it might have been."

Mr. Speaker, I would like Dr. Stein or some other administration spokesman to try to rationalize the administration's support for the order entered by the Federal Power Commission last week—an order, which in effect destroyed the protection assured American gas consumers by Congress in the Natural Gas Act of 1938. The purpose of that bill was to prevent the consumers of this country from being exploited by greedy producers. And almost immediately following its passage, the big oil and gas companies began their fight to nullify its provisions.

In 1949 the companies tried, through the Kerr-Harris bill, to remove the Federal Power Commission jurisdiction over well-head gas prices. That bill was passed by a narrow margin, President Truman vetoed the bill.

In 1954 the oil and gas companies made another effort to escape from Federal Power Commission rate regulation and again they won in Congress by a few votes. President Eisenhower vetoed that bill.

The Nixon administration has abandoned the Presidential tradition of protecting the consumer from being gouged. Instead of acting as President Truman and President Eisenhower had done, this administration has taken its stand with the big corporations which control the production of natural gas. As the Federal Power Commission said itself of its order, "the well-head price of new natural gas will be allowed to rise." Wrapped in that simple phrase, Mr. Speaker, is the prospect that hundreds of millions of dollars will be allowed to be taken from the pockets of gas consumers to swell the profits of the companies producing natural gas, companies which pay little or no income tax for their gas producing activities.

Mr. Speaker, this outrageous order is almost a complete triumph for the producers in their long fight to escape the rate regulation provided for in the Natural Gas Act of 1938.

This order adds insult to injury, for it was only little more than a year ago that the FPC granted a substantial increase to natural gas producers. The cost of that increase to consumers amounted to over $4.75 billion, yet there is no evidence suggesting that the increase was necessary to foster or that it will foster increased exploration in a region that contains about one-third of the natural gas consumed by the public.

We have been told that without the proposed increase our gas reserves will go unexplored and unexploited. Yet the Commission has specifically refused to require the natural gas producers to plow back all or at least part of the increased rates into exploration for new gas in the country. For all we know this increase will result in increased profits for producers or lead to increased exploration of gas and oil abroad—all financed by the consumers who the FPC has failed to protect.

Mr. Speaker, the Commission action shows a gross disregard for American people who are already facing ever-increasing price rises in their living costs. To grant a price increase for natural gas at this time is patently irresponsible. I strongly urge the Commissioners to reconsider their order and to meet their regulatory obligation to protect the consumers.

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

Mr. EVINS of Tennessee. I yield the gentleman 30 additional seconds.

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

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

Mr. RHODES. Mr. Speaker, the gentleman from Illinois is making a very important statement, but it is not necessarily a factual statement when he states that the administration was involved in a ruling of the Federal Power Commission. The gentleman knows full well that the Federal Power Commission is an administrative tribunal and decides cases on its own without reference to the administration in power.

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

Mr. EVINS of Tennessee. I yield 30 additional seconds to the gentleman from Illinois.

Mr. YATES. I will tell the gentleman that I used the phrase "with administration support." The Secretaries of Commerce and Interior have indicated they favored the order issued by the Federal Power Commission. They made known their position to the Commission. I did not say the administration controlled the Commission. I said the Commission had the administration's support in entering that order; and I say this, too, that in my opinion had administration officials opposed the order rather than favoring it, I feel certain the FPC would not have approved it.

Mr. BAKER. Mr. Speaker, I rise in support of this conference report on fiscal year 1937 appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration, and other power agencies of the Department of the Interior, and the Appalachian regional development programs, the Federal

Power Commission, the Tennessee Valley Authority, and the Atomic Energy Commission.

Last year Congress appropriated about $2.3 billion for the Atomic Energy Commission. This year we are going for $2.6 billion.

Many people question the spending of so many tax dollars on atomic energy, and I think it proper to emphasize at this point the tremendous returns our investment in atomic research and development is yielding.

These funds expended on atomic energy research have produced a number of what can be called peaceful civilian benefits—innovations in industry, improvements in consumer products, and environmental improvement benefits.

On the nonmilitary side, significant amounts are allocated this year for the reactor development program, and about 13 percent of the operating expenses budget is devoted to basic physical research. However, there are many programs of the AEC which are still perhaps not as well known, such as the development of long-life lightweight power sources for use in space missions and our communications satellite; the cardiac pacemaker, and recently, the development of a drain tile manufactured from discarded glass which holds out the hope of utilization of one source of nondegradable solid waste.

I have spoken previously on the importance I attach to the continuation of the research and development work on breeder technology—liquid metal fast breeder reactor, light water breeder reactor, molten salt breeder reactor—which is being done exclusively at Oak Ridge—and the gas-cooled fast breeder reactor. And, I am pleased with the increased funding for the reactor development program.

I am particularly pleased that the conferees have seen fit to retain the $1,000,000 increase added by the Senate for the civilian power reactor program. These funds are to be used for thorium utilization to accelerate the development of technology for commercial recycling of uranium-233 produced in high temperature gas reactors and light water breeder reactors.

Naturally enough, I am glad to note that about $358 million of these reactor development appropriations will go to Tennessee—and, for the most part, these funds will be used to continue the vital research being done at Oak Ridge, vital research which will continue to produce benefits for all of us.

Mr. EVINS of Tennessee. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report on H.R. 15586.

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

There was no objection.

THE 15TH AND 16TH ANNUAL REPORTS OF THE HEALTH RESEARCH FACILITIES CONSTRUCTION PROGRAM FOR ACTIVITIES DURING FISCAL YEARS 1970 AND 1971—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-339)

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 and ordered to be printed:

To the Congress of the United States:

I transmit herewith the Fifteenth and Sixteenth Annual Reports of the Health Research Facilities Construction Program for activities during fiscal years 1970 and 1971.

RICHARD NIXON.

THE WHITE HOUSE, *August 10, 1972.*

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 313]

Alexander	Foley	Nichols
Arends	Ford, William D.	Passman
Ashley	Gallagher	Pelly
Blackburn	Hagan	Powell
Boland	Hanna	Price, Tex.
Broomfield	Hébert	Railsback
Chisholm	Hogan	Rarick
Clark	Hunt	Reid
Clay	Kee	Rooney, N.Y.
Colmer	Lennon	Rosenthal
Crane	Long, La.	Ryan
Davis, Ga.	McCormack	Satterfield
Devine	McDonald, Mich.	Scheuer
Dowdy	Macdonald, Mass.	Schwengel
Dwyer	Minshall	Shipley
Edmondson	Nedzi	Springer
Edwards, Ala.		Teague, Tex.
Fisher		Thompson, N.J.
Flynt		Tiernan

The SPEAKER. On this rollcall 378 Members have answered to their names, a quorum.

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

FOREIGN ASSISTANCE ACT OF 1972

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 16029) to amend the Foreign Assistance Act of 1961, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 16029, with Mr. PRICE of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read section 7, ending on page 5, line 18.

AMENDMENT OFFERED BY MR. DELLUMS

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

The Clerk read as follows:

Amendment offered by Mr. DELLUMS: On page 5, insert the following language after line 18:

"(z) No assistance shall be furnished under this or any other Act, and no sales shall be made under the Foreign Military Sales Act, to Brazil until such time as the President reports to the Congress that the Inter-American Commission on Human Rights has determined that the Government of Brazil is not engaging in the torture of political prisoners."

Mr. DELLUMS. Mr. Chairman, this amendment duplicates an amendment I offered last year at this time. It cuts off military aid to Brazil until we are sure we are not thereby subsidizing torture, as time does not permit a detailed refutation of all the arguments raised against this amendment last year and proper information to the Congress. When I offered the amendment last year, we were assured that the brutal repressive policies in Brazil were merely local overreactions to difficult problems. While I have no reason to doubt the sincerity of these assurances, a year's experience has proved them wrong. To name just one example, last year we were told that a prosecutor in Sao Paulo was bringing charges against police excesses. This was true, and I admire this man's courage. But since he has since been forcibly dismissed from his post, I doubt whether we can take his action as representative of the regime.

It would be difficult to deny that recourse to torture is systematic policy on the part of the Brazilian Government. I have newspaper articles here dated June 1972 which tell of torture, censorship, and repression. We simply can no longer fool ourselves that the regime is merely going through growing pains.

If we are giving Brazil a substantial amount of money, then we are directly implicated in a repressive and barbaric policy. If the amount is not substantial, as we are assured by my distinguished colleague from Florida, then we are selling our souls for nothing at all. If the removal of our aid would not damage Brazilian interests, valid or otherwise, then we have no reason to continue the aid.

We may not feel this aid is important, and the Brazilian generals may realize that it is not important, but no one else in Latin America feels it is unimportant. The use of our good name is covering up repressive policies. Just like the Greek generals, the Brazilians are letting everyone know of our friendly support.

Taking away our aid may infuriate the Brazilian generals, but a lot of other people will be greatly encouraged.

It is simply not the case that the regime is loosening up in general—if anything, it is even tightening up. It is even hostile to criticism from within the military elite, as the documentation I inserted in the RECORD yesterday shows. It would be difficult for anyone to claim that the promising signs come close to the gloomy signs for Brazil's future.

South Africa is a good analogy: for years people have been telling us that for some reason economic growth brings liberalization. But in South Africa they have had a very good growth rate for years, and are just as viciously repressive as they always were.

Besides, the economic growth rate should not be an excuse for barbarities. It was not in Stalin's Russia or Hitler's Germany, it should not be here. Furthermore, Brazil's growth rate so far is so unevenly distributed that it cannot be said to be doing the majority of Brazilians any good at all.

Can we really teach them so very much about internal security and counterinsurgency efforts? Our track record in Vietnam does not make us look like the experts in the field. One would have thought that Vietnam would have taught us not to be advisers in other people's counterinsurgency efforts.

There is another reason we should not be subsidizing the Brazilian military. Brazil is expanding diplomatically and threatens to expand militarily. Part of its diplomatic expansion consists in giving aid to other Latin American countries. Why should a country embarked on its own aid program expect aid from us? They are just endorsing our checks and passing them on, buying influence with our money.

But, I do not think it is really necessary to make a long argument about this issue. It should be sufficient to point to the facts—torture, repression, and cynical elitism—it should be sufficient to point to these and say, "We have no business being mixed up in all this. Our participation must end—it must end now."

Again, I ask you to join with me in this vote to withhold aid from Brazil until there are concrete signs that the Brazilian Government is not engaging in torture of prisoners.

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

Mr. Chairman, we all understand and share the gentleman from California's deep concern over the abhorrent reports of the torture of political prisoners and others in Brazil. There is no doubt that there has been physical abuse. The Government of Brazil has admitted it. Our own country has taken up the issue with them.

The trouble I find with this amendment which would terminate all aid is on three scores: One is moral; another is it will not work, and the final one is it may damage irreparably the friendly relations we have with the Government of Brazil besides doing damage to some Brazilian programs which provide important benefits to the citizens of that country.

Torture and violence are part of human life all over the world. As abhorrent as the terms "torture," "violence," and "cruelty" are, I wonder whether we in the United States should point our finger at anybody else.

Mr. Chairman, I do not think I have to remind Members of this House, brutality in the ghettoes of our own country, and our own high level of violence as demonstrated in shootings and assassinations.

Brazil, too, has had to struggle with similar problems and with many others as well. They had a foreign ambassador who was kidnaped and diplomats who were otherwise harassed. They had a real problem not only with law and order in their own country, especially with those who sought power through terrorism.

It is a difficult problem. There is no question about that. I think we can all state what we feel should be done and our opinion about what our Government has done so far with respect to representations to the Brazilian Government.

I think we all can and should express our opinion in the RECORD today about how we feel on this important subject, but I think it would be wrong to attempt to write our own moral judgments into punitive law.

Mr. DELLUMS. Will the gentleman yield to me?

Mr. FASCELL. As far as the amendment itself is concerned, it will not work, because, as the gentleman from California has already pointed out, Brazil is thriving economically with a growth rate which is the highest in the world, more than 11 percent last year. In view of such a thriving economy, the programs that we have there are of relatively marginal importance. One of them, however, which would be stricken out, in addition to the small item for military training, is $21.9 million for the feeding and care of children. It seems to me that you have to balance off these moral issues.

While I take a very strong stand againt violence and torture wherever it exists, whether in Africa, Brazil, or the United States, it seems to me that striking out our aid program seems to me to be dollar diplomacy at its worst. What this amendment says is that we should express our displeasure by eliminating all assistance to the people of Brazil and not just assistance to the government. That does not seem to make much sense to me. If we are really trying to do something to help the people of Brazil, certainly if we want a more liberal and more democratic government—and we are all striving to see that that is accomplished—we should not take this kind of action.

In a world where torture, violence, abuse, and brutality, and man's inhumanity to man exist, there can be no question that this amendment, directed at one specific government, would be interpreted as a direct slap at that particular government.

If we want to accomplish what it is we are all after, it would also be wise for us to take into consideration the possibility that it might be politically unwise to express our displeasure in this way since it might actually rally a great many Brazilians, with a sense of nationalism to the defense of the present government and then have a result opposite to that which the gentleman from California is seeking.

Let us continue to urge our Government to take this matter up with the Brazilian Government, but let us not legislate here on the floor something which could seriously impair and damage our relationship with a government which has been working closely with the United States to resolve all of the matters in dispute between us.

So I would join in hoping that we will continue to voice our displeasure with each country which engages in torture and oppression, and that we continue to condemn, deny its use. I do not think that this amendment is the proper way to proceed.

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

(On request of Mr. DELLUMS, and by unanimous consent, Mr. FASCELL was allowed to proceed for 2 additional minutes.)

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

Mr. DELLUMS. I thank the gentleman for yielding to me, and I appreciate the comments made by the gentleman in the well, but I would only point out that every one of the arguments presented by the gentleman from Florida parallel almost exactly the arguments raised against the amendment to strike Greece from the Foreign Assistance Act, and when we struck it from the Foreign Assistance Act, as the gentleman from Florida will recall, in that debate, and it was very heated, and even at some points very angry, but yet we won that and we struck Greece from the Foreign Assistance Act on the grounds that this country, a democracy, a nation trying to bring democracy to the world, should not in fact be subsidizing a military dictatorship in Greece.

So what I am suggesting is that we voted against Greece being included in the Foreign Assistance Act, and therefore I see no rhyme or reason for not voting against Brazil on foreign assistance, and it at least raises the same moral question as with respect to Greece, and it raises the same parallels as with Greece, and it raises the same questions with respect to the amendments relating to Greece. I am saying that here on this continent that in Brazil we have a very similar issue, and if we took the moral position that it is antithetical to the democratic process to subsidize a military dictatorship, in Greece, then what I am suggesting to you is that we should take the same moral position that we took with Greece and its dictatorship, to Brazil and its political prisoners.

Would the gentleman in the well respond to that? Because I think the gentleman in the well joined with me and took a stand against the inclusion of Greece in the Military Assistance Act.

Mr. FASCELL. There were a lot of other similar issues. That was one of them, but if we are going to apply that kind of criteria across the board we would not be doing business with anybody; we could just stop all our diplomacy, regardless of assistance programs, because we just would not have relations with many countries.

The question of morality that the gentleman from California raises is one of the facts that we must live with every day, but we also must face the pragmatic

necessity of doing business every day and the combination makes you judge each individual case on its merits.

The fact is that in South America for a long time——

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

(By unanimous consent, Mr. FASCELL was allowed to proceed for 1 additional minute.)

Mr. FASCELL. As I started to say, the fact was that in South America we were all concerned for a long time because almost all international relations in South America came to a halt due to violence, torture and oppression against diplomats, our own diplomats and those from other countries as well. All of us joined in expressing our concern that something be done. The matter was even raised in the OAS and, as the gentleman knows, the matter has been raised here. But if we are going to continue our day-to-day international relationships something has to be done in terms of trying to bring about some internal security, when your ambassadors are getting killed, and when they are being kidnaped or tortured.

I do not advocate torture, nobody does, but brutality is a fact that we have to face. Every government does. Therefore I do not believe in or see any purpose in taking issue with this government on that score. If you want to talk about it in a total moral sense, that is fine.

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

Mr. BUCHANAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take much time of the House, but I would like to say that of course I agree with both the gentleman from California and the gentleman from Florida that brutality, torture and repression are abhorrent to every decent human being, and we ought to do whatever we can to stop such things from happening in the world.

I would certainly concur with the gentleman from Florida that these things are widespread generally and not confined to the nation of Brazil.

I would support the thrust of the argument of the gentleman from Florida, therefore, that we should proceed with this assistance and this program, but, Mr. Chairman, I cannot but take exception to the remarks of my colleague, the gentleman from Florida concerning torture, repression, and brutality as applied to the United States.

If there is anything we need to do in our time, it is to distinguish the things which differ and to use words with more care by precise definition and not throw smear words around.

I must say that I know of no instance of Government-sponsored torture in the United States, and I am unaware of such things as Government-sponsored brutality and repression here.

I can readily understand, however, how this general feeling might exist on the part of my friend because the gentleman is a Democrat from Florida and given what happened in Miami a few weeks back, I can certainly understand how he might feel that there is such a thing as torture in the United States.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California.

The gentleman from California offered this amendment last year. I opposed it then and I oppose it now.

We are dealing here with about a third of the population of Latin America. Brazil has a population of 100 million people. That is a third of the entire population of the continent.

Both the gentleman from California and the gentleman from Florida said that Brazil is now a going concern—its economic condition is improving steadily—possibly more rapidly than any other country in the world.

Our program for the fiscal year 1973 is a small program—it includes a small amount of technical assistance.

Our military grant program is very small. It is only a training program of less than $1 million.

We do have a development lending program and we have a military credit sales program, both of which programs are modest ones.

I would hate to think that we are going to take unilateral action against this friend of the United States. Brazil stood fast with us both during World War I and World War II and has sided with us on other important issues.

To say that we are going to take unilateral action here to terminate the program of assistance that we have been extending over a period of years to this important and friendly country, would not be in our best interests—I would hate to think that we would do that.

This is strictly a problem I feel for the Human Rights Commission of the Organization of American States. They are a going organization for dealing with such issues. If there are any problems of political torture in Brazil, it should be referred to that organization. That is where it should be dealt with. We cannot deal with this matter on the floor of this Congress, where we would be barging in and saying to one-third of the people of Latin America that we want to tell them what to do.

We belong to the Organization of American States, and I feel that question should be settled in the Organization of American States and not here on the floor of Congress.

Mr. Chairman, therefore, I oppose the amendment.

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

Mr. MORGAN. I yield to the gentleman.

Mr. MAILLIARD. Mr. Chairman, I simply want to join the chairman of our committee in opposing this amendment and to add one more significant point which I think he omitted. That is that the biggest program going in Brazil is the Public Law 480 program to feed the children in Brazil. I would think we would not want to cut that off just simply to show our disapproval of something that is going on.

Mr. MORGAN. That is correct. The program is a $21 million program—the Public Law 480 program—this is the program we have for Brazil.

Mr. DERWINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will try to be brief. I wish to point out to the House, it is obvious that the chairman of the committee and the ranking minority member in a very statesmanlike, diplomatic, and knowledgeable fashion made the proper argument for the defeat of this amendment. I am, therefore, going to be less technical and point out, especially to the author of the amendment, the gentleman from California, that I have been here in this body for 14 years and, as a result, I have developed a sort of brotherly attitude toward aggressive, energetic, and talented new freshmen Members like the gentleman when they arrive.

I would merely suggest in the spirit of this big brother attitude, toward this well-intended new Member, that the gentleman recognize that one of the virtues one must maintain in a legislative body is that of consistency. I listened carefully to the gentleman but his rapid-fire style is such that some of his arguments were going by too quickly to comprehend. But one of the points which the gentleman did mention was that we should not support any government that practices some form of brutality against its citizens.

In this bill we have a substantial program in support of the Government of Zaire where political suppression is a known fact.

If the gentleman were consistent, he would offer an amendment to strike aid to that country, but I do not think he should.

The gentleman also stated that we should not be giving aid to any country that, in turn, has its own aid program. One of the most effective aid programs in the world is conducted by the State of Israel. Certainly, we should not cut off support to the State of Israel because they, in turn, maintain support and aid programs to a few other countries.

So, I say to the gentleman from California that I respect his energy and the very special interest which he has given to our foreign affairs, but this type of amendment is so glaringly inconsistent that the gentleman would be wise not to permit it to be soundly defeated; he would be much wiser if he just withdrew the amendment.

Mr. DELLUMS. Will the gentleman yield to me?

Mr. DERWINSKI. I yield to the gentleman for a question.

Mr. DELLUMS. I have no question of the gentleman. I just want to point very simply——

Mr. DERWINSKI. Mr. Chairman, I yield back the balance of my time.

Mr. CONYERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment, and I yield to my distinguished colleague from California.

Mr. DELLUMS. I thank the gentleman from Michigan. I would only say to the previous speaker that perhaps I should slow down in my presentation,

because frankly, you have not addressed yourself to one single argument which I have made, so the next time I make an argument I will slow down, because I do not like to have my arguments so thoroughly distorted. I think the RECORD will point out very clearly, and I have a copy of it, which I read and read clearly—if you wish to read it, you may find that the assumptions and conclusions which you have reached are totally and thoroughly distorted.

Mr. DERWINSKI. Will the gentleman, as long as he has time from his colleague, comment on not giving aid to any country that is conducting its own aid program?

Mr. CONYERS. I am sorry, Mr. Chairman, I have not yielded to the gentleman from Illinois.

I would like to ask the gentleman from Florida who made the original argument against the amendment: Is there not something that the Congress can do? The gentleman from Alabama wanted us to feel properly aggrieved. Is there no remedy for the very able point that has been made by the amendment that has been brought to this floor for 2 years consecutively? Is there anything this body can do? Do we merely put in protest remarks in the CONGRESSIONAL RECORD, or do we move deliberately to cut off aid as a demonstration of our desire to correct this wrong that everyone has admitted exists, and even exists in this country?

I was intrigued by the casual remarks of the gentleman from Alabama about the fact that there is brutality and coercion and abuse in this country. He has never heard of it. I presume that that follows because perhaps his State has many instances of violations, governmental violations, as my State does. I can point out to the gentleman in a further aside that every instance of police brutality is a Government action. It is a violation of the law by the Government. I am sure he must have heard of some in some States, if not his own or mine, somewhere in these 50 States, so I emphasize to the House that this amendment has been very deliberately brought up in the course of 2 years, and it should be supported. I urge its adoption.

Mr. BUCHANAN. Will the gentleman yield? He used my name.

Mr. CONYERS. I will be glad to yield to the gentleman from Alabama.

Mr. BUCHANAN. I will say to my friend that I understand his point of view. However, I would ask him to name a single instance of government-sponsored torture in this country. I am aware of charges of police brutality; I am aware of unlawful actions by policemen in instances, but I am aware that the acts charged greatly exceed the charges proven. I would like to know if there is an instance of government-sponsored torture in this country, in my State or his own.

Mr. CONYERS. If the gentleman does not recognize that the acts that have been complained of in the prisons across the country, of which there have been some evidences of torture, that there has been evidence of brutality that are equated with torture in the police prisons across our land.

I would be very happy to compile a list for the public record and insert it in the CONGRESSIONAL RECORD. We had a little incident at Kent State that amounted to a very brutal police action that has been construed as an overt governmental action. At Jackson State we had students killed by police action, which is governmental action. I think without going too far away from the thrust of this amendment this might be a subject that all Members of the House might join in examining a little more carefully.

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

Mr. CONYERS. I yield to the gentleman from Alabama.

Mr. BUCHANAN. I will say if the gentleman can point to one single instance that can be proven of Government-sponsored torture or brutality in this country, I will join the gentleman in action to correct it.

Mr. CONYERS. If the gentleman will check the court files of all the cases in which juries found that the Government or that the law enforcement agency or the individual officer was guilty, he will find some instances. Unfortunately there is no shortage of such instances.

Mr. HAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I do so because I think the arguments on the amendment have gotten pretty far afield. I, of course, do not condone Government-sponsored brutality and I do not think any Member of this body does. But if we were going to have an amendment such as this, it seems to me it ought to apply to a great many more countries than Brazil. I pick out just one. What is wrong with including Algeria? One might say, what has happened in Algeria? And I will ask this question: Does anybody in the room know where Mr. Ben Bella, the former Prime Minister of Algeria is? I am not sure where he is, but I know a very knowledgeable fellow who knows a great deal about Algeria and some years ago he said, "He is 6 feet under the basement floor of the present dictator in Algeria, Mr. Boumedienne." I do not know if that is exactly true, or how they killed him, whether they hit him on the head or cut his throat or strung him up or whatever, but I imagine at the time he thought, as long as he could think, that it was pretty much some kind of governmental brutality.

Algeria receives hijacker after hijacker after hijacker, and we have not cut off relations with them or cut out anything. In the latest episode the hijackers landed in Algeria and they were received, and the hijackers alleged they were political refugees and talked about brutality, but they were not specific about it and I doubt if any existed.

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

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

Mr. DELLUMS. Mr. Chairman, the gentleman raised the question of Algeria. In checking with the chairman of the committee and other members of the committee, I find we are not giving aid to Algeria.

Mr. HAYS. Not at the moment, but we did give a great deal in the way of food and so on right after the Algerian revolution, and nobody at the time raised a question. I could go on and on.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Chairman, the latest incident is that Uganda has just declared stateless and ordered the expulsion from the country of 55,000 Asians who are citizens of Uganda.

That is done merely because they are a different race.

Mr. HAYS. Somebody raised the question of Zaire. I cannot keep up with all the changes in names but I believe that the Congo was the maiden name of that country which is now Zaire. They change every few days. But the record is full of illustrations.

I simply think if we want to insult, as the chairman has said, a third of the population of Latin America, if we want to really add fuel to the fire of anti-Americanism down there, as stated by the gentleman from Florida, this is the way to do it.

I do not want to raise any great point here that will upset anybody, but I do not think this amendment got a half dozen votes last year and I do not think it ought to get more than a half dozen votes, if that many, this year.

I believe that is the wrong way to go at the situation.

As almost everybody who preceded me pointed out, if there is a substantial case that can be made, let it be made in the United Nations; then let the United Nations take whatever sanctions they feel worthwhile, if the case is made.

When one analyzes the gentleman's amendment, he is asking that we cut off aid until a decision has been made.

We really do not hang the prisoners before we have the trial, and I do not believe we ought to in this case. Let us see if the U.N. comes up with a decision in the matter.

I do not really have all that great regard for the United Nations, because I believe about as much political "Jiggery Pokery" goes on there as any place on earth; but I would suppose that if they came up with a decision that there was government-sponsored and condoned brutality certain sanctions could be taken.

Again I repeat, this is a case of hanging the accused before the trial is held.

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

(By unanimous consent, Mr. HAYS was allowed to proceed for 2 additional minutes.)

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

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

Mr. DELLUMS. On this latter point the gentleman mentioned, that we should not victimize a person before a trial, the gentleman is aware of the indictment procedure in this country where, if there is adequate evidence to support an alleged crime, a person is indicted and the trial held.

I am suggesting there is more than enough information, detail after detail and article after article, that would at

least allow us in this body to bring the indictment question, and then let the Commission on Human Rights have the trial.

Mr. HAYS. I will go along with that, but the gentleman is also, in his amendment, proposing a punishment during the indictment time. I am saying that if the indictment stands and the country in this instance is found guilty, and we come back here with the United Nations decision, I will listen to the gentleman on an amendment for sanction, but I am not going to buy an amendment for sanction before the indictment is held. That is all I say.

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

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

Mr. FRASER. I thank the gentleman for yielding.

I did not want to take issue so much with what the gentleman was saying, but with what the gentleman from Maryland has said. The gentleman from Maryland said that Asians were asked to leave Uganda who are citizens of Uganda. My information is that they are those with British passports, not citizens of Uganda.

This is similar to an earlier action in Kenya. I do deplore the action of the Uganda Government.

Mr. LONG of Maryland. They are no longer British subjects, but they were also citizens of Uganda.

Mr. HAYS. Let me say to the gentleman from Minnesota that the dictator in Uganda first said he was going to expel all 55,000 who held British passports, and the next day he had a dream, he said, and he is expelling all 330,000, including the 275,000 some odd people who do not hold British passports but happen to be of Indian extraction.

Mr. JACOBS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is a problem of definition of terms that has bothered me, even years before I came to the Congress. That is this apparent confusion between the concept of recognizing a government and the concept of supporting or contributing to a government. Those two concepts are not synonymous; far from it.

People where I come from are not terribly enthusiastic about foreign aid, about giveaway programs, about sending money indiscriminately to other countries. The people where I come from have all gone through the American school system. They have studied the question of democracy. Nearly every one of them is for that idea. They are also for reality and practicality.

They know that the Communists control Soviet Russia. That is a fact that has been pretty well established. And belatedly the people of the United States have even discovered that effective control of mainland China has been asserted by a Communist government.

I do not support legislation to take money out of the pockets of the people I represent to support a Communist government in Russia or to support a Communist government in China or any totalitarian government be it Communist or Fascist or anything you want to call it.

If I ask my people at home to be generous and charitable to the less fortunate in the world, I would ask them to support the kind of government that they believe in. I would not ask them to support or to sacrifice their dollars to contribute anything or to give money to, to give their hard-earned money to, governments that they do not believe in. It is as simple as that to me.

Recognize the Government of China? Why, that is commonsense which recognizes the reality of something that actually exists. Recognize the effective Government of Brazil? Of course. It exists. It is in effective control.

As I study international law, recognition means nothing more than that. But to support such a government is a far different thing.

When the gentleman from Florida suggests that the United States of America, my country, is in no position to point a finger at an absolute, out-and-out military dictatorship someplace in the world, and that the skirts of my country, the skirts of my democracy, and the land I love are so dirty that we cannot point a finger—not the finger of withdrawing recognition but simply the finger that withholds generosity and support and withholds hard-earned American money and refuses to contribute or give a gift or largess to such a government—when he suggests that my Government is so devoid of democracy and kindness and huan out-and-out military dictatorship, then I disagree. I resent it on the part of everybody who lives in Indianapolis, Ind., and everybody who lives any place in the United States of America who has sweated and sacrificed and believed in and built up the kind of Government which we have in this country.

In the main it is a kindly Government.

The argument of the gentleman from Florida has forced me beyond question to vote for this amendment, because in order to vote against this amendment, I would have to accept the argument that the United States skirts are not clean enough to point a finger at a dictatorship in the world.

Therefore, I support the gentleman's amendment.

Mr. DENNIS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to say to the House that I agree in part with my colleague from Indiana who just left the well, but only in part. There are a couple of other things we ought to keep clear in our minds.

Recognition and approval of a country are different. Foreign aid and approval are different, too, in my book.

I agree with the gentleman from Indiana that this is our money. We take it from our taxpayers, and in my judgment there is only one real excuse for doing it and that is if it is somehow, directly or indirectly, to our interest.

We do not give money to Brazil, or we should not, in order to reward Brazil or to say that is a nice country. Nor do we withhold it from them because we think they have a poor kind of government. We give it to them, if there is any sensible reason for doing it, because somehow it is to our interest to do it.

I do not know too much about whether it is to our interest to do it with Brazil or not, but we had this same thing up here yesterday in the matter of Portugal. I think it is perfectly obvious that it is to our interest to have a base in the Azores.

Therefore it is all right to pay for it. And whether we like the Portuguese Government or not is utterly irrelevant and immaterial. We are not approving of the Portuguese Government. We are not rewarding it, we are getting something that we need; and that is the basis on which this thing ought to be looked at, and the only basis upon which you can justify it, in Indianapolis, Ind., or Richmond, Ind., or anywhere else.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DELLUMS).

The question was taken; and the Chairman announced that the noes appeared to have it.

TELLER VOTE WITH CLERKS

Mr. DELLUMS. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. DELLUMS. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. DELLUMS, FASCELL, BUCHANAN, and CONYERS.

The Committee divided, and the tellers reported that there were—ayes 65, noes 325, not voting 42, as follows:

[Roll No. 314]

[Recorded Teller Vote]

AYES—65

Abourezk	Eckhardt	Mikva
Abzug	Edwards, Calif.	Mink
Anderson, Calif.	Ford, William D.	Mitchell
Aspin	Fraser	Moss
Badillo	Green, Pa.	Nix
Barrett	Gude	Rangel
Biaggi	Harrington	Reuss
Biester	Hathaway	Riegle
Bingham	Hawkins	Roncalio
Brademas	Hechler, W. Va.	Rosenthal
Brasco	Heckler, Mass.	Roush
Burton	Helstoski	Roybal
Clay	Hicks, Wash.	Ryan
Collins, Ill.	Jacobs	Scheuer
Conte	Kastenmeier	Seiberling
Conyers	Koch	Stokes
Corman	Leggett	Symington
Coughlin	Link	Van Deerlin
Dellums	Long, Md.	Vanik
Diggs	McCloskey	Waldie
Dow	McDade	Young, Fla.
Drinan	Metcalfe	

NOES—325

Abbitt	Boland	Clancy
Abernethy	Bolling	Clausen, Don H.
Adams	Bray	Cleveland
Addabbo	Brinkley	Collier
Alexander	Brooks	Collins, Tex.
Anderson, Ill.	Brotzman	Colmer
Anderson, Tenn.	Brown, Mich.	Conable
Andrews, Ala.	Brown, Ohio	Conover
Andrews, N. Dak.	Broyhill, N.C.	Cotter
Annunzio	Broyhill, Va.	Culver
Archer	Buchanan	Curlin
Ashbrook	Burke, Fla.	Daniel, Va.
Ashley	Burke, Mass.	Daniels, N.J.
Aspinall	Burleson, Tex.	Danielson
Baker	Burlison, Mo.	Davis, S.C.
Baring	Byrne, Pa.	Davis, Wis.
Begich	Byrnes, Wis.	de la Garza
Belcher	Byron	Delaney
Bell	Cabell	Dellenback
Bennett	Caffery	Denholm
Bergland	Camp	Dennis
Betts	Carey, N.Y.	Dent
Bevill	Carney	Derwinski
Blackburn	Carter	Dickinson
Blanton	Casey, Tex.	Dingell
Blatnik	Cederberg	Donohue
Boggs	Celler	Dorn
	Chamberlain	Downing
	Chappell	

Dulski
Duncan
du Pont
Dwyer
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Forsythe
Fountain
Frelinghuysen
Frenzel
Frey
Fulton
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Griffin
Griffiths
Gross
Grover
Gubser
Haley
Hall
Halpern
Hamilton
Hammer-schmidt
Hanley
Hanna
Hansen, Idaho
Harsha
Harvey
Hastings
Hays
Heinz
Henderson
Hicks, Mass.
Hillis
Holifield
Horton
Hosmer
Howard
Hull
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Keating
Keith
Kemp
King
Kluczynski
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Latta
Lent
Lloyd
Lujan
McClory
McClure
McCollister
McCulloch
McEwen
McFall
McKay
McKevitt
McKinney
McMillan
Macdonald, Mass.
Madden
Mahon
Mailliard
Mallary
Mann
Martin
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Michel
Miller, Calif.
Miller, Ohio
Mills, Ark.
Mills, Md.
Minish
Minshall
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Mosher
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Obey
O'Hara
O'Konski
Patman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Powell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Quie
Railsback
Randall
Rees
Reid
Rhodes
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Rooney, Pa.
Rostenkowski
Rousselot
Roy
Runnels
Ruppe
Ruth
St Germain
Sandman
Sarbanes
Satterfield
Saylor
Scherle
Schmitz
Schneebeli
Scott
Sebelius
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Terry
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Udall
Ullman
Vander Jagt
Veysey
Vigorito
Waggonner
Wampler
Ware
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Tex.
Zablocki
Zion
Zwach

NOT VOTING—42

Arends
Bow
Broomfield
Carlson
Chisholm
Clark
Clawson, Del
Crane
Davis, Ga.
Devine
Dowdy
Edmondson
Edwards, Ala.
Flynt
Gallagher
Goldwater
Hagan
Hansen, Wash.
Hébert
Hogan
Hungate
Hunt
Kee
Lennon
Long, La.
McCormack
McDonald, Mich.
Murphy, N.Y.
Nichols
O'Neill
Passman
Pelly
Price, Tex.
Quillen
Rarick
Rooney, N.Y.
Schwengel
Shipley
Smith, Calif.
Springer
Tiernan
Wiggins

So the amendment was rejected.

AMENDMENT OFFERED BY MR. REID

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

The Clerk read as follows:

Amendment offered by Mr. REID: Page 5, line 18, after "agreement by resolution." strike out the quotation marks.

After line 18 insert: "(z) The President shall be authorized, at his discretion, to suspend assistance in whole or in part under this Act to any nation which does not agree, when requested by the United States, to prosecute or extradite to the United States any particular person alleged by the United States to have committed aircraft piracy in violation of section 1472(i) of Title 49 of the United States Code or of any similar provision of international law."

Mr. REID. Mr. Chairman, this amendment provides the President with explicit authority to be used at his discretion to suspend foreign aid in whole or in part under this act to any nation which refuses to prosecute or extradite accused skyjackers when requested to do so by the United States.

Mr. Chairman, this amendment represents an expression of serious concern by the Congress over the growing rate of hijacking over the last year and ransom losses which have increased 650 percent. In all of 1971 there were 27 hijackings and $200,000 ransom paid. Already in 1972 there have been 28 hijackings and $1.3 million paid in ransom.

This amendment is further meant to demonstrate that public patience is running thin over the failure of the majority of the nations of the world to ratify the Hague Convention. The Hague Convention requires a contracting state to extradite or prosecute skyjackers without exception whatsoever.

This Convention, as members of the committee know, was ratified by the United States on September 14, 1971, and entered into force in October 1971, but to date only 40 states have formally ratified or acceded to it. A parallel convention, the Montreal Convention on Air Piracy, has been ratified by only nine states.

Five countries today have some 114 fugitive skyjackers of U.S. aircraft. It is time, Mr. Chairman, that these countries know of the growing U.S. concern and our determination to take appropriate action. Piracy in the air should no more be tolerated now by the international community than piracy at sea.

While the Hague and Montreal Conventions can serve as a legal basis for extradition if the contracting states so agree, it is a fact that we presently have extradition treaties covering the crime of skyjacking with only 14 countries.

I, therefore, urge the adoption of my amendment to help curb the very serious outbreak of skyjacking.

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

Mr. REID. I yield to the distinguished chairman of the committee.

Mr. MORGAN. Even though as chairman of the Foreign Affairs Committee, I am reluctant to accept the amendment, I would like to ask the gentleman from New York some questions about the termination of assistance. I have examined the gentleman's amendment very closely. Do I understand that it follows the Hague Convention in reference to the country prosecuting or returning hijackers, and, that, therefore the gentleman's amendment conforms to both provisions of the Hague Convention?

Mr. REID. The chairman is entirely correct. The amendment has been drafted to be entirely consistent with the Hague Convention on this point, as the chairman mentioned.

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

Mr. REID. I yield to the distinguished chairman of the Judiciary Committee.

Mr. CELLER. Mr. Chairman, the gentleman stated there were five nations that harbor skyjackers, and I presume they have refused extradition?

Mr. REID. That is correct. With respect to those skyjackers who are U.S. citizens we have requested extradition, and such requests have been refused.

Mr. CELLER. Which are those five countries?

Mr. REID. The chairman has requested the facts on the five states that presently have fugitive hijackers. Cuba has 100. Algeria has seven. Egypt has three. Syria has two. And Jordan has two. Although in the case of the Hashemite Kingdom they are a signatory to the Convention, but they apparently do not have custody or control over the skyjackers involved, since there were guerrillas involved, since they were guerrillas.

Mr. CELLER. What nations receive our aid, of those five?

Mr. REID. In the past Algeria has had some, and today, of course, Jordan receives some aid.

The amendment makes it very clear that this is discretionary on the part of the President, and it would only be implemented at his direction, and if there had been a failure to accede to the Hague Convention de jure or de facto.

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

Mr. REID. I am happy to yield to the gentleman from Connecticut.

Mr. MONAGAN. I fully support what the gentleman is trying to do, but I have just one question.

This amendment refers to any particular person, and I do not know why it says that, but the expressed basis for its operation is that the actor is alleged by the United States to have committed aircraft piracy. What about the question of probable cause? If the United States simply alleges something, does that require a foreign nation to extradite, even though there might be no prior proceeding which would demonstrate probable cause?

Mr. REID. The gentleman has asked a very good question. What this legislative history should show is that we interpret this in effect to implement the Hague Convention, which the gentleman knows has a clear process to take jurisdiction under recognized principles of due process.

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

(By unanimous consent, Mr. REID was allowed to proceed for an additional 2 minutes.)

Mr. REID. A nation under this would have to proceed legally and judicially under article 4 of the Convention, and only if they did not proceed along that line would it be in my judgment a matter on which the President would wish to act pursuant to this amendment.

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

Mr. REID. I yield to the chairman of the committee.

Mr. MORGAN. After a further examination of the amendment on this side of the aisle, and considering the flexibility and the aims of the gentleman's amendment, we would be glad to accept the amendment.

Mr. REID. I thank the chairman of the committee.

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

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

Mr. BIAGGI. I commend the gentleman from New York on the quality of his amendment, and on the basis of the facts involved, I rise in support of the amendment.

It seeks to cut off foreign aid to any nation which refuses to prosecute or extradite accused skyjackers.

Mr. Chairman, in 1971 there were 27 attempted or successful hijackings from the United States involving over $200,000 in ransom payments. Thus far in 1972, there have been 28 hijackings and $1.3 million in ransom payments. We have thus experienced more hijackings in the first eight months of this year than in all of 1971. Moreover, the amount of ransom payments has increased sixfold. This trend must be reversed.

This amendment could have just that effect. Coupled with our other efforts to detect hijackers before they embark on a plane, this measure could be an effective tool by removing the promise of asylum that is currently offered by some countries.

The proposal gives the President discretionary authority to cut off the aid. Thus he is able to weigh the circumstances surrounding a particular incident and take the action which he feels will be most effective in dealing with the problem.

The amendment also puts other nations of the world on notice that the United States intends to take a tough stand against aerial piracy. We cannot and should not tolerate a foreign country protecting such criminals.

Economic sanctions have worked in the past to convince a recalcitrant nation to take action. I am convinced they can work again in this instance.

When we have so many lives at stake and such a great loss of property involved what seems to be a drastic measure is put into perspective. Weigh the loss of a Boeing 747 jet with over 400 passengers aboard against cutting off aid to a foreign country and I think you will agree it is a realistic balance.

Mr. Chairman, I urge my colleagues to join me in supporting this measure. We must take the steps now to assure that our skyways will be made safe for travel once again without the fear of aerial hijackings.

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

Mr. REID. I yield to the distinguished ranking minority member of the committee, the gentleman from California.

Mr. MAILLIARD. The gentleman was kind enough to discuss this amendment with me yesterday. While I did express some reservations, I believe those points have been pretty well cleared up by the discussion on the floor, and I have no objection to the amendment.

Mr. REID. I thank the gentleman.

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. REID. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. I commend the gentleman from New York (Mr. REID) and I am proud to join with him as a cosponsor of this amendment. Countries offering haven for these air pirates are doing far more than merely thumbing their noses at the United States; they are encouraging more skyjackings.

To sit idly by without taking every possible means to get these accused skyjackers back to the United States for trial is only encouraging these characters to attempt even more hideous skyjackings. There have been more skyjacking attempts so far this year than all of last year—28 so far in 1972 as against 27 throughout the entire year of 1971.

Let us act now before this number grows even more. Let us act now before we have a major disaster such as a 747 airliner exploding and carrying several hundred passengers to their deaths as a result of another horrible skyjacking.

I hope that the Reid-Hechler amendment will receive enthusiastic support and will pass overwhelmingly.

Mr. REID. I thank the gentleman from West Virginia for his helpful remarks.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. REID).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 8. Section 625 of the Foreign Assistance Act of 1961, relating to employment of personnel, is amended by adding at the end thereof the following new subsection:

"(k) (1) In accordance with such regulations as the President may prescribe, the following categories of personnel who serve in the Agency for International Development shall become participants in the Foreign Service Retirement and Disability System:

"(A) Persons serving under unlimited appointments in employment subject to section 625(d) (2) of this Act as (i) Foreign Service Reserve officers and (ii) Foreign Service staff officers and employees who have completed at least ten years of continuous service, excluding military service, in employment pursuant to said section 625(d) (2); and

"(B) A person who previously served under an unlimited appointment pursuant to said section 625(d) (2) or a comparable provision of predecessor legislation to this Act and who is serving in a position to which he was appointed by the President, whether with or without the advice and consent of the Senate.

"(2) Upon becoming a participant in the Foreign Service Retirement and Disability System, any such officer or employee shall make a special contribution to the Foreign Service Retirement and Disability Fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended. Thereafter, compulsory contributions will be made with respect to each such participating officer or employee in accordance with the provisions of section 811 of the Foreign Service Act of 1946, as amended.

"(3) The provisions of section 636 and title VIII of the Foreign Service Act of 1946, as amended, shall apply to participation in the Foreign Service Retirement and Disability System by any such officer or employee.

"(4) If an officer who became a participant in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection is appointed by the President, by and with the advice and consent of the Senate, or by the President alone, to a position in any Government agency, any United States delegation or mission to any international organization, in any international commission, or in any international body, such officer shall not, by virtue of the acceptance of such an appointment, lose his status as a participant in the system.

"(5) Any such officer or employee who becomes a participant in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection, shall be mandatorily retired at the end of the month in which he reaches age seventy.

"(6) Whenever the President deems it to be in the public interest, he may extend any participant's service for a period not to exceed five years after the mandatory retirement date of such officer or employee.

"(7) This subsection shall become effective on the first day of the first month which begins more than one year after the date of its enactment, except that any officer or employee who, before such effective date, meets the requirements for participation in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection may elect to become a participant in the system before the effective date of this subsection. Such officer or employee shall become a participant on the first day of the second month following the date of his application for earlier participation. Any officer or employee who becomes a participant in the system under the provisions of paragraph (1) of this subsection, who is age fifty-seven or over on the effective date of this subsection, may retire voluntarily at any time before mandatory retirement under paragraph (5) of this subsection and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

"(8) Any officer or employee who is separated for cause while a participant in the Foreign Service Retirement and Disability System pursuant to this subsection, shall be entitled to benefits in accordance with subsections 637 (b) and (d) of the Foreign Service Act of 1946, as amended. The provisions of section 625(e) of this Act shall apply to participants in lieu of the provisions of sections 633 and 634 of the Foreign Service Act of 1946, as amended."

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that section 8 be considered as read, printed in the RECORD, and open to amendment at any point. The section goes through line 22 on page 8.

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

There was no objection.

Mr. BURKE of Massachusetts. Mr. Chairman, I move to strike the last word.

I rise today in a more optimistic mood than ever before. This could well be one of the most historic votes cast in recent years in this House. Before us is an annual authorization bill which is probably the subject of more intense interest and expectation than any foreign aid bill in recent memory. For included in this year's bill, and totally overshadowing it in import, is the Morgan-Hamilton-Whalen amendment setting a certain date to end the war in Vietnam.

Now it has already been pointed out that this amendment is fairly mild and really has a number of conditions which

qualify it too much. However, I find myself agreeing with those who see in this amendment a major policy statement and historic legislation. If passed, it would put this House on record for the first time against the continuation of the tragedy that is Vietnam and serve notice to the administration now in its fourth year of war that it can no longer count on the obsequious complicity of this body in its bankrupt policies. More partisan amendments with an earlier cutoff date might be more attractive to those who have been waging the good fight against this war for so many years. But in its bipartisan approach, in its very simplicity, in its very moderateness rests this amendment's chief hope for passage and success.

The work of the House Foreign Affairs Committee has been cut out for it these past few months. Yet with its action in favorably reporting out the amendment before us today, the committee can be justifiably proud of its work and can rightly be viewed as a model of the new spirit of a truly responsive House.

The lobbying against this modest measure by the administration has been intense. This is understandable. The handwriting on the wall is even apparent to the powers that be. After all, with the caucus vote requesting the amendment before us today, the majority party had taken a historic stand. Today it is up to the whole House—Republican and Democratic representatives of the people alike—to take a stand and end the sorry spectacle of fruitless debate over a date certain which has tied up this body on so many past occasions.

It is my sincere hope that today's date certain will be the final date certain—the last in a whole series. The end of the killing. The return of our loved ones. The freeing of the prisoners of war and men missing in action. The last day in a dark chapter of this Nation's history. The start of something new—a world of genuine peace and prosperity at home and abroad.

Mr. ROUSH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, prior to the consideration of the next section of the bill I rise to continue a discussion I brought up day before yesterday on the folly of our foreign assistance program. I wish today to reiterate a position I have taken during my almost 12-year tenure in Congress; namely, that economic assistance information should be totally available to the public, the taxpayers who foot the bills.

Twelve years ago when I first approached the Congress on this subject, as a then freshman member of this august body, foreign aid was considered a popular and progressive policy. I opposed the program at that time for many of the same reasons that are surfacing today; because such assistance involves us needlessly in the affairs of other nations who frequently scoff at our generosity; and because the massive expenditures of these tax dollars lead us to neglect priorities here at home for dubious projects abroad.

Also, 12 years ago, when foreign aid bills came to the floor of the House, I endeavored to lift the veil of secrecy that shrouded the way our Nation was financing countries all over the world. When I introduced an amendment to the mutual security bill in 1959 for this purpose, I clearly stated that I was not trying to remove the secrecy lid from military aid for foreign nations—since at that time such assistance seemed related to our own security and the need for secrecy on military assistance was at least arguable—but only from economic assistance. I was at that time out of tune with the times and so unsuccessful in my attempt. I was a voice crying in the wilderness.

However, I am happy to report that in the last few years the Congress has attuned itself to a new strain, emanating primarily from the voices of the public who seriously question the need for and value of billions of dollars for tribute in the nature of foreign aid. Accordingly, in the last few years both economic and military assistance have been in large part declassified, the military most recently in just the last year—declassification is not complete on the military for which the total figures are now unclassified, descriptions of the programs and the congressional presentations are not public.

I am gratified at this development, but my enthusiasm and optimism are tempered by the fact that this was an administrative decision without the force of law. So last year when the foreign aid bill was on the floor of the House, knowing that economic assistance was no longer classified, I attempted to impose an amendment guaranteeing the continuance of that open policy, for I was fearful that what had been given by fiat, could be taken away by fiat, and I felt that the Congress should make its will known by law on this matter of secrecy about foreign economic assistance. I specifically included only economic assistance in my amendment; I thought this almost unarguable. I could not see why there would be any objection to giving the force of law to the practice adopted of not classifying economic assistance.

My amendment did not prevail and in discussion on the floor, Mr. MORGAN, chairman of the House Foreign Affairs Committee, stated, to my surprise, that "some of the material presented to us is always classified" in reference to security supporting assistance. Security supporting assistance is economic assistance to select countries to promote or maintain their economic or political stability. Those same countries generally receive military assistance, but security supporting assistance is economic. So it seemed to my amazement that economic assistance existed in a limbo of being both classified and nonclassified.

Once again this year I have tried to resolve this issue. We are now considering a foreign aid bill which is essentially military since we passed a 2-year authorization for economic aid last year. But security supporting assistance has come up again, although economic assistance is provided special nations faced with an immediate security threat to help them avoid, as the congressional presentation for fiscal 1973 puts it "simultaneous deterioration of the national economy as much as possible."

Now I find in researching this security supporting assistance that it is both classified and not, as seemed the case last year. I am assured by the Department of State under which this program operates, that anyone who wrote in or asked for information in the congressional presentation document could receive that information. But I am also told that there are details or aspects to the planning of the program that are classified, and these sometimes become the subject of special closed hearings.

I have in hand a copy of one of these hearings, this one before the Subcommittee on U.S. Security Agreements and Commitments Abroad of the Senate Foreign Relations Committee on Aid Activities in Laos. In April of this year these secret hearings were held before that subcommittee and AID funding under the supporting assistance title of the Foreign Assistance Act was discussed. In July a "sanitized" version of these hearings was printed and the full information regarding which funds were spent for what kinds of programs in Laos was denied the public. That is a story unto itself which I will not get into today.

What concerns me is the secrecy element. I cannot see that our security is threatened by a full revelation of our fiscal commitments, our economic commitments in Laos, or anywhere else. I do believe that fiscal responsibility to the taxpayer is greatly threatened thereby. Has not the taxpayer a right to know exactly how we will spend two-thirds of the security supporting assistance funds in Vietnam in fiscal 1973, $585 million for economic assistance at a time when the American people are being taxed to provide billions in war materials to destroy important economic assets in that same country?

This raises the profound question: Are documents secret when their publication would call into question policies that are either unpopular or indefensible, or because, as Senator STUART SYMINGTON suggests in a preface to the report on Laos, there is evidence that funds are shifted around by the executive department depending upon " 'policy considerations' of the moment"?

Perhaps gradually the whole fabric of both economic and military assistance will be made available to the public. It seems to me that secrecy is maintained until pressure is exerted by the Congress and the public; then secrecy is lifted. If there is no more justification than this for secrecy, it is obviously not needed. If there is a compelling rationale, then we should all know it. Most of all, we should know, as Members of Congress and the public should be informed, specifically what is and what is not classified information, whatever the degree of classification from confidential through top secret and why.

I tend to believe that in each case, if the reasons for classification of economic assistance information were rendered, these reasons would not be compelling or convincing enough to stand the light of day or reason. Then in that happy future the public would clearly perceive where and how and when and why tax

dollars were being spent for foreign economic assistance. Then the Congress could be truly held responsible for these expenditures.

The CHAIRMAN. Are there further amendments to be proposed to section 8? If not, the Clerk will read.

The Clerk read as follows:

SEC. 9. Section 655 of chapter 3 of part III of the Foreign Assistance Act of 1961, relating to limitations on assistance to or for Cambodia, is amended as follows:

(a) In subsection (a), strike out "$341,000,000" and "1972" and insert in lieu thereof "$330,000,000" and "1973", respectively.

(b) In subsection (b), strike out "$341,000,000" and "1972" and insert in lieu thereof "$330,000,000" and "1973", respectively.

SEC. 10. The Foreign Military Sales Act is amended as follows:

(a) In section 23 of chapter 2, relating to credit sales, strike out "ten" and insert in lieu thereof "twenty".

(b) In section 31(a) of chapter 3, relating to authorization, strike out "$400,000,000 for the fiscal year 1972" and insert in lieu thereof "$527,000,000 for the fiscal year 1973".

(c) In section 31(b) of chapter 3, relating to aggregate ceiling on foreign military sales credits, strike out "$550,000,000 for the fiscal year 1972," and insert in lieu thereof "$629,000,000 for the fiscal year 1973".

(d) In section 33(a) of chapter 3, relating to aggregate regional ceilings, strike out "$100,000,000" and insert in lieu thereof "$150,000,000", and strike out "of cash sales pursuant to sections 21 and 22,".

(e) In section 33(b), relating to aggregate regional ceilings, strike out "of cash sales pursuant to sections 21 and 22,".

AMENDMENT OFFERED BY MR. DELLUMS

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

The Clerk read as follows:

Amendment offered by Mr. DELLUMS: On page 9, strike lines 19 through 22.

Mr. DELLUMS. Mr. Chairman, I am offering this amendment to strike out a section of this bill that raises the ceiling on military arms sales to Latin America by a huge 50 percent—from $100 to $150 million.

Mr. Chairman, in my opinion congressional policy behind the ceiling provisions is a very good one. We should not chip away at that policy by making the imposed limits meaningless by continually raising the ceiling. The ceilings were instituted for a very good reason: To end U.S. participation in the wasteful diversion of absolutely needed scarce resources, and to avoid strengthening internal elites whose control of the means of violence makes them in the best of circumstances a dangerously unbalancing element in any emerging country's politics.

We must ask ourselves a very basic question: Can we rely on the military to solve the real problems of these countries, or will we only be solving pseudo-problems that merely consolidate the hold of unresponsive elites?

Sometimes it seems as if the main reason for raising these ceiling is the consideration that if we do not make these sales, other countries will. If biblical concepts are not out of place in these deliberations, I would remind you that we are told there that although evil will be done in the world, woe unto him who is the agent of evil. And I really think that our time and effort would be better spent trying to negotiate a general limit to arms sales to the developing countries, than to make a fast buck on other people's misery.

At a time when we are making arms limitation agreements with the Russians, it looks very bad to be encouraging the arms race in underdeveloped countries. This contradiction must be considered racist: The white people in the United States and the Soviet Union are worth protecting from the expense and danger of an arms race, but who cares what happens to brown and yellow people? Let them kill each other off, and why not make a profit while we are at it.

Another irony is that we can almost be said to afford our arms race, when compared to the problems that face underdeveloped countries. There, the diversion of resources is not an annoyance but a matter of life and death.

We should not fool ourselves that the arms race in underdeveloped countries is less dangerous to us. The examples of the Middle East and Southeast Asia should show us the dangers to our direct interests. In Latin America today, Brazil and Argentina are making threatening noises at each other while we arm both sides. Did we learn nothing from the Bangladesh debacle? Does not that disaster teach us the dangers of arming countries with traditional hatreds and with foreign policy ambitions, such as Brazil is today?

So what if Europe is taking these markets? We can not wait for the world to be good. That would make it too easy for us. I want the United States to have the honor to be the first to take the first step down that long road from greed and war to humanity and peace.

We must take the initiative. We must start trying to negotiate a general limitation on arms sales to the third world—stopping misery, not profiting from it. Surely if we can negotiate with the Soviet Union, we can negotiate this sort of thing with our allies.

But we can not take the initiative until our hands are clean, until we have shown we can make the puny economic sacrifice involved, until it is evident that our motive is not simply to get our fair share of the market. Let us begin that initiative today, and strike out this section.

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

Mr. Chairman, I find much that is admirable in the argument that has been made by the gentleman from California, but I would say to the gentleman that the House has been down this road several times before. I well recall the times when the gentleman from Massachusetts (Mr. CONTE) rode in on his white horse, brandishing his lance, and offered amendments to appropriation bills of exactly the same tenor of the one that is proposed here today.

The answer to these suggestions that legal provisions here can limit Latin arms purchases is that they do not work. They have not worked in the past. I supported the limitations that we put on the provision of arms for Latin America, and the Congress agreed on this, and we tried—the theory being that these countries would not spend on the acquisition of arms if we put a limitation on this acquisition. That has turned out not to be the case. The fact is that they have spent hundreds of millions since we imposed a limitation in 1965.

Listen to these figures on the acquisition of armaments from third countries in Latin America:

In 1966, $79 million; in 1967, $89 million; in 1968, $290 million; in 1969, $395 million; in 1970, $760 million, for a total of $1,611 million over this period of 4 years.

Now we are proposing to reduce the limiting amount by $50 million. I proposed the amendment, in the original bill that raised this limit to $150 million. It could be $125 million—it could be $175 million. the question is—What is a reasonable amount? I think this figure of $150 million is reasonable.

Now let us not forget that with a provision such as this, we can keep some control over the escalation of military equipment in Latin American countries. We were able to keep the planes of these countries from the type of sophistication that they have acquired in the last few years as with the purchase of the Mirage planes that have been bought in the country of Peru.

So it is not that we want to become merchants of armaments. It is not that we are going into this for the purpose of making money. It is to have some influence in this market. In view of the history of the last 4 years, it is quite obvious that a complete ban or limitation of these amounts beyond what is reasonable will not achieve the purpose that the gentleman seeks in his amendment.

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

Mr. MONAGAN. I yield to the gentleman.

Mr. MAILLIARD. Mr. Chairman, I want to join my friend, the gentleman from Connecticut, and to make perhaps one additional point.

This ceiling was unrealistically low and had the actual effect of having more money spent for arms in third countries than would have been had it been available here in the United States.

The gentleman from California points out that we are encouraging money to be diverted from other needs. We know from past experience that those Latin American governments are going to acquire the arms they need and deem necessary in one way or another. We have no way of preventing that. In fact, it has cost them more to buy the more sophisticated planes like the Mirage from France, had we been able to give them something more suitable to their needs.

Mr. MONAGAN. In any case, it does involve the acquisition of equipment that is appropriate and normal in carrying on the regular activities of policing and the protection of their coasts and so forth.

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

Mr. MONAGAN. I yield to the gentleman.

Mr. DOW. Mr. Chairman, I admire the gentleman from Connecticut—in fact, I accompanied him on a tour of South America.

Mr. MONAGAN. It was an unforgettable experience——

Mr. DOW. Not because of me, I am sure. But anyhow I admire the gentleman's understanding of South America.

Nevertheless, I would like to point out that we have had this program running for some years now. It is at a level of $100 million.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. MONAGAN asked and was given permission to proceed for 2 additional minutes.)

Mr. DOW. The level now is about $100 million. Yet, the gentleman read figures which show that the gross purchases and acquisitions of military armaments by the South American countries was going up at an astronomical rate—nearly up to $1 billion a year at the present time.

I think this points to the bankruptcy of our policy. If our policy is not controlling the arms increase there, it seems to me we had better abandon it and save the $100 million or the $150 million for appropriate purposes that are required here in our own domestic economy.

Mr. MONAGAN. Limitation was the policy we did follow and did support. Obviously, it has had no effect and, therefore, if these purchases are going to be made, by these countries, as they are, we should exercise some influence in these purchases. We were able to keep them at a relatively unsophisticated level while we had some leverage. That is what we hope to do.

Mr. DOW. It seems to me that it is a stage of sophistication when they have nearly a billion dollars a year.

Mr. MONAGAN. I think they are wrong, but that is not the point.

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

Mr. MONAGAN. I yield to the gentleman.

Mr. CELLER. I have listened to the argument made by the gentleman from California. Would not that same argument hold against $100 million as it would against $150 million?

Mr. MONAGAN. Exactly—yes—I think in essence that argument is one for complete elimination.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DELLUMS).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 11. Section 8(b) of the Act of January 12, 1971, entitled "An Act to amend the Foreign Military Sales Act, and for other purposes" (84 Stat. 2053), is amended by striking out "$185,000,000" and inserting in lieu thereof "$245,000,000".

SEC. 12. It is the sense of the Congress that the President, acting through the United States Delegation to the United Nations, should support in the United Nations General Assembly the resolution adopted at the United Nations Conference on the Human Environment calling for the establishing of a United Nations Environment Fund to finance new international programs which deal with problems of the international environment.

SEC. 13. Notwithstanding any provision of this or any other Act, the involvement of United States land, sea, and air forces, for the purpose of maintaining, supporting, or engaging in hostilities in or over Indochina shall terminate and such forces shall be withdrawn not later than October 1, 1972, subject to a cease-fire between the United States and North Vietnam and those allied with North Vietnam to the extent necessary to achieve safe withdrawal of such remaining forces, and subject to the release of all American prisoners of war held by the Government of North Vietnam and forces allied with such Government and an accounting for all Americans missing in action who have been held by or known to such Government or such forces. The accounting for the American prisoners of war and missing in action referred to above shall be subject to verification by the International Red Cross or by any other international body mutually agreed to by the President of the United States and the Government of North Vietnam.

AMENDMENT OFFERED BY MR. WHALEN

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

The Clerk read as follows:

Amendment offered by Mr. WHALEN: On page 10, line 18, after the word "than" strike "October 1" and insert "December 31".

Mr. WHALEN. Mr. Chairman, this amendment simply changes the effective date of section 13 from October 1, 1972, to December 31, 1972.

As I indicated Tuesday afternoon, this amendment is intended to accomplish two objectives: First, it recognizes the legislative realities inasmuch as it is apparent that the foreign assistance bill probably will not complete its legislative course until mid-September at the earliest; second, this amendment, if adopted, will remove any taint of partisan politics that might otherwise become involved.

Mr. MORGAN. Will the gentleman yield?

Mr. WHALEN. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I want to say that I heartily endorse the gentleman's amendment. In order to be realistic, we are leaving here on August 18 and will be in adjournment until September 5. The other body has taken the foreign aid bill and defeated it. It included a somewhat similar antiwar amendment. I expect, from what I hear by the grapevine, that the other body will take this bill, if the House approves it and it gets over there, and strike out the enacting clause and start working it over. That will take so long that the October 1 date is very unrealistic.

I congratulate the gentleman for setting the date of December 31. I feel it is a realistic date. It is a date which I have always supported, and I strongly support it now, because, as the gentleman from Ohio said, it takes this antiwar amendment out of the election and extends it to December 31. By that time the President can continue his negotiations, and the secret negotiations can go on.

I have before me an information sheet from the State Department saying that there have been 153 sessions of the Paris peace talks since 1969. The President announced that from August 1969 through 1971 there have been 12 private meetings between the North Vietnam representatives in Paris and the Americans, and they have had several more sessions this year. This amendment will give them another 3 or 4 months to continue those negotiations. The President himself on May 8 made a proposal which he said, if it was accepted, it would require 4 months after that when there would be withdrawal. I think the 4 months provided by the gentleman's amendment would cover that.

Mr. Chairman, I strongly urge support of the gentleman's amendment.

Mr. WHALEN. I thank the gentleman.

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

Mr. Chairman, this amendment gives us some idea of the ridiculousness of this whole situation. The gentleman from Ohio (Mr. WHALEN) has been very hot for an amendment to get the war over by October. Part of his argument was that we are going to get it out of the election campaign. Now he wants to draw it on right through the election campaign.

I suppose there is a certain amount of publicity value of having this thing up and down and back and forth and in the papers and out of the papers and across the headlines, but I do not know exactly whether that is going to be the kind of publicity that is going to do any good in the coming election.

If we are going to get it out of the election, why drag it back to December 31 if we really want to get out? I do not know.

I am not able to determine what the motivation is exactly. I think I know what the motivation is. The motivation is to make it a little more palatable for some people to vote to let the Vietcong insist that we not only get our troops out but also—and I will tell the Members what they are going to insist on when we get the troops out—they are going to insist we turn over all of South Vietnam to them before they release prisoner No. 1.

I think it is significant that the gentleman refused in the committee to entertain or to vote for an amendment, which I voted for and which the press did not report, that called for a cease-fire as well as a troop withdrawal. Oh no, they do not want a cease-fire. They want the killing to go on, but they want a political cease-fire to help the Vietcong achieve their aims.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the minority leader.

Mr. GERALD R. FORD. Mr. Chairman, I deeply appreciate what the gentleman from Ohio is saying. I think he is entirely right. If we assume the arguments are sound for the Hamilton-Whalen amendment and particularly the background and theory of that proposal, they assume that Congress by this amendment offered by the gentleman from Ohio will end the war by December 31. It is paradoxical to me that they are now willing to concede by an amendment that they are willing to extend the war for 90 more days. I happen to think there is more validity—a little, but some—to the October 1 date, but when they want to extend the war for 90 more days, all their credibility in my opinion goes down the drain.

Mr. HAYS. They want to extend the war so they can pick up a couple more votes, but it seems to me the acid test is whether these people are willing to in-

clude a cease-fire. I have heard the moaning and the groaning and the going on in the committee about let us stop the killing. Well, let us stop the killing. I am strong for stopping the killing. Let us stop all the killing. Let us put a cease-fire in, and let us say we will get out October 1 and there will be a cease fire and they will repatriate the prisoners. What is wrong with that?

I am not going to be taken in by any political mumbo-jumbo or any extension of the date to pick up a couple more votes on the floor. I am not going to be taken in by any of this because I have told them in the committee and I will state it here, if we write the amendment so it stops the war and stops the firing and stops the killing, I will vote for it as I voted for it in the committee, but there is no way on earth that I am going to vote to extend the killing another 90 days. No, I do not buy that.

Mr. FRASER. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. Chairman, I think it is clear the purpose of the amendment is to afford the administration reasonable time in which to negotiate, as the chairman pointed out, the disposition of the matters that are embraced in the resolution, and I think those who are opposing it at this point are doing so because they feel that by opposing the amendment they can advance their position on the main amendment.

This will make the amendment more realistic, and I would strongly urge its adoption.

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

Mr. FRASER. I am glad to yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. If the gentleman's argument as just stated is logical, why include any date at all? Why not give the President sufficient time to negotiate without a date? Then, when the conditions are met and when there is a cease fire and the killing of all the people in Vietnam, north and south, stops, this can be done. That is what we really want, is it not? Why not disregard the date entirely?

Mr. FRASER. As the gentleman knows, I have been opposed to American involvement for over 6 years. I am willing to provide a reasonable time for the administration to disengage. That is all that is involved in this amendment, and for that reason I believe it should be supported.

Mr. ZABLOCKI. Mr. Chairman, will the genlteman yield further?

Mr. FRASER. No; I decline to yield.

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

Mr. Chairman, the gentleman from Ohio (Mr. WHALEN), during debate on this bill a couple of days ago, indicated he was going to change the so-called deadline in section 13 from October 1 to December 31. Just previous to that he announced he was going to change the deadline to December 1.

I am not sure why he is suddenly getting so concerned about the change in the calendar date. My concern is with respect to any calendar date, and most particulraly the significance of the language of the provision itself.

In my opinion, changing the date to December 31 will surely not give the President time to negotiate in a reasonable way as has been alleged. The fact is that the provisions itself undercuts his position as a negotiator, and in my opinion there is no possibility that we could conceive of this other than as constituting a serious undercutting of the President's position as a negotiator.

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

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

Mr. HAYS. The gentleman from Minnesota said he had been against the war for 6 years but he is willing to extend it another 90 days. In other words, the message I get from that is he is willing to extend it so he can talk about it right up through and including election day.

Mr. FRELINGHUYSEN. The sad part is that there is such an election year flavor about this debate, as there has been about the discussion of the war. But legislation, unfortunately, is not going to end the war, nor is extending the date of this deadline in this particular provision going to eliminate, as the gentleman from Ohio naively hopes, any taint of partisan politics.

I should like to point out what is obvious to members of the Foreign Affairs Committee. We have approved an appropriate vehicle to discuss the kind of legislation we should like to develop with respect to the role of the United States at this point, and what we believe should be done in the immediate future.

On June 13 we reported out House Resolution 1225. Unfortunately, the report on that resolution was not filed until August 3, 2 days after this foreign assistance bill was reported. In that resolution we made a proposal which resembles very closely what the President suggested on May 8. It proposes that we will get out 4 months after certain conditions are met.

I should think that anybody would see the wisdom of not giving a calendar date but of saying "Meet certain conditions and we will do certain things at a certain period after that time."

I should add that there was substantial opposition to what the committee decided on in June with respect to this so-called end the war resolution. Similarly there was substantial opposition in committee to section 13. Let me read the reasons for opposing the joint resolution by reading from the minority's own views. They begin their statement explaining why they are opposed to the particular language that the committee endorsed by saying that and I quote, on April 20, 1972, the Democratic caucus of the U.S. House of Representatives adopted a resolution which read in part as follows:

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 . . .

This quite obviously was a political call to action to the majority of our committee. Their response has been muffled by their inability to develop a clear majority in favor of anything. Finally, in the middle of June when the committee came up with something which, for some reason, the at-that-moment minority, felt was not complying with the demand of the Democratic caucus.

So, whether we like it or not—and I regret this very much—politics is mixed up in this. It was the demand of the Democratic caucus that led to the compulsion on the part of certain members of the Foreign Affairs Committee to come up with language.

What I am saying is our committee has developed a separate resolution. We have available for immediate attention a resolution dealing only with this difficult subject. My suggestion is that we accept that resolution as a vehicle for working our will. We should not clutter up a bill which, as I said on Tuesday, could be quite possibly jeopardized if the language as it is now written should be left in it.

In my opinion, this section does not belong in this foreign aid bill. It should receive seperate consideration. Inevitably when we have that separate consideration, even if we consider a December 1973 deadline, politics will be involved, because at least part of the membership of this House is under the compulsion of the Democratic caucus.

Mr. BURTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Ohio (Mr. WHALEN).

I yield to no person in this House in terms of my credentials with reference to opposition to the war in Southeast Asia. I stood in this well time and again and predicted some things that look all too prophetic today. I think that the time has come for the House of Representatives to put on the statute books of this land a specified date to end this miserable war.

This is not and should not be considered a partisan effort. I was every bit as critical, if not even more so, when my own party's President led this Nation to deeper involvement in Southeast Asia.

The simple, plain, unadulterated fact of life is that some of our friends and colleagues who have never voted on any occasion with that growing number of us that want to end our country's involvement have contrived a tortured rationale trying to convince the Members of this House to vote against the Whalen amendment.

Their argument is just sheer nonsense. Certainly the Whalen amendment is a realistic effort, including the note of realism about the inevitable time that it may well take after the passage, hopefully, of this legislation and its being sent to the President.

The issue is plain and simple: This will be a bipartisan effort if the Members on both sides of the aisle support the Morgan amendment. You will characterize by your own vote whether you do or do not want to stand up and state, as an elected Representative of the people of this country that America, should get

out of this war. If you think we ought to stay in, vote against the Whalen amendment, and vote against the basic amendment, and your constituents and my own will have occasion to pass judgment on the wisdom of that vote.

I fear that the defeat of the Whalen amendment will result in the defeat of the Morgan resolution.

I urge my fellow antiwar colleagues not to fall into the trap of voting against the Whalen amendment.

Mr. GONZALEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise not to consume 5 minutes or to make a statement, even but I would like to ask a question, and I address my question to either one of the two authors of what is designated as the Hamilton-Whalen amendment.

I have received a total of four telegrams from my area, two within the district and two outside of the district, and I have received a special delivery letter this afternoon, and the language is almost the same. It says, "We urge you to be sure to vote for the Hamilton-Whalen amendment because it will end the war."

Now, because I had a similar question that I asked when we had the Nedzi-Whalen amendment before us, if the House approves this amendment, or the amendment to the amendment, is it the opinion of the authors that this would terminate the war?

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

Mr. GONZALEZ. I will be delighted to yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Chairman, we have said in our statement that this amendment will help end the war. We know that the Congress of the United States cannot negotiate an end to the war, and we are not seeking to do that. All we are seeking to do is set forth for the President the acceptable conditions, the essential conditions, for a withdrawal of American troops from Southeast Asia. We think that the President's proposal that is now on the negotiating table, which calls for an internationally supervised cease-fire, is unrealizable, and has no real chance of acceptance in the near future. The purpose of this amendment, then, is to set forth the condition for the President, which would permit him to negotiate on the basis that we think might help end the war.

Mr. GONZALEZ. But, in and of itself, if enacted it would not necessarily end the war?

Mr. HAMILTON. Mr. Chairman, if the gentleman will yield further——

Mr. GONZALEZ. I will be glad to.

Mr. HAMILTON. It would depend on what the President did after that. The mere enactment of the provision does not end the war.

Mr. GONZALEZ. That is the question I asked, and I will be glad to accept the answer. And I want to say why I am asking the question—because it is not just an idle thing, and it means a lot—is because apparently reflected in the special delivery letter, which of course is more explicit than the telegrams, it states that she is under the impression that whatever statements were made, or whatever she read, or whatever she was being urged to do—and I suspect it might have been an organized effort, because I understand Common Cause is lobbying pretty hard for this amendment—she makes it plain that she is asking for your vote in order to bring about approval of the amendment because it will end the war. And I just wanted to clarify it because naturally I think everybody is concerned about what the Congress does or does not do in this connection.

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

Mr. GONZALEZ. I will be delighted to yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I think the House understands this but, to make it crystal clear, the original Hamilton-Whalen amendment set a cutoff date of October 1.

Now, regardless of anything my distinguished friend, the gentleman from California (Mr. BURTON) has said—and he is my friend, and a close friend—a vote for the present Whalen amendment, the pending amendment, is simple a vote to extend the war to the 31st day of December.

There are two separate amendments—the original Hamilton-Whalen amendment which has a cutoff of October 1 is in the mill.

This is another Whalen amendment to extend the war. You can argue all you want to, and I will come in and I will come into any of your constituencies and you can come to any of mine and debate it. But, if you vote for the Whalen amendment which is pending now, you are voting for nothing more nor less than to extend the war by congressional sanction until the 31st of December.

Mr. GONZALEZ. I just wanted to ask a question of the distinguished gentleman from Ohio in view of that.

I am afraid that is straying from the central point of the question. I will ask you, because you are an eminent member of the committee and have been for some time—regardless whether the date in the amendment is October or December, is it your judgment that the action taken by the Congress, assuming it approves either version, would terminate the bill? Is it inherent in the congressional power reflected by the passage of this amendment, in case it is, that it would tend to terminate the war?

Mr. HAYS. It would not—of course, it would not terminate the war. The only way you are going to terminate the war—and the gentleman from California (Mr. LEGGETT) showed me some language of Madame Binh—and I do not happen to have it with me—she said that "the only way we would terminate this war is for the United States to withdraw and turn over the Government of South Vietnam to us."

The CHAIRMAN. The time of the gentleman has expired.

(Mr. GONZALEZ (at the request of Mr. GERALD R. FORD) was granted permission to proceed for 3 additional minutes.)

Mr. GERALD R. FORD. Mr. Chairman will the gentleman yield?

Mr. GONZALEZ. I am delighted to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, I think the gentleman from Texas has raised two excellent points.

In my judgment, the enactment of the Hamilton-Whalen amendment with the October 1 date would not, if approved by the Congress, end the war. It is my opinion, nevertheless, that people who favor that provision, the various organizations have sold your constituents and some of mine honestly believed that it will end the war.

So let us assume that they are right—which I disagree with—this Whalen amendment would extend the war 90 days more. I do not understand the rationale or the logic of that point of view.

If they want to really end the war—and I do not assume that their arguments are persuasive—I cannot understand why, now at this late date—and I will not try to analyze their motives—I do not understand why they now want to extend it 90 days more. This amendment will add to the tragedies and casualties in Vietnam.

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

Mr. GONZALEZ. I yield to the gentleman.

Mr. JACOBS. It seems to me, in order to say that the Whalen amendment would extend the war 90 days, a great revelation has been brought into this Chamber today—namely, that the war is going to end on October 31.

Some of us have always suspected that all along.

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

Mr. GONZALEZ. I yield to the gentleman.

Mr. WHALEN. I think the implication of the remarks of both the gentleman from Ohio and the distinguished minority leader is not that the President is going to be able through his own negotiating efforts to end the war either. Thus, they are seeking to put the onus for extending this through December 31 on the Members of Congress.

If they have that much faith that the President can end the war at the negotiating table before this time, I would think that this would not matter insofar as what date is contained in section 13.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman from Texas yield so that I may respond to that?

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

Mr. GERALD R. FORD. The President is daily seeking to end the war by negotiations. I do not think an October 1 date and I do not think a December 31 date will help that effort in any way whatsoever.

Now, if this amendment of yours prevails, it acknowledges that we want to extend the war for 90 days. I think it will be even more harmful than helpful.

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

Mr. GONZALEZ. I yield to the gentleman.

Mr. FRELINGHUYSEN. I think that the deadline is not only illusory, but there is no reason to think that anything dramatic is going to happen because the deadline is written into this legislation. That is one of my worries

about any deadline. It does give the average citizen, and perhaps even some of us on the floor, the feeling that something dramatic will happen by a date certain. One more point, section 13 sets minimal conditions for negotiating. These are different than the conditions the President has set as our own position in negotiations.

Mr. BURKE of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Whalen amendment and intend to vote in support of the motion to delete all of section 13 from the Foreign Assistance Act of 1972, H.R. 16029, when this amendment is offered later.

While I support a strong national security program, including military assistance to friends and allies such as Israel, I cannot support the bill as reported out by the Foreign Affairs Committee.

In my dissenting views, which were made part of the committee report, I pointed out that section 13 contains an "end the war" provision, which calls for a limited cease-fire, and seeks only to save our skins as we withdraw. In my opinion it is more political than honest.

It seems inconsistent to me, for those that talk about the suffering and the inhumanity of the Vietnam war, to simultaneously attempt to guarantee the safety of U.S. prisoners of war without properly negotiating for the release of the South Vietnamese, and other prisoners of war, who were taken prisoner while fighting as our allies in Vietnam. To be sure, I strongly endorse bringing home our American boys who are being held as prisoners of war as quickly as possible, but my interest in humanity compels me to view the prisoner-of-war situation in its entirety in the name of mankind, rather than to view it on the basis of the United States taking care of its own, and thereby willfully allowing the prisoners of war of our allied nations, and, in fact, many civilians to remain interred, and perhaps, even condemn them to death by our negotiations.

As a member of the world family of nations, we should not abandon principle because we wish to leave the field of battle. Behavior such as is contemplated by the present language of section 13 is unbecoming to any civilized nation, and, it would be even more unbecoming to our Nation which purports to be humane, and to be the most powerful and wealthy country on earth. It would hardly reassure our friends anywhere, whether it is in the Middle East, Asia, or other parts of the world, where we have mutual security interests to uphold by way of agreements and treaties.

Mr. Chairman, is it not ironic, also, that while we coldly turn our back on our allies' prisoners of war, are those who would by H.R. 16029, also censure the behavior of two other nations.

In fact, it seems to me that those that take this view have lost sight of our principles of fair play, and of our own future security interests, in their haste to assuage certain loud, vocal, factions who demand that we get out of Vietnam at any price.

We do not live in the best of all possible worlds, and while we may hope for improvements in human conditions elsewhere around the globe, our experiences since the end of World War II should have taught us that we have no right to insist that other people behave the way that we feel they should behave.

Why then, should we place in jeopardy the continued use of our base in the Azores, with a prohibition against the obligation or expenditure of funds to carry out our agreement with Portugal without the consent of the Senate? Why, also, should we stop the importation of chrome from Rhodesia, as section 14 provides, when chrome is essential to our manufacturing, and must be bought from the Soviet Union and other sources at higher prices? Dependency on the Soviet Union at this time, when world conditions are as they are today, in my opinion, borders on lunacy.

The unhappiness of some, with Portugal's policy toward Africa, should not be permitted to adversely influence agreements that are important and essential to our national security. Also, the unhappiness of some, with Rhodesia's white government and its policies, should not be permitted to further impair our own international balance of payments particularly when this imbalance continues to grow.

To me, the real question should be, how can the United States serve the best interests of world peace and bring human dignity to the world's peoples? Can we honestly say that this is our aim when we attempt to save U.S. POW's at the cost of the lives of our allies' POW's? I say no, Mr. Speaker, it is not. Nor, do I feel it is being done when we jeopardize a vital base in the Azores in the hope that we can coerce Portugal to change its policy toward those living in its African possessions. Nor, can I bring myself to believe, Mr. Speaker, that we are helping our Nation when we impair our balance of payments by forbidding the importation of Rhodesian chrome in the hope that such sanctions will corce Rhodesia to hasten black involvement in its governmental policies.

Mr. Chairman, I urge the defeat of section 13 of H.R. 16029, the so-called end the war provision, which, will, I am sure, cost the lives of thousands of our allies' prisoners of war, and thousands of civilians who will be left to the capriciousness of our enemies. For this reason, I urge that my colleague reassess their views, and, if they really care for human dignity of man to vote against the Whalen amendment and in favor of the amendment to delete section 13 in its entirety when it is offered.

Mr. MADDEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was rather amused at the statement that was made by the gentleman from New Jersey that he is somewhat fearful that politics has entered into this end-the-war amendment. Why, politics has been in this Southeast Asia mess for some time. I remember 4 years ago when a very distinguished statesman was going over this country, a Republican candidate for President, who said he had an immediate plan to end this war. People took him at his word. He won the election in a photo finish over Vice President HUMPHREY. I am going to talk just about the State of Indiana. I am not going into the details of the right or wrong of this Vietnam war, but I would like my colleagues to know about what the voters in Indiana did in 1970. Richard Nixon as the presidential candidate carried Indiana in 1968 by 284,000 votes, a landslide. Eighty percent of his campaign issue there, I would say, was on his plan of bringing this horrible war mess in Southeast Asia to a termination. That is the prime reason why he carried Indiana by 284,000 votes.

Two years passed and the 1970 November election brought bad news for the Republican Party in Indiana.

When those 2 years passed, many people in Indiana said, "We have been misled." The "Vietnam war is still raging."

But we had some help in Indiana. There was a U.S. Senator from Indiana running for reelection named Senator HARTKE. The opposition spent about $2 million to defeat Senator HARTKE in that election. They called him a Vietnam sympathizer and said he was misleading the people. The gentleman who is no longer here is my friend, Dick Roudebush, HARTKE's opponent. He was on the side of President Nixon on the Southeast Asian war. Richard Nixon visited twice in that campaign. Also, SPIRO AGNEW came out to Indiana and fought Senator HARTKE on the Vietnam war issue. He spoke four times for Congressman Roudebush.

That was the issue between Roudebush and HARTKE. Even some prominent Democrats in September of 1970 thought HARTKE would be defeated by about 200,000 votes. I know most of my Republican friends said in September that HARTKE would be defeated by as big a landslide as HUMPHREY lost the Hoosier State 2 years before. But they did not know that the voters in Indiana remembered what President Nixon told them in 1968 and on which he evidently forgot during his first 2 years in office. Candidate Nixon said "He had a plan." You Members remember what happened? Senator HARTKE did not get defeated by 250,000, as some said he would in August 1970. When the curtain was pulled in the polling places on election day and the voters in Indiana, both Republican and Democrat voted, they did not have anybody near to call them unpatriotic if they said they were against Vietnam, and they voted for HARTKE. It was close, but he had been billed as losing by 250,000 and he won a great victory in the Republican State against a $2 million Republican campaign fund.

So Mr. Chairman, I am for this amendment to terminate the war on condition our war prisoners are released.

We must get back to the congressional work and defeat inflation, high prices, unemployment, education, antipollution, public works, education, et cetera, et cetera.

The people of America are "fed up" with broken promises by the national Republican administration.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I cannot help but wonder what the President of the United States by the name of Lyndon Johnson

said in Indiana in the Presidential election year of 1964 about American boys not being used to fight Asian wars. I wonder if he gave the people of Indiana any indication that he was going to send 500,000 Americans into Vietnam in 1965? I wonder if Indiana's people ever heard of Lyndon Johnson's Secretary of Defense McNamara, who said in 1964 in preparation for the Johnson election that fall, that the war was being won?

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

Mr. GROSS. Just a minute.

The war was being won, said McNamara, and they would have American troops out of Vietnam by the end of 1965.

I yield to the gentleman, if he can give me a good answer about the operation of Lyndon Johnson in Indiana in 1964.

Mr. MADDEN. I believe the gentleman read the newspapers, and some papers said "that when Lyndon saw how bad that Vietnam war was going he decided to get out of the picture."

Mr. GROSS. That happened to be 4 years later in 1968.

Mr. MADDEN. Now, I see that his man Friday, former Democratic Governor Connally, who has jumped over on the other side, and he is on the television about every day persuading Democrats to follow what Lyndon Johnson ran away from back in 1968.

Mr. GROSS. Let me say to the gentleman that I believe there is enough bad management of the Vietnam war to go all around.

Mr. BINGHAM. Mr. Chairman, I rise in support of the Whalen amendment.

Mr. Chairman, first it seems to me worth noting that up to now every speech made in opposition to the Whalen amendment has been made by people who are against the Morgan-Hamilton-Whalen amendment whatever the date. Whether it is October 1 or December 1 or December 31 they are against it.

The only reason they are coming here to urge us to oppose the Whalen amendment is that they are afraid if the date is moved back to December 31 they might fail in their effort to kill the end-the-war amendment altogether.

I challenge any one of the opponents who have spoken against the Whalen amendment so far to say that he will vote for the Hamilton-Morgan amendment if the Whalen amendment is defeated and we stick to the October 1 date.

I would love to see the October 1 date. I would love to see us out of Vietnam yesterday. But the December 31 date is a practical date.

Most of all I want to see the Morgan-Hamilton-Whalen provision prevail, and I believe it has a chance to prevail if we adopt the Whalen amendment.

Another point that has not yet been made is that a very good reason for moving the date back by 2 months was that the original language of section 13 of this bill developed by Mr. HAMILTON was developed about 2 months ago. We should not stick blindly to a date that the opponents of any date for withdrawal can argue is unrealistic.

I should like to say a word in response to the question raised by the gentleman from Texas (Mr. GONZALEZ), and to make a suggestion to him as to what he might answer to the lady on the question, "Will this action by the Congress end the war?" Of course it will not automatically end the war. What it will do is reveal that this House no longer wants to continue to fight in Vietnam for the purpose of keeping the Thieu regime in power in South Vietnam.

That is the fundamental issue. That is the fundamental difference of opinion.

There are two reasons why the cease-fire proposed by the President, a general internationally supervised cease-fire, is not an acceptable or practical proposition: first, that it is unacceptable to Hanoi, second, that the successful working of such a cease-fire would depend on the cooperation of the Thieu regime. That cooperation would not be forthcoming because that regime does not want an end to the war. General Thieu and his associates are doing just fine so long as the war continues.

We can only end this war if the Congress will declare it effectively to be the policy of the United States that we want the war ended whether or not we are able to save in power the present regime in South Vietnam, a regime which among other things has just closed down any semblance of a free press.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. I appreciate the gentleman's yielding.

I am completely amazed by what appears to be a concession to his advocacy of the Whalen amendment, that he now wants to keep, under his argument, the Thieu regime in power 90 days longer.

Mr. BINGHAM. Will the minority leader tell us whether he will vote for the Hamilton amendment if the Whalen amendment is defeated?

Mr. GERALD R. FORD. Of course not. And I have always said it in any argument that I have made today. I do not assume that the argument for the Hamilton-Whalen amendment in its original version is sound. I think it is even made more obnoxious by the Whalen amendment now where it is proposed to extend the war 90 days longer. According to the gentleman's own words, I believe it would keep the Thieu regime in power 90 days longer. I do not understand the rationale.

Mr. BINGHAM. That would not necessarily be the result of the amendment; and that would be up to the President's negotiations.

I would like lastly to raise a question in the minds of those who might be influenced by the strategy of the minority leader to vote against the Whalen amendments so that we will have a better chance to beat the Hamilton amendment: They are going to have a tough time explaining to their constituents why they voted against the Whalen amendment to put the date back 3 months and then voted against the Morgan-Hamilton amendment itself.

Mr. CEDERBERG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, some of us have been here for some time and we have been through the Cuban crisis and through all of the period that led up to the problem we have in Vietnam now.

I cannot help but remember as a Member of this body during this period when the now distinguished Speaker, was the majority leader, and the majority leader now, who was the majority whip at that time, and the gentleman from Indiana, Mr. Halleck, the minority leader, and our present distinguished minority leader (Mr. FORD) who was involved, and we faced these crises for our Nation and they all stood together in support of the Chief Executive whoever he was because we thought he knew the best way to handle these perplexing problems.

Well, here we are today. I recognize we are 2 months before an election, and we have a great tendency to become political at a time like this.

I yield to no man and I know of no one who has a greater desire to wind up the war in Vietnam and return our men home and have peace in that area than I. I do not attribute any ulterior motives to anybody on either side of this question. I resent having anybody attribute those motives to me, because I am just as interested in a conclusion to our problems in South Vietnam as anybody else is. I do not think there is a Member of this House on either side who does not feel that way.

But we have a problem here, and I think it is a sad problem. We are dividing ourselves over a date as to whether it is in October or in December, thinking somehow that this is going to bring about a utopia and conclude all of our problems in Southeast Asia. It just is not going to happen that way.

I think one of the tragedies I see around this country is when people in high office and out of office go around this land and divide the country and give false ideas that somehow a solution can be found in a very simple, simple manner; when I see a former Attorney General of the United States, the son of a former distinguished member of the Supreme Court, go to the enemies of this country, to Hanoi, and talk about our bombing of the dikes when he knows it is nonsense.

Let me say this to you, also: What we need today is a healing of the wounds on both sides. The fact is that the President of the United States is doing his dead level best to try to remove us from that area in an honorable and sensible way and to prevent further bloodshed.

I do not hear any of these advocates of an easy solution condemn the enemy when we see reports of what happened in Hue during the Tet offensive and the slaughter of thousands then and the slaughter of civilians that has taken place recently in South Vietnam. The South Vietnamese did not do that. The North Vietnamese went into South Vietnam. It is time that you get a little balance in your criticism.

We never hear you condemn any of the actions of the enemy.

This disturbs me a great deal.

Now, if you want to get partisan, I will put the Republican record against the Democrat record as wars are concerned.

But that is not the point, Members of the House. The point here is to unite. If we can do that we will get this war over.

Do you think that Hanoi does not read the newspaper reports on the kind of debate we have here? Of course they do, and they take heart each time they see people in high places dividing us. Let us not fall into the trap that somehow we in the Congress by a certain date are going to solve it. Why did we not have an amendment from that side or this side in 1964, 1965, 1966, 1967, 1968? Where were all the amendments then? We did not see any of them then.

Let us join with the President, all of us, get together so we can try to bring about sensible negotiations that we would all like to see, and so that we can have a meaningful peace in Vietnam. That is what we are for.

Mr. ROSENTHAL. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, it is with some reluctance that I rise in opposition to the Whalen amendment, but I do so because I believe October 1 is a far more meaningful date than December 31.

Furthermore, from a pragmatic point of view I do not subscribe to the theory that if we change it from October 1 to December 31 we will obtain more votes for the amendment. My own judgment is we probably will not obtain any more, except maybe to decide the issue on the basis of our own convictions.

The kind of speech my good friend, the gentleman from Michigan (Mr. CEDERBERG) just made is the kind of thing we have been hearing for 6 years now, "Join with the President, unite with the President, let us solidify our position, let us do this, let us negotiate an end to the war." I would ordinarily agree with that. I think there is merit in it, but after 6 years one begins to doubt the efficacy and the integrity of those kinds of arguments—not that the Member who made it does not believe and subscribe to this, I believe he does. But it would seem to me that the gentleman should have learned, as many of us have, that this war will never end unless Congress takes a hand itself, and says, "The time has come to end the war."

Mr. CEDERBERG. Will the gentleman yield?

Mr. ROSENTHAL. I will be glad to yield to the gentleman from Michigan.

Mr. CEDERBERG. Just one thing. The gentleman said he would not be able to join me in my suggestion of unity for peace but there is a saying that is going around these days, and that is, "Try it," because "I think you will like it." That is why I think we should all unite for real peace.

Mr. ROSENTHAL. That is a very good television expression. I think we have been the victims of those sorts of things for far too long.

It just seems to me, Mr. Chairman, that October 1 is better. The time has come for the Congress to declare its independence from the executive branch. The American people I believe have made a judgment that the war ought to be terminated. It is never going to be terminated until you tell the regime in Saigon that the United States will no longer support that regime. We find much fault with the regime in North Vietnam, but there are things around the world and circumstances around the world that we do not have the force or the ability to change, and I can cite a number of cases.

But the issue today is quite simple. I am not interested, as my colleague, the gentleman from New York said in listing the Members who want to continue the war. That is not my concern. My concern is not a partisan political one. I made the same suggestion when we had a Democratic President. This Congress itself is the final alternative to this war dragging on.

So long as we have Americans serving in our ground forces there, so long as we have our Navy and Air Force there, so long as we are committed to the perpetuation of the present Thieu regime in office, this war will never end. So long as we seek the cease-fire that the President wants, which gives Hanoi a veto power over American operations, the war will never end.

The Congress must declare once and for all that we will no longer fund this war—that we direct the President to withdraw all American forces from Southeast Asia.

If it were our will, we would like to have a nicer regime over there—a finer climate, a government more to our liking. But we do not have the opportunity to do that. It seems to me that the day and the hour has come here now, and I would urge my colleagues—do not extend the date to December 31. That time is of no value. We have extended it 6 years, 7 years now—and 2 or 3 months only brings more disaster and more trouble and more pain.

It seems to me, very frankly, if you want to keep the President alert to understanding the wishes of the American people, then the way to do that is by October—before November—rather than December, after November.

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

Mr. Chairman, I think the debate has made plain that the Whalen amendment is by no means some bipartisan effort to achieve a compromise on the basic issues before us in the Hamilton-Whalen provision, so-called, of this legislation.

Indeed, it is a strategy by the proponents of the end-the-war amendment, so-called, the opponents of what the President is trying to do now in his peace proposals, composed in the main of people on the majority side of the aisle and of a handful of people on the President's own side of the aisle. This is a joint attempt of those who would bring about the most rapid withdrawal from Vietnam at any price to gain a few votes by moving this date back to December 31. It is a matter of participation of the President's own left flanks in an attempt to shoot him out of the saddle—it is not any bipartisan compromise at all.

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

Mr. BUCHANAN. I yield to the gentleman.

Mr. HAYS. I tried to get the gentleman from New York (Mr. BINGHAM) to yield, but he did not. He kept talking about what President Thieu thinks and what President Thieu wants.

He seems to have some kind of omniscient information about what goes on in President Thieu's mind.

I was just curious—if he has some of that kind of information about what goes on in the Communist General Giap's mind because, it seems to me, he really has more control over whether there is going to be a cease fire than President Thieu or President Nixon for that matter.

Mr. BUCHANAN. The gentleman's point is well taken. We cannot control what the other side does. We can, however, here today take a stand in support of our President's position, which can increase the likelihood his adversaries at the negotiating table will recognize the necessity of action toward peace on their part rather than a stand which will encourage them to continue their invasions and aggressions against their neighbors, and frustrate the President's efforts toward peace.

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

Mr. BUCHANAN. I yield to the gentleman.

Mr. BLACKBURN. It seems to me there is a misnomer being applied quite often in the subject, before the Congress and that is the term "end-the-war resolution."

It is not an end-the-war resolution.

We are talking of a date of surrender resolution. I think the sooner we start using that term, the more clear will be the understanding of the subject under debate.

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

Mr. BUCHANAN. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We have perhaps not discussed sufficiently the significance of the provision itself. The gentleman has expressed some concern about the so-called deadline. I share that concern, whatever the date is.

Also I wonder whether we are not, if we should approve this language, seriously modifying the conditions under which the President may be able to operate.

As an example, suppose the negotiators in Paris found that there was a possibility of getting a cease-fire throughout Indochina—but not within the deadline that is proposed? Would their hands, therefore, be tied? They would be at the negotiating table, but would they be able to maintain as a negotiating position any consideration of something that would not take place within a few weeks or at most a few months?

It seems to me, we should be discussing whether the result would not be a serious lack of flexibility on the part of the negotiators which might make it more difficult to get an honorable settlement instead of making it easier. We keep talking of the date as having some significance, but the important significance is that we would be reducing the opportunity for a reasonable settlement by imposing overly rigid conditions.

Mr. BUCHANAN. I think the gentleman raises a very valid question.

What, in fact, is the issue here is whether or not for the first time in the

history of this House or this Congress, we will dictate to an American President the specific terms on which that President must terminate ongoing hostilities, hence dictating to him the terms of negotiation with an enemy.

The President has made a proposal. Apparently, the Russians think it was reasonable. They sent Podgorny to Hanoi and shortly thereafter the North Vietnamese officials came back to the conference table and it was apparent the Russians felt the President's proposal for peace was a reasonable proposal.

Yet we here today would telegraph this message to Hanoi and to Saigon and to the American people and around the world——

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

(By unanimous consent, Mr. BUCHANAN was allowed to proceed for 2 additional minutes.)

Mr. BUCHANAN. We would telegraph the message to Hanoi, "Hold on, we will help you. We will force upon our President concessions beyond those which he has made. We will do your job for you if you hold on and await our instructions to our President."

Now, this is the essence of the issue before us, and this is the issue. The gentleman's amendment has no substance, it is merely cosmetic in terms of its dealing with that question. I oppose his amendment, because there may be those who would be so misled as to believe that that is some kind of compromise which somehow satisfies the basic issues, but the issue is, what will you telegraph to Hanoi, to Saigon, and to the American people? Will it be that we will strengthen the hand of our President, or that we will cut the ground out from under him as he seeks to negotiate with the enemy?

Mr. KAZEN. Mr. Chairman, I move to strike the requisite number of words.

And if Hanoi does not release the prisoners of war, does not meet all the other requirements of cease-fire and so forth, then what would happen?

Mr. WHALEN. The section would not be effective.

Mr. KAZEN. What is the meaning of the section then?

Mr. WHALEN. The meaning of the section is that we are directing the administration to remove our troops by either October 1, as is presently written, or by December 31 as this amendment proposes, subject to three conditions.

As was pointed out previously, if these three conditions are not met in the negotiating sessions, then, of course, this section has no effect.

Mr. KAZEN. Then suppose that after the date provided for in this section they do meet those conditions, what is the provision of the President and who is going to enforce what? Or, is there anything left to be enforced?

Mr. WHALEN. It would seem to me that after that date it would be up to the negotiators on our side to determine whether or not they agree with those three conditions at that point.

Mr. GONZALEZ. Mr. Chairman, would the gentleman yield?

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

Mr. GONZALEZ. I thank my colleague from Texas for yielding. He is following the line of questioning that I wish I had time to follow through, but honestly, from the answers received from both the authors of the amendment as well as those supporting the amendment, as well as those against the amendment, it is quite obvious that actually if we were to approve this amendment, it would not, in fact, be an end-the-war amendment. It would be a sense of Congress, an expression of the sense of the House.

It seems we have already done this as far as the majority party is concerned. We did it in the Democratic caucus. We did it before when the Mansfield amendment was approved. The President said that he would not follow the Mansfield amendment when he signed the bill to which it was attached, but I take advantage of this time now, because the name of President Johnson was injected here a while ago, and also President Nixon.

It was said categorically even by a friend from Indiana, that President Johnson did not seek the election in 1968 because he was scared of the verdict of the people because of the decisions made by the President with respect to Indochina.

I want to put the charge of a base lie to that contention, because I happen to know that President Johnson did not seek reelection for the very reason that was poignantly and dramatically and sadly revealed to us earlier this year when he suffered another heart attack. He knew that. He was told that at the time he made up his mind not to seek another 4 years, because he did not want that to happen if he were in power—and there is no doubt in my mind he would have been.

The implication is that President Johnson was a warmonger. Let me say that is as far from the truth as anything I know. It has been our privilege to know President Johnson. A man more compassionate or a more sensitive soul I have never known in or out of politics. His role as Commander in Chief and as President of the United States led him to the decisions based on his past judgment. Let me assure the Members that President Johnson when the final history is written will go down as an eminent, in fact a preeminent President with great insight and masterful judgment. The history has not been written yet. Yet we have all these smug and graceless and know-it-all smarties after the event, these pundits and panjandrums and experts.

I will tell the Members, no man was more meanly treated than President Johnson was. I can still remember: "Hey, hey, L. B. J., how many babies have you killed today?" Where are all the smart alecks now who said that then? Most are in Canada—or somewhere else.

The President of the United States Lyndon Johnson is a man who has been meanly treated. I think our country is not ungrateful and now recognizes his compassion and his efforts and his contributions in spite of the efforts by some Republicans and Democrats to try to throw him back into the dust of history.

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

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

Mr. KAZEN. Mr. Chairman, I yield to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Chairman, again I thank my colleague from Texas.

Mr. Chairman, I think it is time that some things were said. There are some Democrat leaders who are scared poopless to mention or render tribute to President Johnson even though they know in their heart of hearts that President Johnson was and is and will continue to be a great man.

Yes, sure, there is confusion. I know as a matter of fact that President Johnson would have just as gladly and willingly ended the war, as any of the loudmouths who were protesting he did not—and maybe he wanted to do it more than they. I am equally sure President Nixon would do it if he could. I do not know President Nixon as well as I have known President Johnson, but I feel secure in my heart and conscience that if President Nixon could, he would terminate the war—but not at the price of willy-nilly forgetting the best interests of the Nation and the country's future.

This is what is at issue.

Awhile ago when I asked a question, the gentleman who is a coauthor of this amendment said in effect that the difference is a matter of judgment whether the congressional purpose or expression of intent is superior to that of the President. Well, that answered my question. It satisfied me. I think I know exactly how to answer the inquiries and questions and how my decision on the vote will come. But I still think that the recriminations that are made against our country, in and out of this country, which our country is still pathetically a victim to, are most damaging to the best interest of this Nation. I know it.

I am not an advocate of passively accepting Presidential mandates, but I am a respecter of the Constitution and of the balance of power. I think as much as I have resisted the encroachment of the executive on the legislative branch, I am equally sensitive to the encroachment of the legislative on the executive.

Mr. KAZEN. Mr. Chairman, before the gentleman takes up all my time, I want to associate myself with the remarks of my colleague concerning President Johnson, who I consider as one of the most able Presidents in history.

Mr. GONZALEZ. I say to the Members, let us be fair, let us not be ungrateful, and let us forever and a day leave aside any thought that a President such as President Johnson was acting in callousness, because I can assure the Members he acted with a full heart and a full mind and full knowledge and complete compassion in the best interest of the United States of America.

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

It is clear that every time the issue of our involvement in Southeast Asia comes to this floor there is a very dramatic attendance on the part of Congressmen and Congresswomen on both sides of the aisle. We spend hours in debate

Virtually everything has been said that needs to be said about our involvement

in Southeast Asia. It is clear that if there is one single important thing that this 92d Congress can do it is to end the war in Southeast Asia which I consider to be illegal, immoral, and insane.

What we have before us at this moment is an amendment to move back the date from October 1 to December 1. It is to that question I should like to address myself.

One of the major problems with respect to America's involvement in Indochina has been numerous political decisions. What this amendment does is to move politics back into this consideration.

What we are saying here is that for 2 additional months more Vietnamese people can be killed, more American troops can risk their lives, more American personnel can risk becoming prisoners of war, for no other reason than the politics of this question.

Just a few minutes ago we saw a dramatic example of our colleagues on both sides of the aisle willing to applaud political statements but not to applaud peace and humanity and justice in this country and on the part of this country.

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

Mr. DELLUMS. I do yield to the gentleman.

Mr. HAYS. The date is December 31.

Mr. DELLUMS. Thank you very much.

That means 3 months more for people to die, 3 months more for prisoners of war to be taken, for more American GI's and untold numbers of Vietnamese to die.

That is the point that needs to be made. Politics of this issue should have nothing to do with the question.

What about humanity? What about peace?

This is supposed to be the body which assumes leadership in this country. We talk about the balance of power, yet the U.S. Constitution clearly points out that you and I have the warmaking power, not the President of the United States.

Let us not move this date back. Let us stop this insanity now. All the eyes of America are on this chamber today.

My hope is that every single one who does not come forward with the integrity of dealing with the issue of peace and humanity will be voted out of office in November, if unwilling to say that this war must come to an end in October.

The time has come to stop playing political games with human lives, whether those lives are American or the Vietnamese people.

We have stood here and answered technical questions about bombing this and bombing that. The fact of the matter is that this Nation must assume the role of peacemaker in this world, and not continue to be murderers, bombers, and killers, as we have been in Vietnam.

Hundreds of thousands of young GI's have come back from Vietnam and have said, "I thought I was fighting for freedom and justice and self-determination, but it is clear today that I have murdered people in Vietnam."

Let us bring them back home October 1. This war should have been over many years before October 1, 1972. Let us stop playing political games, to protect someone from something in an election in November.

All of us have to go to the polls. It means nothing to talk about ending the war in December. Both political parties and all of us here today should stand and face their moral responsibility to say whether this country should continue to be involved in violence, death and destruction, as opposed to being the leader of peace, justice, and humanity.

The ultimate question we all have to address ourselves to in this Chamber is whether you and I are going to help the Congress solve the one big problem of human injustice, an injustice that takes the form of dropping bombs on a tiny nation 10,000 miles away which poses no clear and imminent danger for America.

Let us stop playing games, Republicans and Democrats, and let us start trying to stand here as men and women who are human beings, who believe in human life much more than we believe in politics.

We all must have the courage to vote our integrity. It is much more important to end the insanity of the war in Vietnam than for any one of us to come back to the Congress.

It is too much to assume that we should allow one more human being to be killed in this conflict on political grounds. What about all of the POW's that are being exploited? What about the lives of human beings we want to protect, when we come to the well and make speeches and write reams about human life? But when it comes to the vote, we will find a way to "cop out."

The Foreign Affairs Committee has put an October 1 deadline on this issue. We ought to leave it at October 1, and not to give this country 90 more days to continue this killing.

Mr. MORGAN. Mr. Chairman, the real debate is to come on the elimination of section 13. I wonder if we could agree to a unanimous consent request that all debate on the so-called Whalen amendment end in 10 minutes.

Mr. SEIBERLING. Mr. Chairman, I object.

Mr. MORGAN. Mr. Chairman, I hate to move this. I wonder if the gentleman from Ohio will agree to all debate ending in 15 minutes.

Mr. SEIBERLING. Half an hour, and I will accept it.

Mr. MORGAN. There are only three Members standing. This is only on the issue of moving it back.

Mr. Chairman, I ask unanimous consent that all debate on the Whalen amendment end at a quarter to 4.

Mr. DENNIS. Mr. Chairman, reserving the right to object, does the chairman's request apply only to the pending amendment dealing with the date?

Mr. MORGAN. Only to the pending amendment dealing with the date. That is correct.

Mr. DENNIS. In that case, I have no objection. I withdraw my reservation.

Mr. SEIBERLING. Mr. Chairman, reserving the right to object, how many Members already plan to speak on that amendment between now and 20 minutes from now? That has something to do with it.

The CHAIRMAN. The Chair cannot state how many Members will wish to speak.

Mr. SEIBERLING. Mr. Chairman, I object.

MOTION OFFERED BY MR. MORGAN

Mr. MORGAN. Mr. Chairman, I move all debate end at a quarter to 4.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, I appreciate the fact that I am being given 1 minute to speak on this important amendment.

When all else fails, let us take a look at the words of the proposed statute, which states that such forces shall be withdrawn not later than October 1, or December 31 according to the amendment. The words are "not later than." It does not say that the President has to wait until the 11th hour. Most of the opponents of this amendment are not really for an earlier date. Their real position is that they don't want the policy of this section.

In answer to the gentleman from Texas (Mr. GONZALEZ), if we adopt this policy, then the belief of the people supporting it is that the President, if he complies with it, will be able to negotiate a successful withdrawal at an early date. There is nothing in the amendment that requires the President to keep the killing going on until the last day of the year. That is the point. That is why it makes sense to support December 31 as the cut-off date.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York (Mrs. ABZUG).

Mrs. ABZUG. Mr. Chairman, you will have to forgive me, please, as a "lame-duck," but I can answer the question asked by the gentleman from Texas (Mr. GONZALEZ) and that is, that the people do think that if this Congress acts, that it will end the war. That is why this Congress should act immediately to end the war. I am willing to accept October 1. I am not willing to accept December 31, and the reason I am not willing to accept December 31 is because we are killing, Members of the House, killing people almost daily; we are using the most inhumane and uncivilized methods such as bombing the dikes—and there is evidence to that effect—flooding the rice paddies—yes, you may make all the sounds you wish, but there is evidence that we are bombing the dikes. There is evidence that we are cloud seeding, and that more prisoners of war being taken—not being freed. Seventy American prisoners have been taken since President Nixon promised to give us a peace plan, and he has not.

The facts are that this Congress must act to set a date to force the President to act in response to the demands of the American people.

So, Mr. Chairman, I ask the Members to defeat the amendment to extend the date to December 31. Let us stop this killing.

The CHAIRMAN. The Chair recognizes the gentleman from New Hampshire (Mr. WYMAN).

Mr. WYMAN. Mr. Chairman, I want

to state that I resent the words of the gentleman from California (Mr. DELLUMS) referring to the armed services of the United States as "murderers."

There is a Communist invasion of South Vietnam underway. The effect of the bill before us today will be to require that our forces be withdrawn and all U.S. military help be cut off on a day certain whatever may be the situation of the Communist invasion.

We have a commitment to the South Vietnamese. We are honorably helping them to defend their lives, their homes and their families against murdering and pillaging invading forces. How anyone can twist the truth concerning the situation before the American people to such a gross extent as has the gentleman from California is beyond me.

The CHAIRMAN. The Chair recog- (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, I think the gentleman from Ohio has made a good-faith effort to try to perfect the amendment to section 13, although obviously he is not going to be successful. We might have a more clear-cut provision in connection with this if we would have a vote along the line of December 31, but, considering the fact that apparently no one wants to perfect this amendment then I say let us defeat it, and then let us get on with the debate on the motion that is going to be made by the gentleman from Missouri (Mr. BOLLING), to take this section out of the bill.

I think that this amendment has been classed as an end-the-war amendment. Probably it is not going to end the war, but it will do something to break the stalemate.

I think that this Congress can play a part in bringing about an end to the war. I think it is time for us to get off our backsides and take some action in this Congress.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. SCHEUER).

Mr. SCHEUER. Mr. Chairman, the act of the Congress in passing this "end-the-war" amendment would be a symbolic act; it is an act by which at last we could state our determination to recover the warmaking powers that we have abdicated, and to have something to say about the termination of this bloody war that has drained us dry, morally, economically, and politically.

So I ask my colleagues to defeat this weakening amendment and reaffirm the importance of recovering the warmaking powers given to us under the Constitution.

We should not weaken the symbolic importance of reseizing our constitutional authority and responsibility over warmaking—and hence—over peacemaking—by deferring by 1 day—our disengagement from that wasteful, futile, and tragic conflict.

I have opposed the war in Vietnam since my first election to Congress in 1964. At that time, I was convinced that our massive commitment to that bloody war could not be justified as essential to our national security. Nothing has occurred since that time to change my views. Indeed, I have become more convinced than ever that the war was and is a monstrous mistake which has resulted in the loss of hundreds of thousands of American and Asian lives, grave harm to our domestic economy, and the creation of bitter divisions in our society which will take years to heal.

I have supported every effort to end the war through the political process, ranging from my support of Senator Eugene McCarthy for President to my sponsorship of and support for legislation to stop the war, and I shall vote today for the "end-the-war" amendment to the foreign aid bill added by the committee.

However, I shall vote for this bill whether or not the amendment is retained.

The bill provides aid for 50 countries, nine in East Asia and the Pacific, 12 in the Near East and South Asia, eight in Africa, 17 in Latin America, and four in Europe.

The aid to the countries of the Near East, especially the aid destined for the state of Israel, is of particular concern to me.

There are profound and fundamental differences between our tragic involvement in Vietnam and the role we have played and must continue to play in the Middle East.

The difference in the origins and merits of the two conflicts and the inability and legitimacy of the regimes whose survival we wish to insure, degree of Soviet commitment on the other side; the importance to our national security of both areas; and the degree and quality of American involvement in the two conflicts.

Unlike Vietnam, the conflict in the Middle East cannot in any way be characterized as a civil war.

Unlike Vietnam, we are supporting a truly democratic government with the massive and united support of its own people in the Middle East.

Unlike Vietnam, the Soviet Union is heavily and directly involved in the Middle East—the arena in which we face a real and long term threat of Soviet attempts at hegemony—based on geopolitic and oil.

Unlike Vietnam, American combat forces are not and will not be involved in the Middle East.

Unlike Vietnam, the real politik and natural resources of the Middle East are important to our security and the security of Western Europe.

These differences between the two conflicts convince me that a militarily strong State of Israel is vital to our national interest.

This foreign aid bill is a key element in the maintenance of a strong Israel.

Israel is strained to capacity by the crushing burden of its defense costs and the cost of absorbing a welcome but formidable influx of Soviet refugees. Israel's defense budget now amounts to between one-quarter and one-third of its gross national product. As a result of this cost and the cost of absorbing Soviet emigrees, Israelis now owe more in external debt and pay more in income taxes, on a per capita basis, than the citizens of any other country in the world.

The bill which is before us will provide Israel with at least $300 million in military credit sales and at least $50 million in supporting assistance. This aid will be of inestimable value to the Israeli economy and will thus further our goal of maintaining a strong Israel.

Although, for the reasons I have mentioned, I favor this bill, I would like to mention one reservation.

I am disappointed by my understanding that most of the money contained in the bill for military grants to countries in the Near East and South Asia is destined for Greece and Turkey with the remainder allocated to Jordan, Lebanon, and Saudi Arabia. I fail to fully appreciate why none of the military grants are allotted to Israel.

As I have already noted, Israel is faced with an almost crushing defense burden. Her people are already taxed to capacity.

Despite these facts, we make military grants to countries, such as Cambodia, Greece, Spain, and South Korea, which bear less of a burden and which, judged by the democratic nature of their governments and their importance to our national security, are less deserving of grant aid than Israel.

To remedy this inequity, I introduced a bill with 17 cosponsors to provide Israel with $500 million in grant assistance for fiscal year 1973. This bill would have relieved Israel of some of her extraordinary external debt and removed the apparent inconsistency involved in making grants to other less meritorious countries but not to Israel.

I shall not offer this bill as an amendment to the foreign aid bill, much as I might desire to do so. The controversy surrounding the "end the war" amendment is too great to permit serious consideration of an amendment of this nature and, such an amendment might also have the effect of further jeopardizing the passage of the bill. Thus, instead, I urge the committee to give serious consideration to such a provision when it again considers foreign aid.

Mr. Chairman, I urge my colleagues to support this bill regardless of the fate of the "end the war" amendment. Foreign aid has been an integral part of our foreign policy a number of years. It is an essential element in our support of countries, such as Israel, which are important to our national security.

We must continue to vigorously oppose the war in Vietnam and to finally bring our involvement to an end. But, we must not permit our determination to end this war to cause us to become "world weary" to the point of deserting longtime allies.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. CASEY).

Mr. CASEY of Texas. Mr. Chairman, the pending amendment seeking to change the so-called end-the-war date from October 1 to December 31, 1972, is in my opinion rather immaterial. I personally intend to vote to strike section 13 when that amendment is offered.

Section 13 of the Hamilton-Whalen amendment to the bill has been called an end-the-war amendment with the proponents proclaiming that this will show the Congress intends to extricate us from the war in Indochina.

In support of this section, the propo-

nents hold out the hope to the American public that with the passage of this section, it will all be over upon whatever date is finally determined.

In the debate upon this one amendment, partisanship has developed and irresponsible charges have been made concerning the present President of our great country and past Presidents. Some of these charges were leveled at President Johnson. I wish to heartily commend my colleague from Texas (Mr. GONZALEZ) for his very eloquent statement of the facts concerning our great President Lyndon Johnson on his conduct of our involvement in Vietnam, as well as the reasons behind his decision not to seek reelection. I heartily endorse his statement and proudly associate myself with his remarks.

What kind of a war have we been fighting in Vietnam? What have been our overtures to try to end this war?

We have not been fighting a war to win—that is for certain. We have fought a restrained war, and yet you hear on the floor of this House, great cries of protest because we have been bombing irrigation dikes. In previous wars our forces were applauded when major dams of the enemy were destroyed. Now you hear protests when any concerted action by our military forces which might force the enemy to the negotiating table.

We have, little by little, in our effort to bring about a negotiated peace, exposed all of our cards with the exception of one. That hole card is an important remaining one, and that is, "On what date will we get completely out of Vietnam?"

The President in his efforts to negotiate a peace has offered practically the same terms as are contained in the Hamilton-Whalen section, but North Vietnam has refused to accept it. The only difference between the President's proposal and the one in this section is that the President wants the conditions of a cease-fire, release of our prisoners of war, and an accounting of the missing in action to be agreed to before a complete withdrawal date is set.

The Hamilton-Whalen amendment is nothing more than an attempt to negotiate peace by legislative action with no assurance whatsoever that North Vietnam will in any way accept.

Earlier it was stated by one of the authors of the amendment, in reply to a question from the gentleman from Texas (Mr. KAZEN) that, should the section be adopted, and the date set therein reached without acceptance of the conditions by North Vietnam, then we would be back to trying to have the President settle it by negotiation.

I state emphatically that this is not an end-the-war amendment, but is a nose-under-the-tent amendment. If you pass this section, and, as the authors said, nothing happens within the time limit set and the conditions are not met by North Vietnam, then the President is at a disadvantage to try further negotiation because the North Vietnamese will sit back and say: "We can now hang on and wait for other congressional action and the Congress in its desire to withdraw will eliminate some of the conditions for withdrawal."

Will you who are so anxious to end this war, and I assure you I am anxious to end, be so determined to set a date certain as to eliminate the release of our prisoners of war and an accounting of those missing in action and take the attitude that they are expendable? Not I. I will never abandon our prisoners in the hands of North Vietnam and its allies. Nor will I ever turn my back on those missing in action. The adoption of this section is most surely the first step toward doing just that.

Let us delete section 13 and allow our President to negotiate with as strong a position as possible. Let us show the North Vietnamese that we are not weakening in our desire to extricate ourselves from Vietnam with honor, but, on the contrary, are determined to end the war, and in doing so will demand nothing less than good faith on their part in a true peaceful settlement with release of our prisoners and accounting of our missing in action.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, more than 30 years ago I saw a movie which was called "All Quiet on the Western Front." I remember the final scene in which a young German soldier, who was reaching across the barbed wire to touch a butterfly, was killed just as the Armistice was sounded.

The question I have is—what will we tell the parents in this country of those young men who die in Vietnam between October 1 and December 31? What will we tell the parents and relatives of the Vietnamese who die in that same period?

We have no good reason to allow the war to go on an additional day. This is why I am against this amendment which would give congressional sanction to 3 more months of killing. Those who vote for the amendment thinking it will bring additional support from our colleagues for the end the war provision in the bill will find that few, if any, who now support the war, will change their position and vote to end the war on December 31, 1972.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. Mr. Chairman, a few moments ago the gentleman from New York (Mr. SCHEUER) said—and I want you to listen to what he said again—

> That for us to write a date into this legislation now to end our involvement would be symbolic.

He is exactly right. It would be more symbolic, however, to the North Vietnamese than to anybody else because we would be saying to them: "Just sit tight and we will do the job for you." Do not give them that message. The result is the same no matter what date you talk about. To talk about any date is foolishness and will work to the detriment of this country. Believe you me, you are being shortsighted if you say to the world that when a certain date comes, we are going to quit.

I want you to read this language. It does not say there will even be a cease-fire between the North Vietnamese and the United States. It says—

> Subject to a cease-fire between the United States and North Vietnam and those allied with North Vietnam to the extent—and only to the extent—necessary to achieve safe withdrawal of such remaining forces.

They are not even talking of a total cease-fire between the United States and North Vietnam. Do not do this to your country. Vote down this amendment and then let us strike all of section 13.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. DOW).

Mr. DOW. Mr. Chairman, a good many of those on the other side of the aisle wonder why we do not join in the purpose of our President to seek a goal of peace.

Let me say, the reason is that he has another purpose, and that other purpose is one that we cannot join in. That purpose is to preserve the Saigon government. In every peace proposal, mark my words, the President includes measures to save the Saigon government. Sometimes it is a cease-fire. Sometimes it is an election with international supervision.

I submit to you—you cannot have your cake and eat it too. That is what the President is attempting to do and that is why we, on this side, will not go along with him. Whether the date is October 31 or December 31, we are going with this measure in some form, because it concentrates on peace—and does not serve the President in his other purpose.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. DENNIS).

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

Mr. Chairman, the pending amendment to change the end-the-war amendment date from October 1 to December 31, 1972, is a mere skirmish in this legislative war. With all respect it is a foolish amendment—because if one truly believes—as I do not—that the Hamilton-Whalen amendment will end the war, then it seems obvious to me that we ought to end it just as soon as we can. The fact that this particular amendment is offered is proof that its sponsors realize that their original end-the-war amendment will do no such thing—nor will this pending amendment. Let us vote it down and get on to Mr. BOLLING's expectant motion to strike section 13—the end-the-war amendment—from the bill. That motion I will support, and I hope to have an opportunity to speak in its favor.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, first I want to commend my colleague, the gentleman from Texas (Mr. GONZALEZ) for his very bold and forthright statement in defense of President Johnson and the previous administration. Under that administration I supported any effort given to Vietnam because I thought our President then and our country was right. I have supported the efforts of this administration because I thought our President was trying to carry on and bring this war to an honorable end.

I must say to you though, I think we do come to a point where we must say to South Vietnam—you must carry on this effort by yourselves. I think we have reached that point. I think the Democratic caucus resolution setting December 31, in effect, was notice 18 months ago that we had reached this point. I say this without any desire or effort of partisanship because I supported both Presidents. I think though the time has come; December 31, 1974, is a reasonable date.

I think we could be criticized if we set October 1 or an earlier date, and I just simply say to you as one individual who has supported both administrations, we have a right to say at the end of 1972, we shall have disengaged.

Mr. Chairman, under two Presidents, I have supported the American policy in Indochina. I have believed, and I still believe, that the decision of five Presidents to maintain a U.S. involvement in Indochina was right. Whatever may have been the wisdom or folly of specific decisions I believe the United States acted out of a commitment made long ago to prevent any nation from imposing its will on its neighbor by force of arms.

We have poured much blood and treasure into South Vietnam to keep this commitment, and I do not think that our sacrifices have been in vain.

However, I believe there comes a time to end our direct military involvement in South Vietnam, for I believe we have done all we can or all that should be expected of us as a nation, and as the leader of the free world.

It has always been my position that we should remain in Vietnam until the South Vietnamese could defend themselves. I think that the failures of the current North Vietnamese offensive prove that the Army of the Republic of Vietnam can meet and defeat the best their enemies can throw at them. I believe we have achieved our goal of helping make them self-reliant.

Furthermore, I believe that under our system of government, no policy, be it foreign or domestic, can be long continued without the support of the American people. It is my belief that the majority of Americans, under certain troubled conditions, now want an end to direct American military involvement in Indochina including our bombing and shelling of North Vietnam.

On March 31, 1971, the House Democratic Caucus passed the Dent-Bolling resolution calling, in essence, for a withdrawal from Indochina by January 3, 1973, subject to the release of our prisoners of war.

In the past, every time I have voted not setting a date specific for withdrawal because I felt this would give the opposing side all the advantages. I have not wanted to tie the President's hands. I have not tried to play President. I don't feel this amendment will tie the President's hands—or I would not support it. I do not fault President Nixon. I commend him for his efforts to end the war.

I would still prefer to support an amendment which says we will withdraw in 30 or 60 days after the prisoners are released and after a cease-fire is established or to have no amendment at all.

But that is not the question before us at this moment. When we passed the Dent resolution in the Democratic caucus we did not set a date specific for withdrawal, but we did set a specific time frame—the time frame of the 92d Congress. I supported the Dent amendment at that time—18 months ago.

Therefore, although the amendment before us today would set a specific goal for the cessation of direct American military involvement on the condition of a cease-fire and release of the prisoners, the determining factor to me is that the time has arrived when we must say to South Vietnam that that nation must be able to carry on the contest itself.

As I said above, so far as I am concerned, giving them the chance to carry on the fight themselves was the primary reason we first entered this conflict. We have given them over 7 years of concentrated aid. There must come a time when that nation must rise or fall on its own. I think we have reached that time.

However, I am also deeply concerned about the tragically long list of American prisoners of war and missing in action. Too many wives and mothers already wait for word that has never come as to the fate of their young men lost in the jungles of Indochina. Too many women and children have already waited too long for their loved ones to return from the prisons of North Vietnam. I believe that any action taken by the United States to end our direct military involvement must also assure that every American now imprisoned or missing in Indochina is accounted for.

The amendment before us now does take steps to see that our missing are accounted for, and our prisoners returned.

I will support appropriations to maintain a residual ground force in Southeast Asia, to maintain air and naval forces in Southeast Asia, or whatever proves absolutely necessary to insure the return of our prisoners and missing in action.

In addition, when our last man is accounted for and our direct involvement ends, I do not believe our policy should be to abandon the people of South Vietnam who have already suffered so much. Nor do I believe we can risk betraying the sacrifice of the Americans who have served and who have died in Vietnam. We must never forget the war is far from over for the South Vietnamese. They still face a fanatical and well-equipped foe. Therefore, so long as China, or Russia, or other nations, supply arms to the North Vietnamese, I intend to support military and economic assistance to South Vietnam.

I cannot know how history will judge us for our actions today or in the whole of the Indochina involvement. I hope that the high court of history will find our policy just and our actions wise. I know it will find that we acted with courage and with honor. At worst, I believe it will find us guilty of nothing more than misguided good intentions.

But now the time has come for us to choose the means by which we will end this long struggle. This is the last great decision for which history will stand in judgment upon us. We must select a course that will assure a prompt peace but which also will maintain the honor of our land and the integrity of our international commitments. If we so choose, I am confident that we will be judged by history to have acted in the best interest of our Nation and the world.

Mr. Chairman, I believe the amendment before us now offers us that honorable course out of Vietnam that we have been searching for. I believe the time is right. I believe the reasoning of the amendment sound, and I shall support it.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. HUNGATE).

Mr. HUNGATE. Mr. Chairman, I urge the House to hold to the original Hamilton-Whalen October 1 "end-the-war" deadline. There are difficulties of time perhaps, but I have a secret plan that would make the deadline work. I shall reveal that plan after the elections, so this will not be a partisan political issue.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. WHITE).

Mr. WHITE. Mr. Chairman, I yield to the gentleman from Washington (Mr. HICKS).

Mr. HICKS of Washington. Mr. Chairman, when the Nedzi-Whalen amendment was offered to the Military Procurement Authorization Act on June 17, 1971, I voted against it. My reason, very simply, was that the President seemed to be winding down the war, and I felt that the proposed December 31, 1971, cutoff date was too soon and pressed the President too hard. On the other hand, there was talk of leaving a residual force in Vietnam, and I was and still am opposed to that.

Thus, when Congressman PEPPER offered an amendment to the same military procurement bill fixing an end-the-war date of June 1, 1972, I supported it. In my opinion, the withdrawal date proposed by Congressman PEPPER would have allowed the President a realistic period of time in which to disengage our forces. Since then, I have consistently supported fixing a date after June 1, 1972, for the removal of all our troops.

The reasons for my votes are these: My arrival in this body in 1965 closely coincided with the greatly expanded U.S. involvement in Vietnam. I supported this policy with little hesitation until the spring of 1968 when my views began to change.

In August of 1968, I addressed the convention of the Washington State Labor Council, AFL–CIO, and I expressed the view that our commitment to South Vietnam had been fulfilled. I stated that:

> Some have said that our reason for being in South Vietnam is to prevent the takeover of that nation through coercion, terror, and military force, directed and supported from outside the country, and to establish stability under which the South Vietnamese people may choose freely their own form of government and way of life. That is true, as far as it goes.
>
> If that were the only reason, however, we

would have been in Hungary, in Cuba, in Czechoslovakia.

The additional and distinguishing reason, as I understand it, is that in South Vietnam we honor a commitment made by both Democratic and Republican administrations—made with full bipartisan support. To dishonor that commitment would be to raise doubt throughout the world as to the value of a promise of the United States and conceivably could cause all of Southeast Asia to turn its back on the West.

We have honored our commitment. We have indeed prevented the takeover of the South by the North. We have responded successfully to every new threat posed by the enemy, beginning with the march southward by North Vietnamese regulars in the summer and fall of 1964, which changed the entire complexion of the war.

We responded first by commencing bombing north of the 17th parallel in February 1965, after 126 Americans were wounded in a Vietcong attack on the U.S. Air Force barracks at Pleiku. Among the purposes of the bombing was to bolster sagging morale and confidence in Saigon and the rest of anti-Communist Southeast Asia. It was a success. Rolling Thunder—code name for the program—almost instantly boosted morale and confidence, according to our then Ambassador to Vietnam. A secondary purpose was to make it difficult for the North to send men and material south; the results in this case were disappointing, as they were in the more easily found targets of Korea some years earlier.

Our next response was to send 50,000 men to Vietnam in July 1965. . . . Buildup followed buildup until we found ourselves with more than 500,000 men in Vietnam.

Back to our commitment.

We agreed to protect the South against external aggression. But for how long, and what cost? The fair answer, it seems to me, is "long enough for the South Vietnamese people to put their house in order so they themselves could repel aggression from the North".

Shortly after taking office in 1969, President Nixon started bringing our ground combat forces home. I approved. Then, in May 1970 he ordered the invasion of Cambodia. At the time I feared that such an incursion would widen the war and delay the withdrawal of our troops. Nevertheless, the President continued to bring home troops, and this I applauded.

Now we have the current condition which began with the invasion by North Vietnam across the DMZ into South Viet Vietnam. How would a date certain terminating our involvement in South Vietnam influence the outcome? Obviously, matters would be more difficult for the South.

According to the administration, however, "Vietnamization"—a word it has coined to describe the condition whereby South Vietnam is capable of defending itself against the North and Vietcong—has worked. Vietnamization, of course, is exactly what we have been trying to do from the time we started sending advisers to South Vietnam in the late 1950's. Where others had failed, the present administration says it has succeeded.

Since the President says the Vietnamization policy is a success, it seems to me that our commitment to South Vietnam is fulfilled. The South Vietnamese can now successfully defend themselves. If not now, then when? Thus, it follows, as far as I am concerned, that Congress should establish a fixed termination date for U.S. military activity in Indochina subject only to the return of our prisoners of war and an accounting of our missing in action.

For these reasons, Mr. Chairman, I support the Hamilton-Whalen provisions and the proposed amendments fixing December 31, 1972, as the date when all U.S. forces should be out of Indochina, subject to the above-stated conditions.

Mr. WHITE. Mr. Chairman, I think this whole question before us now is as to the date. I think the gentleman from Ohio (Mr. SEIBERLING) stated a point that had been overlooked, that this amendment would state that the involvement of the United States shall terminate not later than December 31.

December 31 is in accordance with the will of the Democratic caucus. I think that for a number of reasons expressed by Mr. PICKLE, the gentleman from Texas, and other reasons for which insufficient time exists to expound on, December 31 is far superior to October 1. Whether you vote to retain on this section later or not, I think certainly we should take December 31 as more practical.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. ZION).

Mr. ZION. Mr. Chairman, our Internal Security Committee interviewed a medical missionary who had spent 7 years of his life trying to patch up the broken bodies of the victims of Communist terrorists in Laos. He was interrupted in his testimony two times, because he was overcome with emotion as he talked about the tactics of terror and intimidation practiced by the Communists. Their typical pattern was one of murder. We are not talking about setting a date to end the war; we are talking about setting a date to begin the massacre of thousands of people whose only crime is that they do not want to live under godless communism.

Then there are those who would say that if we set a date for surrender, somehow or other the Communists are going to return our prisoners of war. I would like to know if there is one instance in the history of the world when a defeated nation dictated the terms of surrender.

I urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. HAMILTON).

Mr. HAMILTON. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. WHALEN).

Mr. WHALEN. Mr. Chairman, I think section 13 certainly is a very valid subject for debate, but let us focus on the pending amendment, the change of date. I believe Chairman MORGAN clearly explained the need for this change. As he pointed out, it is legislatively impossible to complete action on this bill until probably some time near October 1. Therefore, an October 1 date is completely unrealistic. I would like to reiterate a remark made by the gentleman from New York (Mr. BINGHAM), who pointed out that many of those who spoke against this amendment also either voted against the Hamilton-Whalen provision in committee or intend to vote against it on the House floor this afternoon. I do not know whether to be amused or provoked by their reasoning when they argue that the Whalen amendment seeks to extend the war 3 months. I simply would point out the fact that we have been in combat since 1961. We have been at the peace table in Paris for more than 4 years, and we have not, through negotiations, achieved peace. So to put the blame on Whalen for 3 additional months of war, I think is certainly ridiculous to say the least.

Section 13 represents a new approach. A new approach, a new condition for settlement. In the words of the gentleman from Michigan (Mr. CEDERBERG), "Let us try it."

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. MORGAN) to close debate on the amendment.

Mr. MORGAN. Mr. Chairman, again I want to emphasize that the date of October 1 is impossible. The Senate will not complete action on this legislation in the 3 remaining weeks after we return on September 5. Anybody who is interested in a realistic date will support the amendment of the gentleman from Ohio (Mr. WHALEN).

On March 31, 1971, a Democratic caucus directed the Democratic Members of the House to work for ending the U.S. war in Indochina and bring about a release of all prisoners of war at a time certain during the 92d Congress. December 31 is at the end of the year. The new Congress will be convening on January 3. The dates are very close. I think those Members who attended the caucus on May 9, 1971, and supported that resolution by a vote of 138 to 62 realize this is going to be the last time to vote on an amendment of this kind within the 92d Congress. I hope they stand up here today and support the Whalen amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. WHALEN).

The question was taken; and the Chairman announced that the "noes" appeared to have it.

TELLER VOTE WITH CLERKS

Mr. WHALEN. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. WHALEN. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chair appointed as tellers Messrs. WHALEN, HAYS, FRELINGHUYSEN, and FRASER.

The Committee divided, and the tellers reported that there were—ayes 109, noes 304, not voting 20, as follows:

[Roll No. 315]

[Recorded Teller Vote]

AYES—109

Abourezk	Blatnik	Dow
Adams	Boggs	Downing
Albert	Boland	du Pont
Anderson, Calif.	Brademas	Dwyer
Anderson, Tenn.	Burke, Mass.	Eilberg
Ashley	Burton	Evans, Colo.
Aspin	Carey, N.Y.	Fascell
Baring	Collins, Tex.	Ford, William D.
Barrett	Corman	Fraser
Begich	Cotter	Frenzel
Bergland	Culver	Galifianakis
Bingham	Curlin	Giaimo
	Danielson	Gonzalez
	Donohue	

Grasso
Gray
Halpern
Hamilton
Hanna
Hansen, Wash.
Hathaway
Heinz
Hicks, Wash.
Karth
Kastenmeier
Kazen
Long, Md.
McCulloch
McDade
McKay
McKinney
Macdonald, Mass.
Mallary
Mann
Mathis, Ga.
Mayne
Mazzoli
Meeds
Mikva
Monagan
Morgan
Mosher
Murphy, Ill.
Natcher
Nedzi
Nix
Obey
O'Neill
Pettis
Pickle
Pike
Preyer, N.C.
Pryor, Ark.
Rees
Reid
Reuss
Robison, N.Y.
Roncalio
Rostenkowski
Roy
Sarbanes
Schwengel
Seiberling
Smith, Iowa
Smith, N.Y.
Snyder
Stanton, James V.
Sullivan
Symington
Taylor
Thompson, N.J.
Udall
Van Deerlin
Vander Jagt
Whalen
White
Whitehurst
Wilson, Charles H.
Wolff
Wright
Yates
Yatron
Zablocki
Zwach

NOES—304

Abbitt
Abernethy
Abzug
Addabbo
Alexander
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashbrook
Aspinall
Badillo
Baker
Belcher
Bell
Bennett
Betts
Bevill
Biaggi
Biester
Blackburn
Blanton
Bolling
Bow
Brasco
Bray
Brinkley
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Caffery
Camp
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Celler
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Collier
Collins, Ill.
Colmer
Conable
Conover
Conte
Conyers
Coughlin
Crane
Daniel, Va.
Daniels, N.J.
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dorn
Drinan
Dulski
Duncan
Eckhardt
Edwards, Ala.
Edwards, Calif.
Erlenborn
Esch
Eshleman
Evins, Tenn.
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Forsythe
Fountain
Frelinghuysen
Frey
Fulton
Fuqua
Garmatz
Gaydos
Gettys
Gibbons
Goldwater
Goodling
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Haley
Hall
Hammer-schmidt
Hanley
Hansen, Idaho
Harrington
Harsha
Harvey
Hastings
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks, Mass.
Hillis
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Keating
Kee
Keith
Kemp
King
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Latta
Leggett
Lent
Link
Lloyd
Lujan
McClory
McCloskey
McClure
McCollister
McEwen
McFall
McKevitt
Madden
Mahon
Mailliard
Martin
Mathias, Calif.
Matsunaga
Melcher
Metcalfe
Michel
Miller, Ohio
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall
Mitchell
Mizell
Molloban
Montgomery
Moorhead
Moss
Murphy, N.Y.
Myers
Nelsen
O'Hara
O'Konski
Patman
Patten
Pepper
Perkins
Peyser
Pirnie
Poage
Podell
Poff
Powell
Price, Ill.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rangel
Rhodes
Riegle
Roberts
Robinson, Va.
Rodino
Roe
Rogers
Rooney, Pa.
Rosenthal
Roush
Rousselot
Roybal
Runnels
Ruppe
Ruth
Ryan
St Germain
Sandman
Satterfield
Saylor
Scherle
Scheuer
Schmitz
Schneebeli
Scott
Sebelius
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Spence
Springer
Staggers
Stanton, J. William
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Talcott
Teague, Calif.
Teague, Tex.
Terry
Thompson, Ga.
Thomson, Wis.
Thone
Ullman
Vanik
Veysey
Vigorito
Waggonner
Waldie
Wampler
Ware
Whalley
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Young, Fla.
Young, Tex.
Zion

NOT VOTING—20

Davis, Ga.
Dowdy
Edmondson
Flynt
Gallagher
Hagan
Hébert
Lennon
Long, La.
McCormack
McDonald, Mich.
McMillan
Miller, Calif.
Nichols
Passman
Pelly
Price, Tex.
Rarick
Rooney, N.Y.
Tiernan

So the amendment was rejected.

AMENDMENT OFFERED BY MR. BOLLING

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

The Clerk read as follows:

Amendment offered by Mr. BOLLING: On page 10, beginning with line 14, strike out section 13 of the bill and renumber the following section accordingly.

Mr. BOLLING. Mr. Chairman, I have listened very carefully to all the debate on this bill, and I find it a terribly painful experience to listen to such a debate. Not that I have any criticism for anybody who has spoken or who will speak, because I know that in truth every Member of the House very strongly feels his position. I think this is an issue on which there are no politicians. This is not to say that I am not aware that there are political overtones in the discussion—that is inevitable, that is what we are, we are a political body. Nor am I unaware of the fact that what we say and what we do here is heard in places other than in this Chamber. But it seems to me that one thing is clear, regardless of whether we are Democrats or Republicans, regardless of how we see it, regardless of whether we were hawks, or called ourselves doves, or called ourselves chicken hawks or dawks, or whatever—there is virtually no one in this Chamber who is not for getting the war over.

I would not do what for me is very unusual, and that is inject myself into the consideration of a matter of foreign affairs and defense, unless I felt very strongly that in some way many of us missed a fundamental point.

I do not question the motives of the author of the provision that I seek to strike out. I know he feels very strongly that this will assist in bringing the war to an end. But somehow all of us, I think, Republicans and Democrats as well, miss the point. We have a government of divided powers. The American people made a decision, which I fought and of which I disapproved, a long time ago—they decided who was going to be President of the United States for 4 years. The present President is going to be President until January 20.

The present President is going to be President until the 20th of January, and the present President has made it absolutely crystal clear that he does not and will not accept as limitations on the bargaining powers of his emissaries provisions as narrow as those in section 13 of this bill.

The President has made it so clear—and I have no line to the White House—that it is possible to say as a Democrat that it makes no sense to contend to the American people that this provision, if passed by this House and even by the Senate, will become law.

It is a real provision. If it is constitutional, it will be the law of the land. It will be binding if it is constitutional. It is a very important provision.

But I have watched Mr. Nixon as long as most people, and Mr. Nixon has made it unequivocally clear as to the limits to which he will go to obtain a settlement—and that is his business and his right, and he has a power that nobody has mentioned here—that makes this exercise significant but by no means final.

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

(Mr. BOLLING asked and was given permission to proceed for 5 additional minutes.)

Mr. BOLLING. Mr. Chairman, everybody forgets a very simple fact. The President is the Executive, but he also has the single most powerful legislative power of the country. All he has to do is to disapprove a piece of legislation and the requirement for passage is raised from a majority of one more than half to one of 2 to 1. There is not a person who seriously believes that there is a 2-to-1 majority in the House of Representatives or even in the Senate for a limitation on the terms of negotiation with which the President totally disagrees.

So in good faith, the proponents of this provision in the bill are saying at the same time it is both more and less than it is.

It cannot, in logic, ever be allowed to become effective by the President of the United States. I submit that it is a cruelty to the American people to pretend otherwise.

Now I am aware that there are many people who honestly believe that this is a valid political issue in their districts.

While I would like to believe that we could eliminate politics from all things that affect anything beyond our borders, I have been here too long to believe that that can happen. But it is very easy for people to take a position that benefits them politically and that coincides with the majority views in their district without doing something that is really meaningless, and at the same time potentially destructive. Our people yearn for peace, and they have been too often told by some that they could help them achieve peace when in fact they could not.

I say under a government of divided powers, there is no way at this stage of the game for the Congress to make the President accept terms that he finds undesirable. Furthermore, I say that this President is the only President there is until January 20. All of that is obvious.

All of that is true, and if a Member wishes to support section 13, he should vote for it with the full realization that it is not what some have said in this debate it is.

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

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

Mr. ROSENTHAL. Has the gentleman ever voted for legislation here in this body that he expected or anticipated the President would veto?

Mr. BOLLING. I have done it on many occasions. But I voted with a full awareness that I was seeking only to bring pressure. That is the desire of those who have been saying that this would have a certain effect. That is a different thing. But I do not believe that there is a majority in this institution who want to use this limitation on the President's powers to bargain to achieve peace as a method merely of bringing pressure.

I have voted sometimes with only six or eight or 10 other Members as a protest. I am not speaking to those who wish to protest; I am speaking to those who wish to do something. You cannot speed the achievement of the peace. There is only one person who can achieve that peace, who can negotiate a peace between now and the 20th of January, and that is the point. The only person who can negotiate the peace before the 20th of January is the man whom the American people elected President of the United States more than 3½ years ago.

So trying to put limitations on the President that he cannot accept is an entirely negative action.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. WYMAN

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

The Clerk read as follows:

Amendment offered by Mr. WYMAN: On page 10, in line 22, insert "prior" immediately before "release".

Mr. WYMAN. Mr. Chairman, this amendment is offered at this time because of the parliamentary situation. I understand it is essential for me to offer it at this time in order to have it before the House before we vote on Mr. BOLLING's motion.

It seems to me that over the years, particularly the last few months, the history of the Mansfield amendment, and of "end-the-war" amendments generally has been that it has not been clear that there shall be a condition precedent that we have our prisoners, the Americans held captive in North Vietnam, in our hands and returned, before provisions such as those in the bill before us are to take effect. The language of the present section is vague. All my amendment does is to make it clear that the cutoff requirements in the bill will not take effect unless the Americans held prisoner are first returned. More importantly, I think it should be clear to this body, and to all of the people in this country, that unless this amendment is adopted, should this provision in this bill become law, those who vote for it will be voting for a cutoff in Southeast Asia without the prior return of our prisoners of war.

Mr. Chairman, I hope the amendment will be adopted and urge its adoption.

Mr. HAMILTON. Mr. Chairman, I rise in opposition to the amendment to strike offered by the gentleman from Missouri.

Mr. Chairman, first I want to express my appreciation to the gentleman from Missouri for his generous assessment of the motives of members of this committee. It seems to me those were words that needed to be said, and I appreciate them.

In his usual manner, very forcefully and eloquently, he has made the argument that only the President can negotiate an end to this war. Section 13 of this bill recognizes that fact. It does not bind or tie the hands of the President in negotiations. It leaves to the President the responsibility for negotiating an end to the war. Section 13 only informs the President of the conditions which the Congress, if this section is enacted, deems essential as prior conditions for the withdrawal of American troops from Indochina.

The gentleman from Missouri describes these conditions as narrow, but they are not narrow conditions at all. They are conditions I am sure that every person in this Chamber would support and would like to see achieved: The safe withdrawal of American troops, the return of the prisoners, and the accounting for those missing in action. Section 13 does not set any order in the fulfillment of these conditions and it leaves to the President how these conditions are to be achieved.

This section does, however, and here we differ from the gentleman from Missouri, call upon the Congress to play an important role in extricating our troops from South Vietnam. I think that it is time for the Congress to speak on this matter. It is true, of course, that we have only one President, but the thing that concerns me is that several Presidents now have seen us involved in Indochina and they have been unable to extricate us from that unhappy land. It is time for the Congress to play a role in trying to extricate American troops from Indochina.

Mr. Chairman, it is also argued that section 13 will prolong the war, but the overriding fact is that the war under present policies, and under policies of the preceding administration as well, has continued and continues. It is time to take a new approach. That is what section 13 seeks to do.

Let me address just a few comments to the really fundamental issue between those who support section 13 and those who support the President. Section 13 does not call for an internationally supervised cease-fire, as the President has proposed. It does not call for it because, in my judgment at least, an internationally supervised cease-fire cannot be achieved, and if it stays in as a condition of negotiations, then the war will go on indefinitely.

North Vietnam has repeatedly rejected a general cease-fire with international supervision because they consider it tantamount to losing the war. Secretary Rogers in his testimony before the House on this issue said that there has been absolutely no progress made in the negotiations on a general cease-fire. And he said more. He said they had not even begun to discuss the details of a cease-fire. A cease-fire is highly unlikely, and an internationally supervised cease-fire is highly unlikely given the past history of negotiations.

Moreover, it would be and is exceedingly difficult to accomplish because it raises many difficult questions. A general cease-fire gives Saigon the right of veto on American troop withdrawal. It is obviously not in the interest of the Saigon Government for all American troops to withdraw, because when that happens President Thieu's power is jeopardized. A general cease-fire certainly is not necessary in my view to achieve the essential conditions of the overriding national objectives of this Nation.

Mr. Chairman, I urge the members of this committee to retain section 13 and to vote down the amendment to strike.

Mr. BOGGS. Mr. Chairman, I rise in support of the motion.

Mr. Chairman, it seems to me that as a legislative body we must always consider whether what we are doing is simply an empty and useless expression, or whether there is some genuine hope of realizing our objective.

We will adjourn this House for 3 weeks on August 18. We will come back the day after Labor Day, September 5. The other body has already killed the foreign aid bill. There is no chance whatsover of this section, as now constituted, ever becoming law. It just cannot happen. There is no time for this bill to reach the Executive before October 1.

I voted, along with the Speaker, a moment ago, for the December 31 cutoff date with the other language in section 13. I voted that way because the members of my Democratic caucus voted early in this Congress as I did, for legislation intended to end U.S. involvement in Vietnam by the end of this present Congress. We sought legislation which would be meaningful, more than an empty gesture. I had every intention today of voting for this provision with a December 31 cutoff date, and I would have voted for it.

But I am not going to stand here now to do something which I consider a vain and useless thing and which could be misinterpreted all over the world.

I am well aware of the arguments here. I have profound respect and admiration for the people on both sides of this issue. I have never tried to classify myself as a hawk or a dove or any of these words people conjure up. I have sought to do what I thought was best for my country, which I believe is true of every Member of this body.

I believe the thing for us to do now is to support the motion before us. The chairman (Mr. MORGAN) himself says that the withdrawal deadline provision cannot come to pass in the manner intended by his committee. It would be a poor reflection upon the judgment of the House of Representatives for us to enact an ineffectual provision today.

It is also true, as the distinguished gentleman from Missouri (Mr. BOLLING)

said that there are very great complexities involved here involving the responsibilities and prerogatives of the President, whomever he may be.

Another reason why I voted for the December 31 date was I felt it tended to move the issue beyond the presidential election, and therefore out of partisan electoral politics.

Only recently I had the experience, along with my colleague from Michigan (Mr. GERALD R. FORD) of talking for many hours with Chou En-lai, Premier of the People's Republic of China, and other Chinese leaders. While I am not at liberty to reveal some of the things that were said, I can say that there is great apprehension over the growing Soviet military influence and intentions in the world, particularly in areas in Southeast Asia. I believe this is a part of the difficulty in negotiating the end of this conflict.

So here we are this afternoon about to vote on a provision which cannot possibly become law even if passed today. I say with all due deference and with all respect for my colleagues that I am as dedicated to world peace and to the end of U.S. involvement in Vietnam as any man in this body. But, as one to whom you have trusted some degree of leadership, I cannot in good conscience do anything other than to support the gentleman from Missouri (Mr. BOLLING).

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, at the outset, since my distinguished colleague, the gentleman from Louisiana (Mr. BOGGS) has mentioned our recent trip to mainland China, I want to say in the presence of a near capacity on the floor of the House that the gentleman from Louisiana, as one of the two representatives from this body on this trip, could not have been a finer representative for the President or the American people, and I want each and every one of you to know that. I was there.

Mr. Chairman, I have served almost 24 years in this body. I have listened to many, many debates. It is my observation after listening to the debate pro and con this afternoon that the House has acted, in my judgement, in the highest traditions of this body. The debate has been heated; it has been without rancor. No one, to my knowledge, has challenged the motives of those who might have a different opinion from one another. I hope and trust that during the remaining time of our debate on this important measure we maintain that high degree of responsibility.

The first year I came to this body was the third year of a bipartisan foreign policy. It really began after World War II in the term of President Truman at the time of the 80th Congress when the Republicans were in the majority in the Congress. It seemed to me then and it seems to me now that the continuation of a bipartisan foreign policy is in the best interests of the American people and of peace throughout the world.

During this period of some 24 years we have had a Democratic President and a Republican Congress. We have had a Republican President and a Democratic Congress. We have had strange combinations. We have a divided Government, as the gentleman from Missouri has said, but somehow in the main this bipartisanship has stuck together. As I look back over this history it seems to me that that has been one of the strengths of the free world and certainly one of the strong points of America's diplomacy during this period.

I happen to believe that President Truman did his utmost to solve the problem at its very inception in Vietnam. I happen to believe that President Eisenhower during his 8 years of office did the same. I happen to believe that the late President Kennedy during the period of time he served did his utmost as he saw fit in the best interests of the United States to solve the problems of Vietnam. I certainly think that President Johnson did, and I certainly believe that the present President, President Nixon, is seeking to do his utmost to solve this complex, controversial, and almost unbelievably difficult problem.

During the terms of those Presidents I have mentioned we have had Democratic and Republican Congresses, and in each case, whether it was Democratic or Republican, those Congresses tried to work with those Presidents that I have named. I think those Congresses did their utmost, too.

Therefore, Mr. Chairman, I hope that this tradition of helping a President, our President, is continued in the future.

Mr. Chairman, we have heard the arguments, we have read the columns, we have read the editorials about the merits of the Congress taking an initiative such as in section 13 of this bill.

You can read what you want and be convinced by what you read, but I think there is one newspaper in this country that has a complete and total nonpartisan reputation.

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

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

Mr. GERALD R. FORD. Mr. Chairman, I speak of the Christian Science Monitor. I have never heard anybody challenge their nonpartisanship, their great reputation for objectivity, and editorial honesty. I am a consistent reader of the Christian Science Monitor because of its reputation.

I have in my hand here an editorial that appeared in the August 4 issue of the Christian Science Monitor, and it speaks of whether or not the Congress at this hour ought to interject itself with some legislative proposal in an attempt to end the war. And I repeat what others have said: everyone here in the House, on both sides of the aisle, seeks that objective.

But let me quote the title of the editorial and a few lines from it, because I think it is highly appropriate at this hour.

The title of the editorial is, "Don't Rock The Boat." It goes on to say, in part, in its text, and I quote:

> Now, at the most propitious moment in the history of the peace talks for some real settlement, Congress is ill-advised to rock the boat by trying to recoup the reins it long ago handed over to the President. . . . But for the sake of the Vietnamese people, north and south, and for the prisoners and their families, even the dim possibility of a negotiated settlement ought not to be jeopardized by a vote that could not in any case end the war.

I hope and trust the good counsel and advice of this newspaper is followed. I think it is in the best interest of the United States. I strongly favor the Bolling amendment.

Mr. ZABLOCKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the distinguished gentleman from Missouri (Mr. BOLLING).

As my colleagues know, I have long been an observer of the conflict in Indochina. In fact, a congressional study mission, of which I was the chairman, was the last ever to visit Hanoi. This was in 1953.

Throughout the years I was very unhappy and frustrated over the developments in Vietnam. All of us have been. Certainly events have not been to our liking. Certainly, mistakes have been made in that conflict. But errors are not made aright by compounding them, and the House by approving section 13 would be making a grave error.

The error is in the attempt made by this provision to put the President, his advisers, and our representatives at the Paris peace talks into a negotiating straitjacket.

None of us is wise enough to see whether a negotiated settlement is indeed on the horizon. Many observers believe that because the North Vietnamese attack has been blunted in the South the laders in Hanoi will very likely be more tractable.

Let us hope this is so.

But if we cannot predict with confidence where events will take us without section 13, we can be fairly certain what will occur if section 13 passes today.

The North Vietnamese will surely interpret approval of section 13 as a signal that the United States has tired of its efforts at checking naked aggression in South Vietnam and is looking only for a way out.

Any chance for negotiations which might secure a lasting peace for Indochina will be doomed.

I have always believed that the Congress has the right and indeed the obligation to assert its responsibilities and express itself on the subject of Vietnam—and to that end I offered compromise language in the Committee on Foreign Affairs.

My language was rejected in favor of the unwise and unworkable provision which is before this body today.

Section 13 will not bring true negotiations since the concessions it makes will give us nothing to bargain with.

Section 13 will not bring peace, for it contemplates that the killing of Vietnamese by Vietnamese would go on unabated.

Section 13 will not bring honor, for in effect it provides that the United States will abandon an ally during a time of great need.

Section 13 will not bring domestic tranquility, because our people will be forced to watch as the recent bloodbath of Hue is repeated again and again throughout South Vietnam.

What section 13 will give us, Mr. Chairman, is another political misjudgment to fling on the slag heap of past political misjudgments about Vietnam and Indochina.

Mr. Chairman, it should be obvious to all that Hanoi will not accept anything short of complete capitulation and liquidation of the Government of South Vietnam and a complete takeover of Indochina.

In this regard when testimony on the so-called end-of-the-war and termination of our involvement in Vietnam was being heard in our committee, former Secretary of Defense, Mr. Clark Clifford was one of the witnesses. He was positive in his view that if the United States would only follow the provisions and recommendations of the resolution before us, Hanoi would be willing to end the war.

I asked Mr. Clifford whether he has any documentary evidence of Hanoi's sincerity and willingness to keep their agreements and to end the war. He replied: "There is no documentary proof with reference to this:

He further said:

> What I am saying to you is that it is my belief, based upon my experience, that this proposition here is sufficiently desirable to Hanoi that we could make an agreement with them.

Further, he said:

> Now, it is my belief that it is sufficiently desirable to them and that they will accept it, and stop this enormous expenditure.

Mr. Chairman there was and is no definite proof. No documentary evidence or promise was received from North Vietnam.

Further, Mr. Chairman, when our colleague the gentleman from Wisconsin (Mr. THOMSON) inquired of the former Secretary of Defense, Mr. Clifford, as to how his views differed today from those he held in 1969.

Shortly after he left the Cabinet, he was quoted in the Washington Star on Oct. 15, 1969 in reference to Senator Goodell's withdrawal proposal. Mr. Clark Clifford was quoted that Senator Goodell's proposal to withdraw all American troops from South Vietnam by December 1, 1970, "is both unrealistic and impractical and would result in a blood bath in that country. He said that Goodell's plan would result in the collapse of the military and the collapse of the government in that country. The resulting blood bath, he said, would be on our conscience for a long period of time."

I submit nothing has changed in Vietnam, only Clark Clifford has changed.

Mr. Chairman, I strongly support the amendment of Mr. Bolling and urge that the committee strike sec. 13. Such action by this body will certainly be noted by the Communist leaders in Hanoi. Then, perhaps, meaningful negotiations will begin in Paris. Only then will the war end and followed by lasting peace in Vietnam.

Mr. MAILLIARD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not wish to prolong this debate, and I am sure there are a lot of people who want to speak. I want to express my views which are very strongly in support of the statements just made, and particularly those of the ranking majority member of our committee. Also, I would like to address a few specific points which I think have been pretty muddled up.

This so-called end-the-war provision, I believe, as others have expressed, simply cannot achieve the purpose for which its proponents have been making a case here this afternoon. I think that there is no reason to believe that these conditions can be met, and that, therefore, will end the war.

Now, the more emotional speakers here a little earlier were saying, "Stop the killing; don't change the date to December 31; leave it at October 1 and stop the killing in Indochina."

Well, the provisions that are in this Hamilton amendment cannot possibly achieve that result. They do not even provide for any kind of real cease-fire, but just reduce hostilities to permit us to withdraw our troops, so they leave the killings going on as if we had no interest whatsoever in the humanitarian objectives that have been advocated on this floor by people who are supporting this amendment.

It could not stop the killing. I do not think it could even extricate us under these terms, because I do not believe these terms can be met. Every indication we have had from Hanoi is that they will not stop hostilities until they are assured that the regime in Saigon has been brought down.

Now, let us take a look, a little bit of a look, at the claims that have been made as far as the effect of the amendment is concerned. The gentleman from Missouri pointed out that under our Constitution we have a divided Government with constitutional responsibilities separated in the various branches. It is interesting to note that when the Constitution was being written, this question was raised, because the prior Government under the Articles of Confederation specifically gave to the Legislature not only the power to make war, but the power to make peace. If you will look at the proceedings of the Constitutional Convention, you will find that this was discussed and voted upon and it was decided that the legislative branch of the Government could not make peace; that only the Executive as a practical matter could negotiate the end of hostilities.

So, there is a very grave constitutional question, one which has never been settled by the courts, but which the legislative history of the Framers of our Constitution would lead us to believe that, not inadvertently but intentionally, they did not grant the Congress when they granted the warmaking power—they did not grant specifically the powers for the Congress to negotiate the end of hostilities.

Now if this proposal is constitutional, the notion that it is merely advisory simply is not borne out by the language. The language uses the word "shall." If it becomes the law of the land it is not a sense of Congress provision. So if it is signed by the President, which I think is, as has been pointed out by the majority leader, not very probable, it would become the law of the land. If it is in fact constitutional it would be binding on the President in its detailed provisions. He would be locked into doing exactly what is in this provision regardless of what other opportunities he had to negotiate a satisfactory end to the war.

So I think some of these things that are being said so lightly, including those by the author of the amendment that, well, this is just giving the President guidance, I think those of you who are lawyers at least will look at the language and come to know if it becomes adopted and if it is constitutional it becomes the law of the land.

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

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

Mr. DERWINSKI. Mr. Chairman, most Americans want the conflict in Indochina ended on a responsible basis that will bring about the return of all American prisoners of war, while bringing peace to Indochina in a way that will not encourage Communist aggression in other parts of the world.

This so-called end the war provision will not contribute to that responsible goal. It is politically deceptive. Its cease-fire proposal is not in fact a cease-fire. It is at best a temporary truce between Communist forces and American forces to cover our withdrawal. The cease fire proposal is not unsimilar to the so-called cease-fire between the United States and NLF forces proposed in point 1 of the NLF's July 1, 1971, seven points.

I believe that most Americans want the return of all American prisoners, an accounting of all missing in action, and an end to the conflict. A genuine peace in Indochina is not for most Americans a political or partisan issue, even in an election year.

Without effective international supervision, North Vietnam would be free to continue its invasion of neighboring countries and endanger the lives of those friends and allies with whom we have been associated in stopping aggression. They deserve the opportunity to build their future in peace. The President is trying to bring about an honorable and lasting peace in keeping with the desires of most Americans.

This provision, coming at a time when he is conducting delicate negotiations through public and private channels, would undercut his efforts to end the war on a responsible basis so as to stop the conflict and bring all of our boys home.

Some months ago, the Democratic caucus instructed the Democratic members of this committee to report out a bill that would set a date terminating U.S. military involvement in and over Indochina, subject only to obtaining the release of our POW's and all available information on those missing in action.

This directive was rammed through the Democratic caucus at a time when

the North Vietnamese offensive was penetrating South Vietnam at many points.

The action by the caucus gave me a great deal of concern over the precedent of a majority of the majority, which in turn is a minority of the Congress, using high-pressure tactics in an attempt to deny members of their party the right to exercise their own judgment as to what is in the best interest of our Nation and their constituents.

Subsequent to the directive of the caucus, President Nixon announced the mining of Haiphong Harbor and other North Vietnamese ports, and he went on to the summit conference in Moscow which was unhampered, and perhaps strengthened, by this action in Indochina.

Neither Moscow nor Peking has openly challenged the blockade and public opinion in the United States has rallied to the President's support. On the military front, South Vietnamese forces are reclaiming much of their territory taken during the North Vietnamese invasion.

Mr. Chairman, this so-called end-the-war amendment should also be criticized on one other point, and that is the careless phraseology which is surprising in view of the great amount of time the authors had to prepare it. At the risk of hurting the feelings of the proponents of this provision, I would suggest that, if sustained, it would be as damaging to the cause of lasting peace as were Jane Fonda's statements in Hanoi.

Therefore, I support the amendment to strike this negative language from the bill.

Mr. O'NEILL. Mr. Chairman, I would be remiss as a Member of Congress if I did not take the floor today to speak against this amendment, in view of the fact that I have been in this well so many times in the last 5 years in opposition to this war. Each time I have taken this floor I have always said that I got up here in a nonpolitical manner. When a man casts his vote today, he should vote with his heart and with his conscience and with his mind, what he thinks is right for the country. There is no political issue on either side.

I heard our great majority leader get up here today—and I have the greatest respect for him, and I know he was speaking as an individual—to tell us how he felt on this amendment and explain the technicality of the amendment. I heard our minority leader speak, and I know he expresses his views exactly the same way.

For 18 years I have sat in the Committee on Rules next to the gentleman from Missouri (Mr. BOLLING). There is nobody in this Congress for whom I have more respect, for his knowledge, ability, vision, and the courage he always portrays. But the amendment as offered by the gentleman from Missouri (Mr. BOLLING) is stating that Congress has no role to play in determining American foreign policy. The Constitution says that Congress has the right to declare war. This amendment makes clear that Congress has no right, has no stake in ending the war in Indochina.

But I say this. If Congress does have a role in declaring a war, it does have a role in ending the war.

Do we play a part in foreign policy? We set no foreign policy, but believe me, we play a part. I remember taking this well and I remember the debates in this Congress when our troops were entering Laos. I honestly believe that if it had not been for the debate and the colloquy on the floor of this Congress, we would have been all the way across Laos. Then, Laos would have been directly involved in this war. I can remember also the invasion into Cambodia and how upset America was about it. I can remember well, with others, taking the floor on that issue. We drew back from Cambodia because we did not want to spread our forces throughout all of Indochina.

Did we set a policy? No, we did not set a policy. But we helped the administration administer a policy because we told them what the true feeling of the American public was.

There is no question in my mind that those of us in the minority—and I can read this Congress, it is one of my duties as majority whip to be able to read this Congress—will not prevail. I do not expect that the Bolling amendment can be defeated today.

What is the situation over there now? As I understand it, we have 33,000 troops, and 1,000 of them in active service. I honestly believe they will be out of there by November 1. I hope and pray that they are out of there by November 1. But today, it is a different war. The Army does not tell us truthfully what is going on. The dikes that are struck are not hit by Army planes. The war is run by the Navy now. It is a whole new ball game.

Do we set foreign policy? No, we do not set foreign policy. But we are the voice of the grassroots, the voice of the people of America, and the people of America are fed up with this war. They want us out of there. They want us to spend the money on the priorities that will get America rolling again. That is what this is all about.

I admire the courage of all those who speak on either side of this issue today. The colloquy is good for the American public.

The Morgan-Hamilton provision, regardless of what may possibly happen and though it may never be enacted into law, I believe is an expression of how the American people feel about this war.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in wholehearted support of striking out section 13. I believe the debate on this bill and the various provisions in it has been on a high level. I believe the majority leader made a very courageous and forthright statement when he declared that in his view it would be a vain and useless thing for us to include section 13 in the bill.

The debate indicates the nature of the problem which the Committee on Foreign Affairs had. We have not had an easy talk in agreeing on any language. Section 13 was included in the bill by a vote of 18 to 17. That same committee, 6 weeks earlier, by a vote of 19 to 18, took a different position, one which would be supportive of the President's offer to the North Vietnamese, with a cease-fire throughout Indochina, a withdrawal within 4 months of their acceptance of his conditions, and an accounting for these missing in action and a return of prisoners of war.

My view is that this section would constitute very unwise legislation. If we want to act I believe we could act on the separate resolution with regard to the so-called end the war amendment which has come out of our committee.

What worries me is that there is a possibility that this section might be accepted. Yet we have had no serious discussion about the significance of the language, or the impact of acceptance of the language by both the House and the Senate.

The gentleman from Indiana (Mr. HAMILTON) says that his provision does not tie the hands of the President. I find it difficult to believe that the gentleman thinks it would not tie the President's hands. Quite obviously it attempts to set different conditions for negotiations from those the President has proposed. That surely is a restriction, and a serious restriction, on the President's responsibility.

The gentleman from Indiana (Mr. HAMILTON) also said that it would be unlikely the enemy would accept a general cease-fire, and that the result might be a prolongation of hostilities. Has anyone asked what would be the significance if the enemy should decide to accept an offer by Congress that there be a partial cease-fire only? Would this, as the gentleman from Indiana (Mr. HAMILTON) suggests, reduce the level of violence? Or would it perhaps encourage an increase in the level of violence against the South Vietnamese?

This would be tying our hands. We would be destroying the possibility of a general cease-fire as a negotiating point in Paris.

So I believe, if we should make the decision of accepting section 13, we would be moving a long step down the road which would be basically leading nowhere.

The gentleman from Massachusetts (Mr. O'NEILL) in a very eloquent speech said that this section represents the voice of grassroots America. I cannot see how he can honestly contend that this represents what grassroots America is saying. What Americans of all stripes want is for this war to end. I would guess that there would be very few Americans who would take this particular route to that end as the only one to accomplish our objective.

If we are to have meaningful negotiations, I would suggest we should not set a calendar date which may mean something to some people, which may have an impact on the American public who may feel that somehow the war is going to end as of a certain date, but which in fact may reduce the possibility of a settlement. And this is the only way we are going to get an end to hostilities.

So I do hope that the majority whip is right when he says there is every likelihood that the section will be defeated. I think it should be.

Mr. FASCELL. Mr. Chairman, I move

to strike the requisite number of words.

Mr. Chairman, as I recall this debate when it started out, the language in question was referred to as illusory, it had no effect, and it was not legal. Now the debate has turned around. The language is very important, it is serious and it has a binding effect. We heard that if we voted for one date, we would extend the war, but we hear no discussion of the fact that if wou do not vote for a date, it might extend the war forever. I do not believe either one of those arguments. I think we ought to dispense with all that kind of talk anyway.

We know what the issues are. They are very clear and simple. Let us go back just one bit.

We started out in Vietnam with about $1 billion a year to support an ally. Then the United States put some men in and then we put more men in and the United States became enmeshed in a seemingly interminable war. Where was Congress all this time? I will tell you what I was doing. I was supporting the President of the United States; I was supporting my country; I was by acquiescence or by actual vote ratifying an active war. There was no formal declaration of war. We appropriated the money and we ratified the action.

Then came the Gulf of Tonkin Resolution. The Congress with few dissenting votes granted the Executive full power to prosecute the war in language short of a formal declaration of war. The President was supported on that issue and on the first supplemental for $700 million. We ratified it in that way, and we went right on. The Congress played its role. The Congress then repealed the authority of the Gulf of Tonkin Resolution. But the war went on.

This is a historic day; not that this issue is new or political, because it is close to election. We know that is not really true. We have been debating this issue as far as the Congress taking a part in it since before 1969, so it is no surprise to anybody that the issue is here today. We all know that.

To argue otherwise is to misunderstand the knowledge and intelligence of the American people. I do not make that mistake, and I am sure you do not. They are way ahead of us on this issue and they have been for some time. That is the reason why the issue finally got to the Congress of the United States. That is where it belongs. That is why some expression ought to be given here.

It is historic, because for the first time the Committee on Foreign Affairs in open, prolonged consideration and debate, albeit by a close vote, finally came out with the language which is in this bill.

And it may well be that it would be historic for this House to take a position the same way.

I understand full well that if this section is stricken from the bill, the Congress, that is, the House, will have spoken and in that fashion will have participated in a different way. But I think that the debate up to this point is quite clear.

The Hanoi regime is not about to accept anything or at least not the very generous terms that the President has laid down. It is difficult, for him, to make a change. However, the Congress can lay down a guideline, and it will not become law unless the President wants to sign it. If he does sign it, it will become law and he will bind himself. He will not arbitrarily be bound. We all know that. So he has complete discretion.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. FASCELL was allowed to proceed for 1 additional minute.)

Mr. FASCELL. Mr. Chairman, all we are doing here if we adopt the language that is in the bill, and vote down the amendment offered by the gentleman from Missouri (Mr. BOLLING), who has stated the case quite clearly and accurately as far as I am concerned, is simply broadening the base upon which the President can negotiate if he wants to. We, the House of Representatives, will have spoken and laid the predicate to make it possible for the President to take a slightly different course. The President thinks, as I do, that he has given a very generous offer and one in the best interest of the United States. But we are practically at an impasse—and the war goes on. What we are saying in this language is, "Mr. President, we in the Congress, also representing the people as you do, say that you can negotiate on a different basis and the Congress thinks you should."

Mr. BUCHANAN. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

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

Mr. BUCHANAN. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, at this point may we see how many more Members wish to speak on this amendment so that perhaps we can arrive at some time upon which to end the debate?

Mr. Chairman, there are about 15 Members standing.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 6 o'clock.

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

There was no objection.

Mr. BUCHANAN. Mr. Chairman, there are men of sincere conviction on both sides of this issue, and that is without question, but I would be remiss if I did not express my personal appreciation for the statesmanship of the author of this amendment, the majority leader of the House of Representatives, the ranking majority member and others on our committee, and the many other Democrats who will stand up and support this amendment under these circumstances in this election year.

I believe they are doing something for their country, and I appreciate it.

Mr. Chairman, we will send from this Chamber today one of two messages. We will either say we support the President's effort toward peace, the only President we have, the man whom the gentleman from Indiana (Mr. HAMILTON) the author of this section, himself, has said is the only one who can negotiate. We shall either strengthen his hand as he goes to negotiate with the Communists—or we will send out a message to the Communists, "We will do your job for you, and will strengthen your hand."

We clearly face that choice here today.

I address myself next to the substance of the amendment itself for just a moment.

The gentleman from New Hampshire has offered an amendment which deals with one of the issues, that of release of prisoners, but, Mr. Chairman, I would submit that the only language that would assure the return of our prisoners would be "the return of all American prisoners of war" as a condition of our withdrawal. In Korea in various instances the Communists said they had released the prisoners of war, but they never showed up. So not even prior release is good enough to accomplish their full protection.

Second, there is no real cease-fire as has been mentioned, in this proposal. This is a very partial cease-fire which will not stop the killing, and will encourage wanton slaughter on the part of the invaders of South Vietnam, Cambodia, and Laos, against innocent people in the future.

Finally, Mr. Chairman, I would point out to this committee that we have another instrument if we want to speak on this subject, reported out by the House Committee on Foreign Affairs, and supportive of the President's position, reported by a slightly larger majority than that which supported section 13, the so-called Hamilton amendment. There is, therefore, no need to add this burden and complication which may threaten the passage of this needed military assistance legislation, as in fact has been the case in the other body. We can deal with this issue separately and fully through bringing House Joint Resolution 1225 to this floor for consideration if we so desire. We do not need to threaten passage of needed legislation by leaving this controversial provision within it.

Again, Mr. Chairman I would urge this committee not to do the job of the Communist aggressors for them but to here take a stand which I believe will lead toward peace, and is the best stand to take for peace.

The question here today is not an issue between those who are for and those who are against peace, but how to achieve peace. With the adoption of the amendment we can help our President in his continuing effort to bring peace to our country. I urge the adoption of the amendment, as a vote for peace in Indochina and a step toward peace with justice in our time.

Mr. ROBISON of New York. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman.

Mr. ROBISON of New York. Mr. Chairman, once again we are engaged in our seemingly endless quest to find a legislative way to end the war in Vietnam, and—I say in all kindness—there is reflected here in this latest attempt a bit of the attitude exhibited by the politician in that old story about "there go

the people, and I must follow because I am their leader." Or, in its updated version, "there goes our presidential nominee, and we must follow because he is our leader."

My own position on the American involvement in the tangled affairs of the people of former Indochina ought to be clear by now, Mr. Chairman, at least to my own constituency. For I have been saying that such involvement was a foreign policy blunder of tragic proportions—or words to that effect—for some 6 or 7 years now, with some of those early speeches which also called for an end to that involvement at the earliest practicable date being made in such places as American Legion halls where my then-audiences were not all that approving.

Prior to that, I made—as the record will show—a number of 1-minute speeches here in the House in the spring of 1965 suggesting, as the American role in Vietnam changed and began escalating insofar as troops were concerned, that our Committee on Foreign Affairs ought to investigate what we were getting into. I do not say, now, that I would have been smart enough then—even if we had had such hearings—to have opposed what was happening, but at least it is true that when the other body finally got around to the so-called Fulbright hearings a year later, the die had been cast so that, ever since, we have been trying to find a proper way to correct what nearly everyone now agrees was a mistake in policy.

I probably would have supported Mr. Nixon's candidacy 4 years ago anyway, but the fact that he seemed to offer the best chance for correcting that mistake gave me added reason for doing so. And, after his election, I enthusiastically supported his Vietnamization policy as a practical, if unduly gradual, way of beginning that process.

To be perfectly honest about it, however, I had some early doubts about exactly what it was that Mr. Nixon had in mind as the end result of "Vietnamization"—and I expressed those doubts from time to time, Mr. Chairman, both here in the House and to my constituents, as well as to the President, directly. I wished, among other things, to make sure that he was committed on an irreversible course to a policy of total withdrawal of an American presence in or over former Indochina—and that he did not somehow harbor, as did his predecessor, some sort of vision of "victory" in Vietnam, for I have never believed that we could produce any such a result except at a prohibitive cost both to ourselves and the supposed beneficiaries thereof.

Accordingly, as some here will recall, I either offered, sponsored or voted for a number of earlier legislative attempts at "ending" the war—attempts which I conceived to be both responsive in nature and in line with our constitutional role in foreign policy. The main thrust of this effort was to encourage, if in some small way I could, not only an "end-the-war" consensus among my own constituents, who were then as uncertain over what the Nixon policy was as over what it ought to be, but also a similar consensus here in the Congress. My major ambition was to help guide the President toward a negotiating position that would have enough attraction to Hanoi to have some reasonable chance of success, for I repeatedly argued that this tragic conflict could only really be "ended" through a political settlement arrived at by negotiations.

Two years ago, I was sent to Indochina by our then-Speaker as a member of the so-called "Select Committee on U.S. Involvement in Southeast Asia." A valuable and instructive experience this was, and one reinforcing my previous views about the need for establishing a national policy of total withdrawal on an irreversible course, as well as leading me to believe it was time to think in terms of a "date certain" for ending our ground combat role. Accordingly, in September of 1970, I introduced a resolution—House Congressional Resolution 756 in the 91st Congress, and the first of its kind, I believe—stating that it was "the sense of Congress" that U.S. troop withdrawal from Indochina "should continue on an irreversible basis," and further stating that all such troops should be withdrawn from ground combat activities on or before May 1, 1971. Interestingly enough, as the gentleman from Indiana (Mr. HAMILTON), coauthor of the language in the bill before us, will recall—he also having been a member of that select committee—I urged him to join me in offering that resolution, but he replied, as I remember, that he was not then ready to go "that far."

In any event, early in this Congress I reintroduced a slightly modified form of my prior resolution—it is House Joint Resolution 462 in this Congress—which calls also for troop withdrawals from Indochina to be continued, on an irreversible basis, until all United States personnel are withdrawn, and then adds a sense of Congress statement to the effect that our role in ground combat should be terminated by June 1, 1971.

That last-mentioned date has, of course, come and gone without congressional action and, to the President's credit, the American role in ground combat in Indochina has, to all intents and purposes, been ended. Besides which all troop levels in South Vietnam have been reduced close to that residual force that some argue it is necessary for us to maintain at least until there is some resolution of the prisoner-of-war issue.

However, it is also worth mentioning, I believe, that I did offer a substitute to the so-called Nedzi-Whalen amendment to last year's military procurement bill, when it was before this House in June of 1971. That substitute, had it been adopted, would have extended the Nedzi-Whalen cutoff date—or deadline—by 4 months, that is, from December 31, 1971, to April 30, 1972, but would have conditioned the application of that cutoff date upon the happening, prior to April 30, 1972, of two related events: The arrangement of a cease-fire either by the parties involved in the hostilities, or by the United Nations, or by any group of neutral nations, and the consummation of an agreement between those same hostile parties for the identification and exchange of all prisoners-of-war held by either side in former Indochina.

I argued then—though in vain—that Nedzi-Whalen's only possible effect would be to end our own involvement in the war, and our own anguish. And I cited in support of that position—as the CONGRESSIONAL RECORD will show—the then-recent comments of former Senator Eugene McCarthy to the effect that any congressional mandate forcing a withdrawal of our forces from Vietnam could well be counterproductive in that it would invite chaos in Vietnam, Laos, and Cambodia, and that such action would constitute an abdication of congressional, as well as national, responsibility for the combined military, political, and economic problems we have helped create in former Indochina. Specifically, I quoted former Senator McCarthy as saying:

> The answer is that we should negotiate now!

Since then, of course, we have gotten around—again without congressional action—to President Nixon's current negotiating position, which is simple and straightforward enough. He proposes, as we all know, a total withdrawal of all forces from Indochina and to "stop all acts of force throughout Indochina"—which must be taken to mean "in or over" Indochina—within 4 months after the release of American prisoners of war and the establishment of an internationally supervised cease-fire in Indochina. And we are told, by some observers, that as a result of his other initiatives Mr. Nixon has gotten both Russia and Red China to at least privately encourage Hanoi to accept such terms.

I welcomed this Presidential neogtiating position when he stated it last April, for it paralleled so closely the bargaining position I had been urging, and which I thought had a chance of success. Unfortunately, as we know, Hanoi has not yet seen fit to accept it, and the sponsors and supporters of the language now before us argue that it never will since the kind of cease-fire Mr. Nixon contemplates is an "unrealistic and unrealizable" condition of American withdrawal.

They may well be right, but I wonder how they can be so sure, and it is at least worthy of note—even if it is only for the purpose of "coppering his bet" on the outcome of the American presidential election—that Hanoi's chief negotiator, despite the absence of outward signs of progress, continues to receive the President's chief negotiator, Dr. Kissinger, in private discussions of his proposal.

Mr. Chairman, given my consistent position regarding the need to correct our mistake in Vietnam—as now compounded throughout Indochina—the language in the "end-the-war" amendment now before us is very attractive to me. It is especially attractive in that the "dates certain" which I previously had in mind for total U.S. withdrawal have come and gone, though the effect of this language could still only be to end American involvement in the war, just as was the case with prior amendments including the one I have mentioned.

That point still bothers me deeply. A cease-fire would certainly be difficult to arrange—as Mr. HAMILTON and Mr.

WHALEN point out in their separate views—and it may prove, in time, to be as "unrealizable" as they also claim. Nevertheless, it would be a desirable thing to accomplish, if we could, elsewise we would be for all the world like a careless driver who—after causing a fatal accident—walks away from the scene and the casualties he had left behind, muttering something like: "Sorry about that!" I know that there is a point of view—and we have heard it expressed here again—that those casualties will, after we thus leave, somehow pick themselves up, dust themselves off, and put everything back together again, so to speak. As the amendment's authors argue:

> If the level of violence is lowered, finding ways and means to heal the wounds, and make accommodation, would be enhanced.

Perhaps. But that they also think the war, at least as between the people of Indochina will go on, is evidenced by the fact that this same bill carries authority for "security supporting assistance" to Vietnam, Cambodia, Laos and Thailand in the amount of $735.4 million to help them—as the report states— ". . . take over the burden of [their] defense," and provides authority for another $269.5 million in "military assistance" to Cambodia and Thailand. Besides which, the current disclosures of Communist executions of South Vietnamese Government officials and the imprisonment of "Saigon collaborators" during the recent weeks when they held Binhdinh Province in South Vietnam—which disclosures do not seem to be controverted—while not ensuring a "bloodbath," do give added reason to understand why Mr. Nixon is haunted sufficiently by such a vision to at least want to "stop the killing" through a cease-fire before we leave Indochina altogether.

So, Mr. Chairman—though it has by no means been an easy decision—I have determined not to vote for this supposed opportunity to "end" this tragic war. Its authors claim it will "help" the President to end the war. But I fail to see how, at this precise moment, it can do anything other than hamper him as he makes what may well be his last bid for peace on what he considers appropriate terms. As the Washington Post said, rather surprisingly, in a recent editorial on the comparable attempt to this in the other body—and it equally applies here:

> It cannot amount to more than a shattering vote of no confidence in a difficult and delicate effort, now presumably under way, to translate weeks of pulverizing bombing attacks into a negotiated settlement . . . [and] undermine the last chance he has to make good, before election day, on 4 years of promises to end American participation in the war.

Mr. Chairman, the pressure is on the President to end this war—for all participants, if he can—through negotiations. That is the only way it can be ended. That is the way it should be ended. By my vote today I intend to give him the opportunity to try to do so without interference—and I have confidence that he will do his best.

To summarize, Mr. Chairman, surely there have been moments in the past when Congress would have been well advised to take courage in its hands and bring its powers to bear on halting the continuing escalation of the Vietnam conflict. That, we did not do. We did not even inquire into the justification for such escalation until, as I said, the die had been cast for us and the bills, toted up in terms of death and destruction as well as dollars, came due. Since then, our problem—our task—has been to work with President Nixon toward fashioning an acceptable policy of withdrawal leading to total disengagement at the earliest practicable moment while, at the same time, moving on a parallel track toward a negotiating stance wherefrom our influence could be used to encourage the warring parties to settle their political differences.

My efforts, over the past 3½ years of the Nixon administration, have all been aimed in those directions. It may only be coincidence, but the only two end-the-war amendments which, late last year, became law—the two so-called Mansfield amendments—bear close resemblance in both content and language to the kind of initiatives I began in 1970, and I think it clear that, although he stated his unhappiness with them, President Nixon's course has undoubtedly been influenced thereby.

I have no knowledge that the President's current efforts will bear fruit. I am not even optimistic about that chance—merely hopeful. Still, let me say again, that, at what could be the most propitious moment in the long history of Vietnam peace talks, Congress would be ill advised to rock the boat in the fashion now contemplated.

For the longer range future, as I have said all along, there must come a time when South Vietnam will have to stand alone—and by that I mean completely alone in its own defense, with possibly American logistical help if the war has to go on, but without American air support or any other kind of direct military assistance.

We have, most assuredly, gone the proverbial "last mile" and then some in our effort—however unwisely undertaken—to help its people. If President Nixon cannot, under the existing more favorable circumstances even through the use of the punishing kind of air strikes that are being carried on against the North day after endless day, now bring about a negotiated settlement of the conflict including a cease-fire, so that, however temporarily, the killing stops, then, perhaps, that is a goal that is simply beyond our grasp.

If that, unhappily, becomes the event—and we should know by the time the 93d Congress convenes in January—it would be my intention at the earliest opportunity for doing so to support and vote for a true "end-the-war" amendment of the sort offered a week or so ago in the other body by Senator COOPER of Kentucky. Senator COOPER's bill directs, by way of a cutoff of funds, the total withdrawal of all U.S. forces from Indochina, without conditions other than the protection of such forces as they were withdrawn. That is a direct, and clean-cut proposal, with no ifs, ands, or buts; and, difficult though it might then be for our Nation to accept, the time may come when we will have no real alternative.

But I cannot close those remarks without expressing again my sense of repugnance for our continuing, strategic bombing of targets in North Vietnam. I claim no military expertise in this area, and frankly do not know whether or not these massive bombing attacks have had a major impact on the North's ability to support its military thrust into the south. One assumes that the bombing has, at the least, made that military chore considerably more difficult. It is less certain, however, that the hundreds of thousands of tons of bombs we have dropped on the North will have any long-range military effect. Nor, is there any concrete evidence that the pressure exerted by means of such bombing has any impact on the North's negotiating stance in Paris.

For these reasons, it is disquieting to consider the impact such bombing must have on the people of North Vietnam. Bombs—even "smart" ones—do more than physical damage. They also kill people, and they have no way of discriminating between soldier and civilian, or between man and child. They also wreak havoc with the environment—both the natural ecological system and the man-made environment. In the latter case in North Vietnam, of course, is that extensive system of dikes and waterways which protect the low-lying areas of the country from massive flooding. It is the President's policy not to deliberately damage the dike system, and I am thankful for that. But it is obvious that some dikes will be damaged, and have been damaged, if not totally destroyed, when bombing has taken place in their vicinity—whether such was the intended result or not.

In short, whatever military benefits have accrued from saturation bombing of the North must be weighed against the human costs involved. I have tried to judge the two in my own mind—and, frankly, I do not think the bombing is worth it. Foreign correspondents have reported instances of severe civilian casualties—including the devastation of hospitals and schools. Doubtless the North attempts to "propagandize" as best it can, and it takes foreign correspondents only where it wants them to go; but, on the other hand, one does not easily simulate the after effects of a B-52 bombing raid.

U.S. war planes roam the skies of North Vietnam virtually uninhibited. The North's air defenses have been shattered in most areas of the country, meaning that most of the territory—and most of the inhabitants of that territory—are now totally defenseless against such attacks. The picture of the world's greatest military power pulverizing a nation of 21 million by air is not appealing. The relentless nature of our bombing attacks weighs heavily on my conscience—as it must on those of many Americans.

The bill we discuss, today, is not an appropriate vehicle for consideration of an amendment to either end, or limit, the scope of such bombing attacks. But if such attacks are not discontinued by that time, the House might be well advised to consider such an amendment

when the defense appropriations bill comes before us—as it will probably sometime in September. But I need not wait that long to again call upon the President to recognize the dimensions of human tragedy being caused by such punishment, and to ask him to direct a halt in, or at least a substantial reduction of, these bombing attacks at the earliest possible moment consistent with his effort to obtain meaningful negotiations, which judgment, I would hope, would be tempered by his own humanitarian impulses.

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

Mr. BUCHANAN. I yield to the gentleman.

Mr. HORTON. Mr. Chairman, I rise in support of the Bolling amendment.

Mr. Chairman, once again, we are faced with the difficult task of determining the effect of specific legislative language on the chances for peace in Southeast Asia. I refer of course to the Hamilton-Whalen amendment contained in section 13 of H.R. 16029, the Foreign Assistance Act of 1972.

The purpose of this language, as stated by the supporters of this amendment, is to set forth by congressional enactment, a reasonable set of terms under which American involvement in the Vietnam conflict could be terminated in the eyes of the Congress of the United States. The terms set forth in the Hamilton-Whalen language do not coincide with those set forth by the President in his speech of last May, since they do not specify that an Indochina-wide, internationally supervised cease-fire is a condition of total withdrawal. However, the terms contained in this amendment are by no means unreasonable, as one can see from reading the language of section 13 itself:

H.R. 16029—FOREIGN ASSISTANCE ACT OF 1972

SEC. 13. Notwithstanding any provision of this or any other Act, the involvement of United States land, sea, and air forces, for the purpose of maintaining, supporting, or engaging in hostilities in or over Indochina shall terminate and such forces shall be withdrawn not later than October 1, 1972, subject to a cease-fire between the United States and North Vietnam and those allied with North Vietnam to the extent necessary to achieve safe withdrawal of such remaining forces, and subject to the release of all American prisoners of war held by the Government of North Vietnam and forces allied with such Government and an accounting for all Americans missing in action who have been held by or known to such Government or such forces. The accounting for the American prisoners of war and missing in action referred to above shall be subject to verification by the International Red Cross or by any other international body mutually agreed to by the President of the United States and the Government of North Vietnam.

The provision for total withdrawal of U.S. air, sea, and land forces, conditioned on the release of all U.S. prisoners of war, on a full accounting of all Americans listed as missing in action, and on a guarantee by the North Vietnamese that U.S. forces would not be attacked during the withdrawal process constitutes terms for conclusion of our involvement which I and most other Members of Congress would welcome.

The question, however, is not whether the amendment's language constitutes an acceptable grand design for termination of our involvement, but is rather what actual effect would the adoption of this amendment have on the prospects for any settlement of this war in the near future.

Regardless of the wording of such an amendment at this time, Congress is not sitting at the negotiating tables in Paris. I say tables because at the present time, not only are the relatively meaningless public negotiations proceeding in Paris, but the more promising private talks between our Government and Hanoi are also in progress.

It is well known, and frequently admitted in the public statements of the Hanoi government, that the North Vietnamese are extremely sensitive to the trend of public opinion in the United States and in the Congress. They have even hinted strongly that they might be waiting out the results of the November elections in our country, undoubtedly to determine whether they might secure a deal more favorable to their interests at the peace table next year.

While it is possible that terms such as those contained in section 13 of this bill could well constitute a compromise agreement at the bargaining table, the effect of Congress enacting such language while secret negotiations are proceeding would be to undermine and weaken the bargaining positions which our country has set forth in these talks.

Let me analyze it this way. There is no question that all of us in Congress, and all Americans would welcome a peace agreement which would result not only in a withdrawal of all U.S. military personnel, but which would also put a stop to all of the killing and maiming of the populations of Indochina by providing for a cease-fire between all parties to the conflict. The prospect of North and South Vietnam, Laos, and Cambodia being free of hostile fire, free of bombs, of booby-traps, and of destruction and injury to the civilian populations is almost too beautiful to imagine, after this long and bloody struggle which has gone on nearly 30 years. This could be accomplished if the President's terms of cease-fire were accepted by the other side.

By continuing to bargain for a cease-fire in Indochina, our negotiators could very possibly arrive at a compromise with the North Vietnamese which would not include a total cease-fire, but which would guarantee the return of our prisoners, as well as the other terms contained in the language of the amendment we are considering.

On the other hand, if Congress adopts this language, it would have the effect of immediately canceling out any question of a total cease-fire at the bargaining table. The Congress would, in effect, be saying to the President, "delete the cease-fire from our bargaining position." Knowing the North Vietnamese from our years of experience at the bargaining table with them, they would then see this as another sign that the longer they wait and continue the war in the three neighboring nations of Laos, Cambodia, and South Vietnam, the closer the American Government will come to meeting all of their demands for settlement. Since the leaders of Hanoi have yet to offer a return of all prisoners for total U.S. withdrawal without, in addition, the ending of the Saigon government, there is almost no reason to hope that they would accept the terms set forth in this amendment. Instead, what is more likely, they will bargain for some compromise which will either not guarantee return of the prisoners, or which will not assure a safe withdrawal or an accounting of those missing in action.

Thus, while I would welcome a settlement based on the terms of this amendment, I feel the effect of enacting this language while U.S. troops are being withdrawn, and while secret talks are in progress, would be to lessen the chances that a settlement such as that called for in the amendment could be achieved.

Therefore, Mr. Chairman, I will cast my vote in favor of the motion to delete the language of section 13 from this bill, in the hope that such a vote will be construed in Hanoi as supportive of our current efforts to negotiate not only an end to U.S. military involvement in this way, but also of our efforts to win a cease-fire and the peace that it could bring.

The CHAIRMAN. The Chair has noted the names of Members standing at the time of the unanimous-consent request to limit debate.

Mr. CELLER. Mr. Chairman, the Bolling amendment is tantamount to making Congress a mere cipher—a political eunuch.

Congress is nearer the people than the President. People speak directly to Congress. They want peace—now. They do indeed want the holocaust ended. The President has failed to harken to the people. When the President fails to listen, are the people helpless? They have resources to Congress.

Congress cannot compel the President to end the war but we can and have the power to persuade and exhort by legislative edict.

The Founding Fathers set up independent but coordinated branches of Government but they did not denude the legislative branch of power vis-a-vis the President and his right to direct any war.

They provided us with the power to declare war and gave us power over the purse strings to defray the expenses of war.

There is no hermetically sealed separate compartments of government. Then, too, there is frequent overlapping of powers of the separate branches.

Congress has often urged the President, by legislative mandate, to act or not to act. He may not listen but that is his responsibility. This section, if stricken, would be a signal to the world that Congress is indifferent as to the course of the war—is apathetic as to ending the war that would be fatal.

We do have the right to speak out. Speaking forthrightly on the war is a proper exercise of our constitutional authority. Our annals of history make manifest numerous congressional outcries against actions of the Executive anent war.

The amendment should be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. RIEGLE).

Mr. RIEGLE. Mr. Chairman, if we defeat this amendment and keep section 13, it means that we urge the President to change his negotiating terms. I hope we will be successful, and I hope he will change his negotiating terms. But, I think what we also have to understand is what happens if we delete section 13.

If we do that, then we sign a blank check for more blood and money for this war for who knows how long into the future. I do not think many of us perhaps realize what the cost of these Nixon negotiating terms have already been for the last 3½ years.

If you add them up, it is $59 billion we have already spent on these negotiating terms—$59 billion—and we, in Congress, share responsibility for that expenditure. There are an additional 20,000 American dead and an additional 109,000 American wounded. We have dropped an additional 3.6 million tons of bombs; 200 pounds of bombs for every man, woman, and child in both North and South Vietnam combined.

How much should this country and this Congress be prepared to spend on behalf of these negotiating terms? Yes, we can ignore these facts and continue to sign a blank check as we have done for the last 10 years, but I think we have a right and a responsibility to ask the President to consider changing his negotiating terms; a different set of terms that can end the war and bring our American prisoners of war back.

It happens that these negotiating terms that now exist have already cost another 70 prisoners of war, 70 more Americans sitting in North Vietnam prisons than there were 3½ years ago; 470 more Americans missing in action than we had 3½ years ago. So the queshtion is, Do we want to continue signing the blank checks?

I think everyone has made up his mind that we proceed, that we will once again avoid facing up to the issue. Well, I think that is wrong. I want to commend those who have had the courage to stand up today, and those who fought previously in the committee for some language to put an end to the war, and if the President, as was said earlier by the gentleman from Florida, wants to veto the bill, he can turn his back on the expression of this body. But I think we have a right to say that it is time to stop signing these blank checks. This is not undercutting anyone. This is helping this country.

Mr. Chairman, I now place in the RECORD certain data on Vietnam war costs—all unclassified information—that deserve careful analysis.

Until today, I do not think we have seen an accurate summary of what the Nixon 3½-year peace plan has cost America.

It is standard practice for the administration to express its Vietnam war policy with a single major graph—one with a downward slope reflecting the staged withdrawal of American ground forces.

That data, by itself, is highly misleading. In fact, the Nixon peace plan could more accurately be called a war plan. Thus far it has cost America:

Over 20,000 American dead.

Over 109,000 additional American wounded.

Over $59 billion—or some $1,200 for every American family of four.

Seventy more American POW's.

An additional 3.6 million tons of bombs. Some 200 pounds of bombs for every man, woman, and child in both North and South Vietnam combined. Total U.S. World War II bomb tonnage was 2.2 million tons.

In adding up these costs over the past 3½ years, we actually find the kind of costs curves displayed behind me. And this list is only part of the cost—it does not include such additional things as:

The thousands of young American servicemen who became drug addicts in Indochina in the past 3½ years;

The thousands of other young Americans who lost their eyes or legs or arms;

The facts that the war has expanded into two other countries;

The additional Asian dead, wounded, and refugees that certainly number in the millions; and

Or almost unbelievable devastation of the Indochina countryside.

And countless other measurements of the wholesale waste of lives and resources. Yet, despite all this—in the name of a peace plan, we do not have peace—the war goes on——

We have not secured the release of American POW's; in fact, several dozen more American POW's are now in North Vietnam prison camps;

Other Americans continue to be killed, wounded, and taken captive in the war zone; and

The war continues to drain billions of dollars desperately needed for other constructive purposes.

These facts lead to one overwhelming conclusion: We cannot afford—in human or physical terms—to pursue the Nixon peace plan. It is bankrupting America's resources and its spirit.

The time has come for a new peace plan—one built upon a compromise political settlement in South Vietnam. Undoubtedly that means the creation of a new coalition government in South Vietnam, including Vietcong representation. It means ending our blind support of the dictatorial Thieu regime. In light of the bloody record of the past several years and the unconscionable devastation raining down on Indochina today, it is the only justifiable course left for America. It is time the Vietnamese settled their own internal differences without further American interference.

That we have failed to accept this reality sooner is a failure shared both by the Congress and the executive branch. It is imperative that the campaign pledge of 1968—to end the war—be redeemed now before one more life or dollar is wasted.

The war must stop and we in the Congress must act now, with the President, to face these facts and change an American policy that has failed.

I urge my colleagues to carefully examine the following statistical data:

COST OF NIXON'S WAR PLAN IS BEGINNING TO EXCEED THE JOHNSON ADMINISTRATION'S WAR COST

	Nixon	Johnson
Dollars:		
Previous	$59,000,000,000	$69,000,000,000
Fiscal year 1973	$7,000,000,000	
Wounded	110,000	193,000
American dead	20,000	35,000
Fixed-wing sorties	469,000	403,586
Helicopter sorties	20,800,000	15,848,000
Cumulative bomb tonnage	3,600,000	2,866,000

Source of Data: Department of Defense, Defense News Branch, Public Affairs Office.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. PEPPER).

Mr. PEPPER. Mr. Chairman, I thank the Chairman. Due to a commitment I have made, I will not be able to be here on the floor to vote on this amendment. I did want an opportunity to state my position. I would vote against the motion offered by the gentleman from Missouri and to sustain the Foreign Affairs Committee in limiting the continuation of the war under the conditions specified in the bill, not to exceed October 1.

I appreciate the opportunity, Mr. Chairman, to state my position. I would vote for the bill, and I would hope that the bill would finally pass.

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

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

Mr. CULVER. Mr. Chairman, I rise in strong support of section 13 of the Foreign Assistance Act, which sets three fundamental, realistic, and achievable conditions for an end to all land, sea, and air involvement of U.S. forces in Indochina.

The cost of American involvement in the military conflict in Southeast Asia since 1950 has been staggering. Over 56,000 American men have lost their lives. More than 300,000 men have been wounded, 1,126 are missing, and 520 are known to be prisoners of war. Funds in excess of $120 billion have been used in this effort, an amount which reflects expenditures only since fiscal year 1965.

The majority of the American people do not want their Government to continue to commit our national resources to this military conflict; it is simply not in the national interest. It is time that we recast our priorities and direct our resources to the many more important needs and purposes we share both at home and abroad.

I urge passage of this section which sets forth provisions for an honorable withdrawal and at the same time injects the considered judgment of the vast majority of the American people as well as of the Congress into the negotiating process.

To adopt this section is not only an expression of national will; it also asserts our proper role both as a leader in world affairs and as a nation earning both self-respect and the regard of others.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, I think that we ought to give a moment's more

consideration than we have as to whether or not this measure we are considering, section 13, is a constitutional measure, if we adopt it.

Under article II of the Constitution, the President, of course, is the Commander in Chief of the Armed Forces. Never in our history so far as I am advised, when a war was going on and was in progress—I am not talking about starting a war now—have we in this body, by legislation, attempted to direct the Executive as to the disposition and use of the forces, and when and where he shall use them, and when he has to stop using them, as we are trying to do in this measure here.

The question never has been actually passed upon, but here is what the Court said in the case of ex parte Milligan in the course of its opinion:

> Congress has the power not only to raise and to support armies, but to declare war. It has, therefore, the power to provide by law for carrying on war. This power necessarily extends to all legislation essential to the prosecution of war with vigor and success, except such as interferes with the command of the forces and the conduct of campaigns. That power and duty belong to the President as Commander in Chief.

That is the law.

As for the merits, the American people realize that the President has got to consider the effect of what he does in Southeast Asia not only now but also the effect on Southeast Asia in the future, as well as our credibility all around the world, and the effect on the people, there and elsewhere—as, for example, in the Middle East—who depend upon us. The people know that for that reason they should not try to second guess the President at this time and that they ought not to signal to the other side the end date of negotiations. There were 85 percent of them in my recent constituent poll in a politically closely divided district, in a political battleground State, who supported the President for that reason, in a nonpartisan way, just as we will do here.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. GRAY).

Mr. GRAY. Mr. Chairman, I rise in opposition to the Bolling amendment.

I have great admiration and respect for my friend and neighbor from Missouri, however I cannot in good conscience be a party to continuing to consign young men to their death in Vietnam. I have supported every President from Mr. Eisenhower to Mr. Nixon in the defense of our country. I have voted for foreign aid to less fortunate nations, however the time has come to free our prisoners of war from their horrible existence in prisoner-of-war camps. The only way to free our prisoners and stop the war is to get out of South Vietnam.

Surrender, no. The South Vietnamese should be able to defend themselves. The 40,000 U.S. troops that are still there are in no way able to defend South Vietnam. The Air Force and Navy bombing has not been effective in stopping the flow of supplies to the south.

Only, I repeat, only the 1 million men under arms in South Vietnam will be able to stop aggression and bring peace. Let us get out and let them do it. We have stayed longer and done more than they could expect. Our bombs and our no-win policy has failed. Let us be big enough to recognize it. We will get credit for helping the South Vietnamese build up their military forces sufficiently to defend themselves. What more can they ask?

As a former combat veteran in World War II and a former commander of the American Legion and Veterans of Foreign Wars I honestly feel our continued presence in Vietnam is actually prolonging the war. Until we get out we will never get our prisoners back or get a peace agreement from North Vietnam. Let us stay with the committee bill.

Thank you.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky (Mr. CARTER).

(By unanimous consent, Mr. YOUNG of Florida yielded his time to Mr. CARTER.)

Mr. CARTER. Mr. Chairman, I thank the distinguished gentleman for yielding.

Mr. Chairman, I have been vitally interested in the war in Vietnam since its inception. In 1965, at my own expense, in company with Congressman WILLIAM STANTON and JOHN DUNCAN, I visited South Vietnam for the first time. We visited the 1st Infantry Division "The Big Red One," commanded at that time by General Seaman.

On that day he had lost 14 men killed and 65 wounded, on the first day of combat for his division. We visited the 12th Cavalry at Ankhe. Maj. Gen. E. B. Roberts, at that time Colonel Roberts—from the district I represent—was chief of staff of that division.

We were permitted to visit a neighboring village which was said to be pacified and was called "Happy Valley." We were briefed by General Westmoreland's staff.

Even at that time, I was convinced that the war in South Vietnam was a mistake. To contain communism 11,000 miles from the United States, where it existed 90 miles off our shore in Cuba, did not make commonsense. Further complicating the problem was the proximity of the Soviet Union and the People's Republic of China.

Again, in 1966, as a member of the Speaker's Committee of Fourteen, approved by the President of the United States, I again visited South Vietnam. We revisited the 1st Cavalry Division. I found them firing from the division perimeter, and the village near the 12th Division Headquarters at Ankhe was no longer "Happy Valley," but was off limits.

We visited Gen. Lew Walt at Da Nang and various installations throughout that area and throughout Vietnam. I became further convinced that we were not winning the war.

When our committee reported to the President, of the 13 members who reported, one Congressman did not appear. Twelve members told the President that they supported the war in Vietnam and strongly supported our military efforts, of the group, I alone dissented I must say that I have never in any way castigated or said evil of President Johnson.

Not long after that, before we had become hopelessly immeshed in the most tragic military involvement of our history, I spoke on the floor of this House and advocated withdrawal while we were yet winning and before our losses had become so great.

Our military efforts were controlled directly from the Capital. Our men were held in large areas where a very few Vietcong or North Vietnamese could attack with recoilless rifles and with devastating effects, then would fade into the jungle.

Search and destroy procedures were carried out, in which our men were sent into Vietcong controlled areas and then withdrawn. The effectiveness of our military efforts were less than successful, they were pyrrhic. We won most of the battles, but we were losing the war.

This war had intensified since 17,000 troops had been sent to Vietnam by the late beloved and admired President John F. Kennedy.

When the present administration came into office in 1969, a gradual withdrawal of all forces was instituted. A military invasion of the Parrots Beak and surrounding areas of Cambodia was executed. At that time, I was greatly fearful and spoke against this incursion. By this time, Maj. Gen. E. B. Roberts was commanding the 12th Cavalry Division. He is a man of great ability and of absolute integrity. I received word from him that the Cambodian invasion was the most successful move of the war in Vietnam up to this time. However, public opinion was strongly solidified in opposition to the incursion, so that the follow-up Laotian invasion was not made by American troops but by the South Vietnamese. It was less than successful.

If public opinion had permitted action by the American troops in the Laotian invasion, the war might well have ended at that time.

Removal of combat troops in Vietnam continued, until at the present time there are approximately 40,000, which means that 500,000 of our men have been removed. No further soldiers will be sent to Vietnam except with their consent.

For a period of approximately 1 year after the Cambodian invasion, military action by the North Vietnamese and the Vietcong was minimal. However, in March and April of this year, when our forces were greatly depleted, a massive invasion by the North Vietnamese was attempted. Without our airpower and seapower, South Vietnam would have been completely overrun.

In the past year, by brilliant statesmanship, good rapport has been established with both the Soviet Union and the People's Republic of China. There is no doubt that both of these countries are anxious to see an end to this disaster.

I support this administration's moves to end the war, and the removal of the troops, which I am assured will continue. We all know today that this administration is trying with all of its power to bring this war to a conclusion as quickly as possible. We have all read that Lincoln was often driven to his knees during the many crises of the Civil War. I have no doubt that our President, Richard M. Nixon, although he is not a man to dis-

close his personal feelings, has also been driven to his knees, asking a divine providence for a cessation of hostilities.

If today we pass the Whalen-Hamilton resolution which is being offered, we undercut his efforts to bring this tragic war to a conclusion. If we suppose that this resolution should pass, that our troops would be removed from South Vietnam, and that our prisoners would be returned, we would yet have 40,000 South Korean troops there at our request, first-class fighting men, at the mercy of the invading hordes of North Vietnamese.

There is no provision to keep the Soviet Union or the People's Republic of China from continuing their supply of military materiel to the North Vietnamese. It would be inevitable that North Vietnam would overwhelm and crush the South Vietnamese and our friends, the ROCS, and that 55,000 American lives will have been lost in vain and our billions of dollars wasted.

On August 7, 1964, under great emotional stress, this body passed the Tonkin Gulf resolution, which permitted our action in South Vietnam. Calmness, coolness, and reason did not prevail that day. Since that time, our Nation has become strongly opposed to this involvement. A wave of emotionalism exists today in this House.

Let us today dispell this wave of emotionalism and act calmly and cooly. Let us recognize the many worthwhile efforts this administration has made. Let us work with the administration to attain a just and lasting peace.

Mr. Chairman, I strongly urge every Member of this body to remember the more than generous offers presented by this administration, and let us support the amendment of the gentleman from Missouri (Mr. BOLLING) to strike section 13.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. BENNETT).

Mr. BENNETT. Mr. Chairman, first I should like to ask if there could be a clarification on this one amendment, on line 22, because it is important to me and I believe it would be to others. Is that an acceptable amendment? I believe it is to add the word "prior."

Perhaps the gentleman does not want me to ask this at this point, but it does make a lot of difference.

Mr. MORGAN. So far as the chairman and this side are concerned, the amendment is acceptable.

Mr. FRELINGHUYSEN. I have taken no poll, but I take it, it would be acceptable on this side.

Mr. BENNETT. Could we clarify that, and take a vote now, Mr. Chairman? Could I yield my time for that purpose? Is it to put the word "prior" before the word "release" on line 22.

Mr. SEIBERLING. Mr. Chairman, a point of order. Would that not be out of order?

The CHAIRMAN. It would not be out of order.

Mr. BENNETT. Mr. Chairman, I will discuss it without the amendment being voted on just now as the author of the amendment is not apparently here now, but I want to say it does make a difference to me. Since it has been offered, it throws a new connotation on the bill's provisions. I had planned to vote for the section of the bill as it now stands, but now that this has been offered as an amendment to line 22 my vote will now depend upon whether the amendment of the word "prior" is added: If not added the effect would then leave a connotation in the legislative process meaning something different from what the bill originally meant. So it is important that we do something promptly to accept the addition of the word "prior."

Mr. Chairman, for years I supported this war because I felt it was a part of my duty to do so. I thought it was the right thing to do.

The decision was made somewhere in history, and I do not know just where, to end this war. I am not laying blame on anybody for starting it or ending it. But it is now essentially not the objective of our country to win this war. Under these circumstances I believe it is unconscionable to ask our military men to lose their lives and to ask their families to suffer what they have suffered and to ask the country to suffer what it has suffered in a war we do not intend to fight to win.

This particular section 13 simply says that when the prisoners of war come back, if they come back prior to all our armed forces getting out, we will not continue the war. I think that makes good common sense. That is what the country wants to do at this point.

I do not believe it will embarrass or impede the President. I believe it is thoroughly constitutional for Congress to take this action. In fact I believe it our duty to take this action.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Chairman, I believe it was very well stated a moment ago by the gentleman from Michigan (Mr. RIEGLE) that what is basically involved here is a direction by the Congress to the President to change his negotiating position. It is not all that drastic a change, either.

It would call primarily for the abandonment of the President's insistence on an internationally supervised and general cease fire, which is not, in the judgment of those of us who favor the end-the-war amendment, a practical proposition.

That is true, first, because such a general cease-fire will be rejected, and it has been consistently rejected, by Hanoi; and, second, because an internationally supervised cease fire, any kind of total cease fire, could be wrecked by the Thieu regime.

As I indicated a few minutes ago, there is no doubt in my mind, and there never has been, that the Thieu regime and the people around General Thieu do not really want a negotiated peace. They can preserve their own power, their own prestige, their own income so long as this war lasts. If we allow the Thieu regime a veto power over the U.S. desire to withdraw from the war, that desire will be frustrated indefinitely.

I should like to speak briefly on the constitutional question. It seems to me quite preposterous to suggest that the Congress, which has the power to declare war, does not have the power to declare an end to war. There might be some question about that if there had been a declaration of war, but where there is no declaration of war and where the war has been carried on only with the consent, whether tacit or otherwise, of the Congress, the Congress clearly has the authority constitutionally, as well as the responsibility, to declare an end to an undeclared war under certain conditions if it decides that is what must be done.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, as I understand the facts, there is nothing presently on the statute books which gives the President any military direction in Indochina. The Tonkin Gulf resolution has been wiped from the statute books. The only thing that remains is the reserve power of the President as Commander in Chief to withdraw military forces from that region in order to protect them.

If we enact the bill before us with this language in it, I would like to suggest we are actually giving new direction to the President in regard to the presence and use of military power in Indochina which may be quite beyond what any of the sponsors of the language really intend.

Careful reading of the amendment might lead to the conclusion that it sets as absolute, inflexible conditions three different items: First, accounting for all Americans missing in action; second, the establishment of a limited cease-fire; and third, of course, the release of all American prisoners of war.

These are all very appealing conditions, but does the Congress at this juncture really want to put on the statute books these three conditions as inflexible, permanent conditions which we want met before the President gets all of our forces out of Indochina? I think not. Any expression of military policy in Indochina should be very carefully drafted. I suggest the language before us now is not such language and that we would be very prudent to strike it from the bill.

By this amendment the Congress establishes as policy the withdrawal of all U.S. land, sea, and air forces not later than October 1, 1972, provided three conditions are met: First, establishment of a cease-fire "to the extent necessary to achieve safe withdrawal" of remaining U.S. forces; second, the release of all American prisoners of war held by the Government of North Vietnam and forces allied with such government and third, an accounting of "all Americans missing in action who have been held by or known to such government or such forces."

Since the repeal of the Gulf of Tonkin Resolution, the President has military authority only to proceed with troop withdrawals. Other actions, such as bombing and harbor mining are constitutionally and lawfully sanctioned only to the extent that they are required to facilitate the safe withdrawal of remaining U.S. forces.

I question whether those who vote for

this amendment really want to direct the President to keep and use U.S. military forces in Vietnam for other purposes, but that could be the effect of this language.

If it is not removed, then an important aspect needs clarification. Does this language set forth terms which the Congress considers to be absolute, final, and inflexible?

Is the Congress telling the President to hold out for the fulfillment of all three conditions no matter how long the conflict drags on? I would hope this is not the case, but the President could certainly be excused if he so interprets the language.

The amendment would seem to state minimum terms for total withdrawal. In my view, these should not be considered as absolute minimum terms. Future events and factors may dictate different terms, which may not include all three conditions.

In these closing days of our involvement in Vietnam, when the President is proceeding so resolutely and effectively down the right path, the Congress should resist the temptation to hastily establish new policy language. In an understandable impulse to surpass the President in expressing its desire for a quick U.S. departure from Vietnam, Congress runs the risk of handing the Commander in Chief a new military mandate of uncertain size and duration.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Chairman, I rise in support of the Bolling amendment.

I have great respect for the two gentlemen who sponsored section 13, but I really see no useful purpose in the section and sincerely believe that the proposal would prolong the war.

Let us face it. The Hamilton amendment is a better deal for the enemy than the Nixon proposal of May 8. If I were the enemy, sure I would continue to wait until the best proposal is offered.

In a July 27 letter to the majority leader of the Senate, Mr. MANSFIELD, the President of the United States said in effect that he accepted the responsibility of ending the war and additional end-the-war amendments would only undermine and undercut his present proposals. I say let us give the President this responsibility if he wants it.

The North Vietnamese, Mr. Chairman, are the cruelest enemy we have ever fought. I really do not trust them in any way. However, the North Vietnamese do respect force. I believe if we continue to have a sea blockade of North Vietnam and if we continue to hit the enemy on military targets, we will be able to negotiate some type of terms for the release of American prisoners of war and find out something about those listed as missing in action and bring about some type of peace in the Far East.

I hope we will adopt this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Chairman—

We cannot bomb people into democracy, nor can we bomb people into negotiations.

It is well over 7 years since I stood in this very Chamber and voiced those words. The occasion was the first vote in the House of Representatives on appropriations to fund the war in Vietnam—a day on which only seven of us cast our ballots against that tragic conflict.

The 7 years that have since passed have been 7 long and bloody years; years in which our Nation, rather than following the path to peace, has fueled the fires of death and destruction in Indochina.

Today, we once again have an opportunity to bring the killing to an end. To bring the devastation to an end. To give peace a chance. This opportunity is embodied in section 13 of H.R. 16029, the Foreign Assistance Act of 1972.

This provision states that:

Notwithstanding any provision of this or any other Act, the involvement of United States land, sea, and air forces, for the purpose of maintaining, supporting, or engaging in hostilities in or over Indochina shall terminate and such forces shall be withdrawn not later than October 1, 1972, subject to a cease-fire between the United States and North Vietnam and those allied with North Vietnam to the extent necessary to achieve safe withdrawal of such remaining forces, and subject to the release of all American prisoners of war held by the Government of North Vietnam and forces allied with such Government and an accounting for all Americans missing in action who have been held by or known to such Government or such forces. The accounting for the American prisoners of war and missing in action referred to above shall be subject to verification by the International Red Cross or by any other international body mutually agreed to by the President of the United States and the Government of North Vietnam.

This provision is a direct extension of the action taken by the Democratic caucus on two occasions. The first was on March 31, 1971, when the caucus approved by an overwhelming majority a resolution calling for House action "to end U.S. military involvement in Indochina during the 92d Congress." The second was on April 20, 1972, when the Democratic caucus directed the Democratic members of the House Committee on Foreign Affairs to prepare and report out legislation "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."

As one who has long fought to get the caucus on record in support of a prompt end to the hostilities in Southeast Asia by congressional action, I am gratified to see that we have come this far. But one thing remains certain: We will not have come far enough until every American soldier has left Indochina.

Personally, section 13 of the Foreign Assistance Act of 1972 is not as strong as I would like, but it is an assertion of congressional responsibility. There should be no conditions. This war should not be allowed to continue for another moment—let alone until October 1. But it is a start. It would constitute a legal mandate by the Congress to bring the war to an end—a mandate that the Executive could not evade.

Let one thing be clear. If this ghastly conflict is to end, it is the Congress that must end it. The President's policy is not a resolution of the Vietnam war, it is a policy to feed it. As each day goes by, the war drags on, bringing more and more senseless destruction, following the same litany of disaster that was heard time and time again during the Johnson years. That was a mistaken policy then, and it remains so today.

After so many years, after so many lives, you would think that this administration would have learned that military adventurism is not the path to peace. You would think that it would have learned that bombing will not halt the killing. You would think that it would realize that the corrupt military dictatorship of General Thieu does not promote the self-determination of the Vietnamese people. You would think that it would learn that the only course for this Nation to take is to extricate itself entirely from the conflict.

But the President—rather than learning from the mistakes of the past—is intent on repeating them. It was Richard Nixon who said on October 8, 1968, that—

Those who have had a chance for 4 years and could not produce peace should not be given another chance.

The President has had his chance, his opportunity to bring the war to a conclusion. He has not brought peace, he has brought only more bombs, more slaughter, more war. Rather than heeding the voices of the American people—who have steadfastly voiced their opposition to this dreadful conflict—he has turned a deaf ear. Rather than abiding by the mandate of the Congress set forth in section 601 of the Military Procurement Act of 1971 (Public Law 91-156) he has turned a cold shoulder. That section specifically 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.

At the time the President signed this provision into law, he stated that he did not intend to abide by this provision. He has lived up to his word. While the administration speaks out of one side of its mouth for peace citing troop withdrawals, it opts for military escalation out of the other. The war is not winding down—it is raining down, raining down ton after ton of devastation dropped from American war planes. Vietnamization must now be seen for what it is: A device to screen from the American people the bankruptcy of our military intervention in Southeast Asia. It is a public relations effort to tranquilize the American people, while the administration heaps coals upon the fires of war in Indochina.

In an effort to keep this policy from coming apart at the seams for all to see, President Nixon has escalated the bombing policy of the North. The failure of this bombing policy has been apparent throughout the past 7 years, and it is glaringly apparent now. It has not broken the will of the North Vietnamese, but it has yielded untold death, destruction, and refugees. Under President

Nixon, the air war has more than escalated; it has skyrocketed, with more bomb tonnage being dropped during 1969, 1970, and 1971 than in the previous years of the war. The underlying policy in Vietnam has not changed, and this administration has no intention of changing it.

Now it is up to the Congress. As I have said repeatedly, the Congress must assert its responsibilities which it has abdicated throughout the tragic years of presidential warmaking in Vietnam. For far too long ths House has ignored its responsibilities under the Constitution. The Congress—and only the Congress—has the power to declare war. Yet, time and time again it has abdicated those responsibilities. No more. This House cannot turn its back on ending this terrible war any longer. This body can no longer shirk its responsibilities. No longer can it be allowed to close its eyes to a war which has drained our resources and stained our conscience. No longer can it be allowed to close its eyes to this war which has taken the lives of over 56,000 of our most precious possession—our young men. No longer can it be allowed to hide its face from the fact that this war has warped our priorities, wreaked havoc on our economy, divided our people.

On every occasion that an appropriation to fund the war in Vietnam has come before this House, I have called upon my colleagues to vote with me in using the power of the purse to end this senseless war. I am forced to recall that on that day in May of 1965 when this body first considered appropriations for Vietnam, only seven of us cast our ballots against that conflict. Seven of 435. Outside this House that number has swelled from a handful to the vast majority of the American people. Inside this Chamber far too many Members have so far failed to heed their call. Today we must.

The prices we have paid for this tragic venture has been incalculably high—in terms of lives lost and bloodshed; in terms of opportunities missed and treasure squandered; in terms of our standing in the world and the health of our society at home in America.

In the name of peace we have brought only death and destruction.

In the name of democracy we have helped to enslave the people of South Vietnam to a corrupt military dictatorship that depends on war for its survival.

For the supposed sake of honor, we have trampled on our principles.

The course out of Vietnam is clear. It has been so for a long time. The Congress must exercise its power of the purse and cutoff funding this war. We can delay no longer. Another day is one too many. Not another life should be sacrificed in this tragic conflict.

Let Congress at last give voice to the yearning of the American people for an end to the war and for a new era of peace.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. WALDIE).

Mr. WALDIE. Mr. Chairman, a while back I was visiting a campus and a student discussing this issue came forth with a phrase that I resented at the time, where he said "Old men talk and young men die." I thought at the time that that was not correct. I am becoming increasingly convinced that that is absolutely correct except for the modifications that are now required.

The gentleman from Missouri suggests that we should not pass the bill with the end-the-war amendment included because we could not get it enacted within time.

As the gentleman said, there is not much time left in the session, and that is so because we are going to go on vacation, and we have a Republican Convention, and we want to get back and campaign, so we should amend the phrase to read, "Old men talk, go on vacations, go to campaigns, and go to conventions, while young men die."

Then the further reason as to why we ought not address ourselves to ending the war by the provisions in this bill, as the gentleman from Missouri maintains and cautions us, is that if we were to pass it the President would pay no attention to it, and would veto it and we would then have to get a two-thirds vote to override his veto. So then we ought to reword the phrase to read, "Old men talk, recess, go to conventions, and go on vacations, and are not able to stand up as Members of the Congress against the President of the United States, and their actions are fruitless, while young men die."

And that is precisely where I believe this Congress now stands.

I thought this body was a constitutionally created body with powers that were separate but equal, and surely the powers must be equal when you are dealing with the most important issue in this land, the ending of the war in Vietnam—a war that under a Democratic President was intolerably conducted. Whatever admiration I possess, and that is considerable, for President Johnson, his policy in Vietnam was a disaster for this country, and there is no gainsaying that. Whatever admiration I possess for President Nixon, and it is considerable, his policy in Vietnam has been an equal disaster, and there is no gainsaying that.

Whatever admiration I possess for the House of Representatives, and it is considerable, our failure to act is a disaster for this Nation, and there is no gainsaying that.

Old men do talk, old men in Congress do talk, while young men die. We ought to stop talking and start acting to prevent young men dying, and we can do a little in that direction of acting by passing the Whalen-Hamilton amendment.

In conclusion, Mr. Chairman, I want to associate myself thoroughly and completely with the remarks of the gentleman from Florida (Mr. FASCELL).

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Chairman, no conflict in our history has so divided our Nation and indeed traumatized the American conscience as the war in Southeast Asia. While I do not for a single instant challenge the sincerity of the proponents of the so-called Hamilton-Whalen amendment, they have no monopoly on the deep and earnest desire to end our involvement in Indochina. However, I submit that their proposal, well-intentioned as it may be is fatally defective, because it does not include the essential requirement of an internationally supervised cease-fire which could thus bring a total cessation of hostilities.

For this Congress to go on record as favoring only a partial and extremely limited cease-fire is to practically guarantee the continuation on a protracted basis of a war that has already caused untold devastation and suffering for friend and foe alike.

I am compelled to the inexorable and logical conclusion that this amendment if implemented by Executive action would amount to a license to the Government of North Vietnam to continue its attacks and depredations against South Vietnam, Laos, and Cambodia and perhaps eventually to expand the war even beyond those borders.

We heard a lot of debate yesterday and today on earlier amendments involving United States relations with other countries where many of the same people who are now supporting the Hamilton-Whalen proposition objected to policies of our Government which they said gave moral sustenance and approval to regimes with whose policies we disagree.

I submit that the adoption of the language of section 13 is to notify the rest of the world that despite its invasion of the borders of three different countries in the Indochina Peninsula—South Vietnam, Laos, and Cambodia, the North Vietnamese can continue their attacks on innocent civilian populations—attacks that are going on at this very moment—and we are totally disinterested—indeed we will give them carte blanche to continue.

We cannot rewrite history and pretend that we were never involved. If these attacks had been made at a time when we had never held out either the hope or promise of our aid—I believe that our moral responsibility would be quite different than what it is after a decade of American involvement and participation.

Frankly I do not agree with the argument that American prestige and honor are at stake—at least I do not believe that those arguments would carry much weight with me if honor is defined as national pride and trying to prove that we were right from the very beginning.

Quite to the contrary, I believe our earlier policy decisions, whether based on the domino theory or some other theory, of foreign policy were wrong.

But we have now succeeded by virtue of those errors to another duty and that is to end this war and to end it for all the people in that war-torn, battle-scarred part of the world. This is the humane, decent, and moral position as far as I personally am concerned.

It is not to emulate Pilate as the story is recounted for us in Matthew 27:24.

When Pilate saw that he could prevail nothing, but that rather a tumult was made, he took water and washed his hands before the multitude saying, "I am innocent of the blood of this just person, see ye to it."

Do we now, like Pilate, wash our hands

while the world watches in order to quiet the tumult in our midst and declare our innocence of the bloodshed that will continue while we simply say to the Government of North Vietnam, "See ye to it."

I cannot by ratifying a mere partial and limited cease-fire—so easily expunge my moral responsibility for the tragedy of Vietnam.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York (Mrs. ABZUG).

Mrs. ABZUG. Mr. Chairman, this Congress has a lot of unexercised constitutional power. The only power I hear being talked about here today is the power to continue a war which we have never declared, as has been well pointed out by previous speakers.

There is a tremendous resistance to the exercise of the power which this body has to stop the war. Outside, the American people want us to stop the war.

We have the power to cut off funds, which we have not done and which the Morgan-Hamilton-Whalen provision does not do.

We have the power to cut off all military aid to the Thieu government, which we have not done and which the Morgan-Hamilton-Whelan provision does not do.

We have the constitutional power to enact the Morgan-Hamilton-Whalen provision, which would finally set a date certain for total withdrawal from Vietnam.

Constitutionally, only Congress has the authority to declare war. The President has absolutely no authority in this regard; his power as Commander in Chief does not and cannot authorize him to make war if Congress has not declared it. Even if the Gulf of Tonkin resolution somehow gave him such power—and I do not believe that it did—that legislation was repealed almost 2 years ago.

The President "shall take care that the laws be faithfully executed." He is constitutionally required to follow the laws—with regard to military policy or any other policy. Insofar as military policy is concerned, his authority as Commander in Chief only permits him to act in interstitial areas wherein no policy has been set as a matter of law.

These and other constitutional points have been ably made by others here today, and I do not desire to indulge any longer in the procedural alley into which the mover of this amendment has diverted us.

Section 13 of this bill states simply that under certain conditions—and they are by no means the soundest of conditions—we should withdraw all of our soldiers from Vietnam by October 1, 1972. It does not propose to cut off funds as of that date, though it should. It does not cut off all military assistance to the Thieu government, though it should. And yet, you all resist it.

The fact is that the Congress of the United States is our only hope—our only hope to curb the excessive powers of the President.

What is going on is not a withdrawal or a winding down of the war. None of us speaking here today has even said that.

We have fewer troops and equipment there on the ground, perhaps, but we have more who are now in the air. We have more in the Navy. We are now bombing the dikes. We are now cloud seeding and perpetrating uncivilized and inhumane war against the Vietnamese without the authority of this body and without the authority of the people of this country.

The Committee on Foreign Affairs is to be complimented for finally taking a step, albeit by a vote of 18 to 17.

I think it is time that this House would earn its name, namely, the House of Representatives—Representatives—and begin to represent the dream and the hope and the tremendous need of the people of this country to end this ugly war—yes, to end it.

It does not matter whether you are Republican or Democrat. All people have suffered as a result of this war.

I oppose the Bolling amendment and urge its rejection.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, I want to commend the committee for having a bill before this House with a clause in it like section 13, however, short-lived that section might be.

I read the tenor of this House and, unfortunately, it does not look good for section 13 at this time.

Unfortunately, the form of the amendment is obfuscating the nature of our debate.

The President of the United States took over some 4 years ago after this country had virtually bankrupted itself on the Vietnam war under the Gulf of Tonkin policy, and we wisely now have repealed that policy.

President Nixon said:

> I have a secret program to end the war and you elect me and we are going to implement that program.

He was rather dove-ish for about 6 months and then we had this massive invasion of Cambodia which allegedly we needed to allow for the withdrawal of American troops from Southeast Asia so that we could have this secret plan implemented.

They have never fired on any of our withdrawing troops and I say that the Cambodian exercise was nearly all in the minds of the Pentagon advocates.

As to how critical that particular exercise was, I just ask you to read the ticker tape in the outside room which indicates that Phnompenh today is under fire and perhaps the capital of that country—how tragic it might be—perhaps may be falling within days.

The President, of course, then came forward with his Vietnamization program. That had been tried by a previous administration. That was not a new program and, unfortunately, we did not Vietnamize—we Americanized because the Saigon army cannot survive unless it has got the 80-percent logistic tail of the American Army and has got the planes and the Navy and so forth.

The President then came up with a program that he wanted to go to Peking. Then he wanted to go to Moscow—and this was going to solve the problem.

Mr. Chairman, I will revise and extend my remarks and say some of the things that, unfortunately, one cannot say in 2 minutes.

And then Adviser Kissinger went back to Moscow and Peking, and Hanoi representatives were supposed to meet Kissinger in Peking. All this and nothing happens. The Communists are still in concrete with a capacity for an offensive besides.

Mr. Nixon is entitled to credit for reduction of U.S. presence on the ground in Vietnam—some 500,000-man reduction. But where is Mr. Nixon going? When we thought the Vietnamization program might work, Mr. Nixon reescalated the air and sea war to the point where virtually every surplus B-52 and aircraft carrier and ship in the Pacific Fleet has been detailed to Vietnam.

At a time when the American people are expecting a reorganization of priorities, the Pentagon is telling us to expect a $6 billion supplemental request.

Nixon's deficits in 4 years equal one-fourth of the national debt accumulated in the total 200-year history of the United States—all to fight a war half hearted but with the whole hearts of too many American dead soldiers and POW's.

The Nixon escalation of blockade nearly busted the SALT and Berlin agreements. The Soviet and Red Chinese Navies were exposed for the hollow shells that they are—they could do nothing.

It appears from the news that the blockades are not outrageously effective—there is no rationing in Hanoi, they are conducting offensives against Phnompenh and Hue and the zeal of the Communists is unsurpassed—they are almost in euphoric paranoia as is evidenced by their daily reports in the Foreign Broadcast Information Service publication of our Department of Defense.

So what do we do—we have nearly spent ourselves to death; destroyed our aerospace industry, desecrated our economy.

We must now de-Americanize the Saigon army—they must stand on their own feet. This amendment, section 13, should stay in the bill and be enacted as a first step.

This section does not affect logistics to Saigon, either military or economic.

The United States is not of a frame of mind to invade North Vietnam and neither is Saigon. Nixon, and he appears to have a majority of this House with him, is not prepared to destroy overtly the Saigon government, and frankly, I do not blame him.

We want our POW's back but Madame Binh has stated in concrete as has Xuan Thuy of North Vietnam since the first of the year, that they are not prepared to simply trade troops for prisoners—they want the Saigon army disestablished with the Vietcong and North Vietnam forces in place, and they would then conduct elections under a new government, and then all POW's of both sides would be returned.

We can not agree to the Communist demands on the one hand. We should not do what we are doing because America is split and outraged, but neither should we shoot down the Saigon government.

Having talked at length to the American mission in Paris and with all the

Communist parties in Paris, twice in the past year, I know wherein I speak. My conferences are all a matter of public record.

The pending amendment is perhaps only a token expression that will not pass.

What we should do is deescalate American posture over the next 6 months. Such that in all of Southeast Asia we only provide an equal and opposite reciprocal force vis-a-vis South Vietnam, as the Soviets and Red Chinese assume toward their Communist counterparts.

We have lost $200 billion and obligated ourselves for $200 billion in Vietnam benefits. The Communists have spent $10 billion, per Secretary Melvin Laird.

We have lost 56,000 American dead boys and we hope the Communists have 500 of our POW's. The Soviets and Chinese have zero in these categories.

The United States flys daily bombing missions and daily shells the beaches of North and South Vietnam. The major Communist nations do not do this.

The Soviets and Chinese supply the North Vietnamese, Pathet Lao, and Vietcong.

The United States should provide only equal and reciprocal supplies to South Vietnam, Laos, Cambodia, and Thailand.

We could assume this posture in 4 months neither winning, nor surrendering and let the Southeast Asians themselves determine who among them in a fair contest is the fittest.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. Dow).

Mr. DOW. I admire Congressman BOLLING from Missouri, but I must say that I oppose his amendment, which throws before us a great constitutional issue. If we strike section 13, it will be an abdication of Congress as a coordinate body of this Nation. We, as a Congress, have already abdicated too much. We have failed to declare war, if that were necessary, in Vietnam. We allow the President unlimited power to roam the globe under his so-called authority as Commander in Chief, and we have given him the power of preserving secrecy in State papers; just to name a few of our abdications.

Now, the distinguished minority leader said a little while ago, "Do not rock the boat." Mr. Chairman, I submit that that advice is anesthesia to inoculate the Congress and turn it into a limp and spineless creature.

The minority leader should not lend himself to such a weakening of this body. It is pandering to the Executive. It is pulling the cornerstone out of our constitutional system. It is pulling down the temple around our ears.

There are those of you who say that Congress can do nothing, therefore, why have this provision relating to the war; but we can override the veto if the President should veto the bill with this provision contained therein. It is possible that we can, and we should try. Otherwise we will have what our forefathers fought so painfully to avoid, and that is a monarchy.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. WOLFF).

Mr. WOLFF. Mr. Chairman, the war goes on and on and on. The killing continues. Cities are destroyed. The land is laid waste. The promise of peace is only that—a promise. Idealism becomes cynicism, patience is replaced by despair, the years fade away and a decade is at hand, and no man can say, not even the President of the United States, that he knows the war's end.

They said that there was "light at the end of the tunnel" and we have stumbled blindly on seeking its source but finding only more darkness. We have waged a mindless war toward no appreciable end. Bullets have been spent, bombs dropped, new weapons unleashed, lives lost, bodies maimed, and all in the name of some distorted idea of freedom. "We had to destroy the village to save it," they said. Well they destroyed more than the village.

One may speak with moral outrage at this mindlessness, and I do, but not every Member of this body considers it a moral question. It is not my intent, Mr. Chairman, to raise here again the matter of American morality in terms of the war in Vietnam—although it deserves our concern—but rather to speak for a moment as to the war's cost and the toll it has taken upon this country. To place it then, not in its moral context, but to ponder its consequences in terms of its practical effects upon this Nation and how it has so greatly weakened our posture elsewhere in the world.

I shall not attempt then to recite again what this war has cost, what it has denied to the people of America, but rather to quote for the benefit of those who still insist that it go on, what the Secretary of Defense has said in that Department's annual report:

> This built-in Soviet advantage has been greatly enhanced at our expense since 1965 because of the costs of the war in Vietnam . . . from 1965 through 1972 the Soviets have had substantially more funds available to apply to the development of their total military capabilities. Since 1966, when the net available to the Soviet Union first exceeded that for the U.S., the Soviet Union has had some $21 billion more available for modernization than has the U.S. This difference has had a significant and adverse impact on the military posture of the United States relative to that of the Soviet Union.

Well there you have it, gentlemen, the Secretary of Defense, no less, telling us that the war in Vietnam, the war his administration promised to end, has weakened the defense posture of the United States vis-a-vis the Soviet Union. This must not be allowed to pass unnoticed, think of it, the Soviet Union has had $21 billion more to modernize their military than we—all because of Vietnam.

If the Secretary is correct and if you vote to continue this war by failing to mandate its end, then you are voting to weaken the defense position of the United States. If, after all these years of war, after all the destruction, after all the hundreds of billions wasted, you are still unmoved that it must stop; then at least consider what it is doing to this Nation in terms of our own security and military needs.

Consider it, and vote to end the war in Vietnam.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, it seems almost an exercise in futility to add more words to the millions that have already been spoken on the issue that has divided this country more than any issue since our own Civil War.

For a long time, this action by our Government divided the American people themselves. But as the casualties mounted, as the cost to our young people and to the people of Vietnam escalated, as the inflation and the disruption of our Nation's economy spiraled, and as the cloak of bureaucratic secrecy was ripped open to reveal the delusions of our so-called leaders and their cynical deception of the American people, the nature of the division created in our Nation by this military misadventure changed.

For as the people have come to understand the truth about their Government's actions in Vietnam, the division in our country has become less and less a division among the people and more and more a division between the people and their Government.

The people, by an overwhelming majority, want out of Vietnam and see no moral or practical basis for our continuing military presence. On the question of the POW's, the people have come to the realization that the only way we are likely to get our POW's back is by getting our Armed Forces out.

How much longer can the Congress allow itself to endorse a course of action which continues to be so deeply, so bitterly opposed by the overwhelming majority of the American people? What does that do to the faith of our people, young and old alike, in the democratic process?

Mr. Chairman, this issue transcends politics. It can no longer be contained within the tradition of supporting the President in matters of foreign policy. It is not merely that a succession of Presidents have been proven wrong about Vietnam. It is because there is a far deeper tradition at stake here, involving the sense of humanity and decency of the American people and the ideals on which the Nation was founded.

Last week, in an article in the August 2 Washington Post, former Ambassador Charles W. Yost, one of the Nation's most distinguished diplomats, got to the heart of the matter. In questioning the military and moral justification for our continued savage bombing of North Vietnam, Ambassador Yost referred to President Nixon's recent complaint that critics of his bombing policy were applying a "double standard." The Ambassador points out:

> It has always been the proud boast and belief of Americans that our democracy embodies certain principles which make us worthy of admiration and emulation by the rest of the world. We have been the first to claim a "double standard" which distinguishes us from totalitarian states and our behavior from theirs. Now much of the rest of the world is beginning to see less and less moral difference between us and the adversaries we seem more and more to imitate.
>
> The cold hard truth is that we cannot beat a small enemy "back to the stone age",

abandon moral and military restraints in our war against him, without dangerously sapping the reservoir of international respect which our forefathers built up over two centuries and on which any claim we may have to world leadership must rest. Is the erosion of that respect worth "victory" in Vietnam or anyone's victory in November?

On the day following Mr. Yost's article, an editorial in the Akron Beacon Journal made a similar point. I ask that both Mr. Yost's article and the Beacon editorial be printed at the end of my remarks, but here would like to quote just briefly from the editorial:

We are uncomfortable setting the standards for our own great nation's behavior by the brutalities stubborn Hanoi leaders will tolerate—and punishing a whole civilian population for those brutalities.

Surely, Mr. Chairman, nothing is at stake in Vietnam which can possibly justify any further erosion of our own treasured institutions and ideals. Surely the time has come to take the first step toward restoring our Nation's unity and morale by fixing a final deadline to our military presence in Vietnam.

Today, this House has what may be its last opportunity to take this step, by approving this bill with section 13 in it.

The article follows:

[From the Washington Post, Aug. 2, 1972]

BOMBING OF DIKES, DAMS?—ARGUMENT MISSES HEART OF THE MATTER

(By Charles W. Yost)

The argument between the administration and its critics as to whether or not the United States is bombing dikes and dams in North Vietnam misses what seems to me the heart of the matter.

Bombing of North Vietnam on the vast scale we have done over the past three months cannot, as the administration itself says, help hitting some of the dikes which crisscross so much of that country and on which its food supply depends. The real point, however, is that it does not make much difference to noncombatant men, women and children whether they are starved, drowned or blown up. As long as we continue bombing of the present magnitude—with such a loose application of the term "military objectives" and such reliance on the infallibility of "smart bombs"—we cannot help killing substantial numbers of noncombatants, whether or not we hit the dikes.

It will be argued that we and our allies engaged in World War II in large-scale bombing which incidentally killed many civilians and that this played a part in winning the war. The obvious difference is that at that time we were fighting against two regimes that we believed threatened both our national existence and western civilization. Even the most extravagant "hawks" would not make that claim about the regime in Hanoi in the summer of 1972. The question is whether there can be any justification, military or moral, for so lethal and prolonged a bombing at the present time and place.

This particular bombing campaign—by far the most severe since we entered the war seven years ago—was begun in response to Hanoi's offensive of last April, in order to prevent a disastrous defeat of the South Vietnamese and "humiliation" of the President just before the Moscow summit. That offensive has now been repulsed and rolled back. The Moscow summit is long since over and was a substantial success. Yet the bombing continues.

It will also be argued that the bombing of the North is still necessary to prevent a buildup and dispatch southward of supplies which would be used in another offensive at a later date. However, President Johnson should be able to testify, on the basis of considerable experience, that even continuous bombing of the North does not prevent the dispatch southward of sufficient supplies to mount repeated offensives, that it tends to toughen rather than soften North Vietnamese morale, and that offensives will recur as long as the war continues.

Finally, the bombing can no longer be excused as essential to protect United States ground forces, since most of them have been withdrawn and the rest could be in a very short time. Indeed it is hard to see how the continuation of large-scale bombing of the North any longer has an American rationale except as a factor of the United States elections.

It would not seem unreasonable to presume that the bombing of the North is being continued—after the special reasons for it cited at the beginning of May have ceased to exist—as a means of pressure on Hanoi to accept before November 7 our terms for ending the war. Such a result might be a decisive factor in the elections, causing th average voter to forget momentarily that the Republican plan for ending the war, promised in 1968, was carried out only after four years and 20,000 additional American dead.

Every American wants an agreement in Paris and an end to the fighting but are we to be wholly indifferent as to how we go about getting it? Mr. Nixon has often spoken of the "respect" which he seeks for this country and the Presidency. Can he be unaware that the respect is being daily eaten away by what seems to many Asians and Europeans, not to mention Americans, to be a casual indifference to massive human suffering which we inflict, a moral unscrupulousness about the means by which we as a great power achieve our ends? Our new partners in creating a "structure of peace," the Soviet Union and China, may be prepared to swallow this behavior, but will all the others who have looked up to us in the past?

Of course the North Vietnamese have for years been committing, and still are, unspeakable atrocities in the South. But how relevant is that? It has always been the proud boast and belief of Americans that our democracy embodies certain principles which make us worthy of admiration and emulation by the rest of the world. We have been the first to claim a "double standard" which distinguishes us from totalitarian states and our behavior from theirs. Now much of the rest of the world is beginning to see less and less moral difference between us and the adversaries we seem more and more to imitate.

The cold hard truth is that we cannot beat a small enemy "back to the stone age," abandon moral and military restraints in our war against him, without dangerously sapping the reservoir of international respect which our forefathers built up over two centuries and on which any claim we may have to world leadership must rest. Is the erosion of that respect worth "victory" in Vietnam or anyone's victory in November?

[From the Akron Beacon Journal, Aug. 3, 1972]

PEACE-BY-BOMB SUBTLETIES CAN CONFUSE THE NAIVE

In the Washington terms of the times, it has become "naive" to take seriously complaint from Hanoi that the United States is careless of the lives of Asian peasants as it strews its bombs in the civilized search for peace with honor.

To show such naiveness is bad form, and reveals that you don't understand the situation.

The most prominent citizen to fall into this social blunder in recent days is United Nations Secretary General Kurt Waldheim.

Naively, he accepted at face value propaganda that American bombs have damaged North Vietnamese dikes, threatening disaster to civilians whose personal involvement in the war is only that they are residents of North Vietnam. Further, he was capable of giving serious consideration to the absurd allegation that this "damage" was intentional.

Compounding his gaffe, he failed to note two central and obvious facts:

That the most powerful nation in the world could, if it chose, demolish North Vietnam in an afternoon—and that if it were truly that nation's intention to smash the dikes, they would long since have been smashed.

And that the North Vietnamese, as authors of what President Nixon seems to see as the most heinous invasion in history, are far more deserving of censure than the United States—and have forgone any right to complain about what is done to them in retribution.

With embarrassment, we confess to being almost as naive as Mr. Waldheim. Maybe not quite.

Obviously, American air power could cause massive damage to the North Vietnamese dike system if its force were deliberately concentrated on this purpose. So the assumption has to be that it is not.

It seems less than cause for a glow of pride that the official series of American responses to allegation of dike damage has followed the familiar pattern:

First, flat dismissal of them as enemy lies.

Next, concession that there may have been some accidental small damage, regrettable but unavoidable spillover effects of justified air attacks on legitimate military targets.

Then assertion that the damage was limited to small breaches at 12 points, all in minor and non-critical components of the dike system—based on three-week-old aerial photography so subject to misinterpretation in the enemy's favor that it could not be released for public inspection.

Despite this confidence-shaking typical sequence, we can accept the official characterization of the damage as accidental—or, at most, as no more than token effort intended to suggest to Hanoi's leaders what may happen unless they become more tractable.

But we are naive enough to be unable to see a clear difference in the practical effect between accidental or token breaching of a dike and deliberate, systematic destruction. To simple minds the drowning in either case seems essentially the same.

Perhaps if the necessity or usefulness of this clinical, antiseptic rain of destruction on roads, power plants, factories turning out what seem to be non-military necessities, and other "military targets" were as clear to us as it is to the White House, so might be the nice distinction between drowning by accident and drowning by design.

Also, we have some difficulty with the superlatives of evil applied to North Vietnam's current "invasion."

We are not at all clear on what Hanoi's leaders hope to gain by their offensive in the South. It seems stupid and senselessly destructive.

But it is the act of a group that, rightly or wrongly, views the conflict as a civil war—a desperate group worn down by decades of trying and bleeding. For savagery, if you subtract American bomb damage, it is not much of a match for Sherman's march to the sea.

We are uncomfortable setting the standards for our own great nation's behavior by the brutalities stubborn Hanoi leaders will tolerate—and punishing a whole civilian population for those brutalities.

So color us socially inept. We clearly don't understand this sophisticated, lethal game, and would, naively, much rather see it over.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia (Mr. BLACKBURN).

Mr. BLACKBURN. Mr. Chairman, at

the very moment this Congress is being asked to withdraw unilaterally from South Vietnam, a withdrawal that would come while almost 10 Communist divisions still roam within the south, a withdrawal that makes not the slightest mention of peace, we are confronted with the horror of what it means for citizens of South Vietnam to come under the domination of the enemy. Reports now reaching us from three formerly Communist-controlled districts in Binh Dinh Province attest to the savagery with which the Communists eliminate all those who are even potential stumbling blocks in their path of conquest.

I speak not just of soldiers or government officials but of ordinary citizens, teachers, doctors, and nurses, pacification workers. Some are murdered quickly; others are tortured brutally and then put to death. No attempts at reconciliation are made. The Communists simply wipe out all elements of leadership and in the process leave the bulk of the population, in their own words, frozen with fear. The reign of terror we have now witnessed in Binh Dinh is nothing new; it merely follows the familiar pattern of events in those societies with the misfortune to fall under the control of communism.

The mass executions following Communist consolidation of power in North Vietnam are historic fact. The murders in Binh Dinh resemble events of Tet 1968 when in an orgy of slaughter, the enemy butchered thousands of the leading citizens of Hue.

The people of South Vietnam have no problem understanding the consequences of an enemy victory, for hundreds of thousands of them have chosen to flee their homes rather than join the other side. The grisly chain of events which would unfold should be no less clear to us. The obligation rests squarely with us to spare our South Vietnamese friends the unspeakable suffering that will be their lot if the enemy emerges victorious. We cannot, we must not, remove all of our troops, until we can gain from the North Vietnamese an agreement to leave their neighbors in peace or until the South Vietnamese otherwise have a reasonable chance to determine their own destiny. There are a number of reasons for deleting section 13. But none is more persuasive than our undertaking to avoid presenting the Communists with further opportunities to impose their reign of terror on the South Vietnamese people.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Chairman, in these brief 2 minutes I would like to focus if I can upon one central issue which heretofore has not been adequately covered.

The heart of President Nixon's overtures for peace and the cornerstone of his negotiating posture is the proposition that both sides should agree in advance to permit the people of South Vietnam to determine the fate of their own country by ballots rather than by bullets, through fair, open and free elections supervised by an impartial international agency.

This is the focal point of the negotiations. The North Vietnamese have steadfastly refused to consider any such proposal, even though President Thieu of South Vietnam has publicly agreed to resign and thus permit such elections.

Section 13 of this bill very significantly deletes any reference to that central negotiating posture of the United States. Do we want to abandon that principle? Adoption of section 13 would have that effect. It would not in any sense end the war. It merely would leave the resolution of the central issue—the issue of the future of South Vietnam—to be determined by military force. Do we want to do that? I for one do not.

To adopt this bill with section 13 included not only would pull the rug from under the President and his negotiators, it also would do as the gentleman from Michigan (Mr. RIEGLE) has suggested. It would say to the President that we do not support the fundamental basis of his peace proposal, the proposition of free elections. No principle is more deeply imbedded in the political character of the United States nor more hallowed in the political history of this country than the principle of nonviolent local self-determination and free elections. It provides in my opinion, the only fair and just basis for a negotiated settlement.

For these reasons, Mr. Chairman, I support the amendment offered by the gentleman from Missouri (Mr. BOLLING).

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. JACOBS).

Mr. JACOBS. Mr. Chairman, the only problem I have with the statement of my friend in the well a moment ago is that history shows very clearly that we did not believe very much in elections in 1956, when our country supported the Saigon regime in scuttling the elections agreed to in the Geneva Accords, when President Nixon predicted Ho Chi Minh would win.

I should like to read the last paragraph of a letter from a former high American Government official to an individual who wrote to him alleging that the President had the warmaking power and that the Congress should not tie the hands of the President:

> The provision of the Constitution giving the war-making power to Congress, was dictated, as I understand it, by the following reasons. Kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This, our convention understood to be the most oppressive of all Kingly oppressions; and they resolved to so frame the Constitution that no one man should hold the power of bringing this oppression upon us. But your view destroys the whole matter, and places our President where Kings have always stood.

That was signed by Abraham Lincoln, February 15, 1848, and received by William Herndon.

Mr. Chairman, after everything is said that can be said the fact will remain that the "secret plan" of this administration to end this war turned out to be a bomb.

As a Member of the Indiana delegation, I commend with pride the work of my colleague, Mr. HAMILTON, and his eloquence on the floor this day. History will remember him kindly for it.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota (Mr. DENHOLM).

Mr. DENHOLM. Mr. Chairman, for more than 7 years and I suspect after more than 7,000 speeches this issue provokes the minds of reasonable men. Yet, we are left in an exercise of futility for this legislative body cannot legislate peace.

The Constitution, on the contrary, expressly imposes and reserves to the joint session of Congress the power to declare war, but the Constitution is silent on the frustrating issue of declaring peace.

I will support the Bolling amendment not because I want the war to continue. My record is clear on that issue. I voted against the amendment to extend our miserable involvement in Vietnam to December 31. I will vote for the Bolling amendment because there is a day between the dates of October 1, 1972, and December 31, 1972, which will provide a time for a national referendum to the people of America.

We have reached an impasse. This legislative body cannot make a decision on a date certain to end our military involvement in Vietnam unless we vote against the appropriations that have through the years made it possible for the executive branch of this Government to prosecute the war in Indochina. I have voted consistently against this proposition. I have faith in the people of America and the system of government of this great land. I support the right of the people to decide and they shall be heard in the referendum on November 7, 1972.

I regret that the President should commit 1 more dollar, one more life or 1 more day to a cause conceived in error and pursued in error—for years and years. I regret that the Congress has for years and years errored in funding a cause of no victory. But, Mr. Chairman, the date, the debate, the hours—of failure or success, of this body in acting upon a date certain cannot have any great significance on the ears or the eyes of those that refuse to hear what is here to be heard and to see what is here to be seen.

The issues are clear—the candidates are articulate. I trust in God. The people shall respond. And at this 11th hour, after years and years, may that message in the great referendum on the first Tuesday of November 1972, voice the sentiments of a great people sick of war. And may it be recorded forever in the annals of history for all to see that no President shall again shame the highest law of this land and circumvent the expressed language so ably written by our forefathers at section 8 of article I of the Constitution of the United States of America.

The CHAIRMAN. The Chair recognizes the gentleman from Maine (Mr. HATHAWAY).

Mr. HATHAWAY. Mr. Chairman, I rise in behalf of the provision to end U.S. involvement in the war in Indochina.

It is time—and past time—that we in Congress exercise our constitutional right and responsibility to decide whether or not this country shall continue to fight a war.

For 7 long years, this Nation has been

engaged in a tragic conflict in Southeast Asia. That conflict has been costly—in terms of 55,000 American lives lost and 300,000 casualties; in terms of $100 billion drained away; in terms of distorted priorities; and in terms of the bitterness, frustration, and dissension among our people.

The congressional authorization for U.S. involvement in Southeast Asia, the Gulf of Tonkin resolution, has been repealed. We cannot simply sit on our constitutional rights and watch this war continue.

In 1970, at the time of the Cambodian incursion, I joined in the introduction of the first end the war resolution. Since that time we have seen that amendment and successive amendments go down to defeat on the floor of the House. And we have seen the war in Indochina drag on.

I have supported every end the war amendment to come before this body, and I support this amendment. Furthermore, I feel an increasing sense of urgency that something must be done, that we must end this agonizing involvement in war.

The people of this country have spoken out and said that they want peace. Our Democratic Caucus has spoken out and, by a vote of 144–58, demanded this legislative provision.

Now I urge this Congress, as the body which is supposed to represent the people, as the body which is supposed to declare war when necessary but above all is supposed to preserve the peace, to pass this end-the-war provision.

(By unanimous consent, Mr. HATHAWAY yielded the remainder of his time to Mr. WHALEN).

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. HAMILTON).

Mr. HAMILTON. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. WHALEN).

Mr. WHALEN. Mr. Chairman, earlier this afternoon I felt like the bird who returned to its nest with feathers missing and ruffled. When asked by its nestmate what happened he indicated he was flying over a park and flew low to see what was going on down there and got caught in the darnedest badminton match he had ever seen.

I certainly was caught just like that early this afternoon by both sides.

Mr. Chairman, I would like to address myself to the two principal arguments raised in behalf of the Bolling amendment and against the Hamilton-Whalen provision.

The first is whether or not the Congress should have authority to involve itself in peace negotiations. The courts clearly answered "Yes," we do have that authority. Mr. Louis Fisher, who is a very distinguished staff member of the Library of Congress, researched this and put his findings in a book which will soon be published entitled "The President and Congress—Power and Policy." In this book Mr. Fisher states as follows:

> The Supreme Court has consistently handled that issue as a political question to be resolved by the Congress and the President.

This view was reaffirmed this past Monday by a panel of three Federal judges in the city of Philadelphia. I quote from a Washington Post article of August 8:

> In calling the Vietnam war a political question a three-judge Federal panel today dismissed a suit seeking to declare the war unconstitutional. The court said that Congress possesses whatever power is necessary to end the war.

Let me repeat this decision. The key phrase says "The court said that Congress possesses whatever power is necessary to end the war."

So, indeed, Congress does have this authority, and we are endeavoring to exercise it in section 13. I urge you to uphold this authority by voting down the Bolling amendment.

Second, the question has been raised about limiting the President's negotiating authority. As Congressman HAMILTON pointed out, section 13 provides three conditions within which the President negotiates. The President also has insisted on three conditions. Two of these are exactly the same as those contained in section 13—the returning of prisoners of war and the accounting for the missing in action. The difference is in the way in which we would withdraw. Section 13 states that it is in the interests of our country to have a cease-fire between North Vietnam and the United States to assure safe withdrawal of our troops. The President and his predecessor during the peace negotiations for these past 4½ years insisted that there be an internationally supervised cease-fire throughout Indochina. Of course, this has been the rub, because it is unacceptable to the North Vietnamese government. To be acceptable to North Vietnam such a cease-fire would have to be preceded by a political agreement—after all, this is what the fighting is all about. To involve the United States in a political agreement will mean the war will continue, for the Government of South Vietnam will sabotage any possible understanding with which it may disagree.

What we are doing in section 13 is to give a new direction to our negotiating posture. As Congressman RIEGLE indicated, it is in the interests of our country to limit the cease-fire to the United States and North Vietnam to assure the safe withdrawal of our troops rather than endorse a continuation of the Indo-China cease-fire approach which inevitably will prolong the war.

Mr. RHODES. Will the gentleman yield?

Mr. WHALEN. I yield to the gentleman.

Mr. RHODES. Mr. Chairman, some would have us believe that if proposals such as the section 13 provision were adopted and the Communists were to take over South Vietnam, their rule would be benign and that though some South Vietnamese would prefer not to be under Hanoi's control, they have nothing personally to fear from such an eventuality. Do they dismiss as an aberration the infamous "land reform and rent reduction" program which took place in North Vietnam in 1955 and 1956 and which is variously estimated to have caused the execution of between 50 to 150 thousand people? Ho Chi Minh himself, after the firing squads had completed their work, admitted that the Party may have gone too far.

Have they never heard of the North Vietnamese peasant revolt in November 1956 which took place in Nghe An Province, Ho Chi Minh's birthplace, and which was surpressed by the 325th Division of the North Vietnamese army at the cost of approximately 6,000 farmers deported or executed? The 325th Division, incidentally, is now engaged in the fighting in Quang Tri Province.

Do they ignore the cold-blooded, systematic execution of thousands of people in Hue by the Communist occupation forces during the Tet offensive of 1968? Do they not read the daily press when we are beginning to see reports that the Communists have executed between 250 to 500 people during their recent 3 months occupation of three districts of northern Binh Dinh Province in South Vietnam? There have also been substantiated reports of executions in the areas of Binh Long Province which have been held by the Communists.

Now, this may be yet another aberration in the Communists' behavior. Perhaps the nine old men in the Hanoi Politburo really would not continue such activities were they to gain control of South Vietnam. I for one, however, am inclined to believe, after considering their record, that they see mass execution and terror as a normal political tool and that if South Vietnam were so unfortunate as to fall to the Communists, they would carry out a policy of extermination of those that they perceive as their opponents, a policy which would, no doubt, result in the execution of masses of people.

Section 13, which envisages the abandonment of South Vietnam, would likely lead to the type of tragic situation I have described above. This is one of the major reasons why section 13 is unacceptable and should be deleted from this bill.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana (Mr. WAGGONNER).

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

Mr. WAGGONNER. I yield to the gentleman.

Mr. YATES. Mr. Chairman, DICK BOLLING and I came to the Congress together in 1949. I have come to know him well over the years. There is not a more able Member of the House. Only on rare occasions have we differed in our positions on the issues and in our votes. This is one such occasion. I will vote against his amendment.

I do so because I cannot accept his argument that the Congress has no responsibility in the fashioning of our foreign policy. The Congress does have the power to declare war which is certainly the ultimate in a statement of foreign policy. The Congress, too, has the power over the purse strings. This, too, is a powerful and pragmatic constitutional authority. And finally, the Congress speaks for the people. It is their voice and their voice should be influential upon ex-

ecutive decisions. Therefore Mr. Chairman, I am certain that the Congress has the right to state its views in the form of section 13 as the course for our Nation to take.

Too long have we argued, too long have we delayed. The war which should have been ended long ago still goes on and on. The Congress must express itself in favor of bringing the war to an end.

Mr. Chairman, I support the committee bill. I will vote against the Bolling amendment.

Mr. WAGGONNER. Mr. Chairman and Members of the House, I support the amendment offered by the gentleman from Missouri (Mr. BOLLING). I believe that section 13 of this bill should be struck from the bill. I support striking it from the bill for the reasons that he has so eloquently expressed.

I support the views expressed by the distinguished majority and minority leaders as well as the views expressed by others who believe, as I do, that we should strike section 13 from the bill. Every human I know wants to end this war just as I do, just as our President does.

To keep this section in the bill will not have any effect toward ending the war. It will not serve the immediate or long-range interests of this country.

Some of you have at some point in time engaged in debate in high school or in college.

There is an elementary rule that when the adversary admits he is wrong then there is nothing to further debate or rebut. And in closing the debate on the Whalen amendment earlier this afternoon the distinguished chairman of the committee, the gentleman from Pennsylvania (Mr. MORGAN) said to the House, and the RECORD will show it tomorrow, "The effective date in this amendment, October 1, is impossible." And he used the word "impossible." Who would better know than the distinguished chairman of the House Committee on Foreign Affairs? Take his word for it. It is impossible. It cannot happen. It will not happen. And we should take the gentleman's word and strike this language from the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. MORGAN) to close the debate on this amendment.

Mr. MORGAN. Mr. Chairman, one of my closest friends in the House, a man I have known for a great many years, and a man to whom I go for advice on many, many things, to secure his recommendations, is the author of this amendment, the gentleman from Missouri (Mr. BOLLING).

Back in March of 1971, in a situation where I had a problem, I went to my good friend, the gentleman from Missouri, and I said:

> Five distinguished Members of my party, the gentleman from Florida, Mr. GIBBONS, the gentleman from Massachusetts, Mr. BOLAND, the gentleman from New York, Mr. BINGHAM, the gentleman from Tennessee, Mr. ANDERSON, and the gentleman from Hawaii, Mr. MATSUNAGA, have introduced an antiwar resolution which they plan to bring up at the Democratic caucus.

And I asked his advice. He devised a little amendment that said that we would end our military involvement in Indochina and bring about the release of all of our prisoners "in a time certain." And we brought that to the floor of the Democratic caucus. We got into some trouble but then my colleague, the gentleman from Pennsylvania (Mr. DENT) added the words, "during the 92d Congress."

Now, the 92d Congress is about to go out of business. It has 4½ months left—that is all—4½ months. If we are ever going to do anything about what I was led to believe by my Democratic colleagues in the House that we should do to end this war, then we must do it now.

On March 31, 1971, the Democratic Caucus, by a vote of 138 to 62, adopted a resolution which called for House action "to end U.S. military involvement in Indochina and to bring about the release of all prisoners in a time certain during the 92d Congress."

I was fully aware of the purpose and the objective of that resolution which my good friend from Missouri helped to shape.

I was also aware, however, that negotiations were going on in Paris—and I thought that the President should be given every chance—and so I waited and did not come.

Fall came. I was advised that Dr. Kissinger was conducting secret negotiations with the North Vietnamese. I did not want to spoil the President's chances of achieving peace through those secret talks—so, again, I waited.

Winter came. The President was going to Peking. He hoped to make some progress on the Vietnam situation. I did not want to interfere. And so I continued to wait.

Spring came. The President was going to Moscow and our friends were pleading: "Don't rock the boat." So I waited, and did not move on the resolution of the Democratic Caucus.

Now another summer has come—and nearly gone. The President has been to Peking and Moscow. Mr. Kosygin went to Hanoi. Dr. Kissinger went back to Paris to resume secret negotiations. But nothing has happened to bring peace in Vietnam. The war—the bombing—and the killing continue.

I have finally decided that I have waited long enough to carry out the sentiments which my good friend from Missouri (Mr. BOLLING) helped to articulate on March 31, 1971—and to help the President end the U.S. involvement in Vietnam.

I have, therefore, supported section 13 of H.R. 16029—and I intend to continue to support it against the amendment of my friend from Missouri (Mr. BOLLING).

I urge that his amendment be defeated.

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

Mr. PRICE of Texas. Mr. Chairman, there are two distinct categories of persons in this Chamber—those who want to end the war and those who want to end the war. Yes, I said two categories, because there are some Members of this House who act as though they have a monopoly on truth insofar as ending the war is concerned. These persons imply by their rhetoric that those who do not agree with their position are somehow therefore in favor of war. I thoroughly reject that idea and am convinced that every Member of Congress in both the Senate and the House is against war and wishes to see the present Vietnam conflict brought to a conclusion. However, before engaging in a debate about "ending the war," we ought to first define our terms; this is why I have said there are two categories of persons who want to end the war. To some, ending the war means an abrupt, precipitous, unencumbered, and irretrievable cessation of all activity in the present theater of conflict. Such a position irrespective of its modifications is like the mythical nine-headed hydra which regardless of the number of times it is decapitated, still manages to rear its ugly head. And so the debate goes on whether we should cut off funds as of a certain date, whether troops should be withdrawn by a certain time, and all the many other propositions which are dredged up and presented for discussion and a vote without regard to the very important questions that must be considered and resolved as part of a responsible "end the war" proposal.

The fact is, such proposals would end the battle but would not end the war. Without adequate safeguards any such peace obtained would be a prelude to a larger more dangerous confrontation. For this reason, I would rather associate myself with the second category of persons who would end the war in the context of a meaningful settlement. To me, ending the war means more than troop withdrawals; it means the establishment of a honorable and workable peace. As part of any end the war agreement, I expect the complete and prompt repatriation of and accounting for all Americans presently held captive as POW-MIA's under the most barbaric conditions by Communist North Vietnam and the Vietcong. Five of my personal friends who were my flying buddies in the Korean war are today some of those men who are languishing in the twilight zone waiting for the day that their country shall redeem them from their hellish fate.

Furthermore, it would be an abomination to the memory of the 50,000 fine Americans who paid the supreme sacrifice in the service of their Nation that we would lose within the walls of this Chamber the war that they won on the battlefield. The Communists cannot win the Vietnam war, but if we enact legislation to tie the hands of the President in this time of critical negotiations as he seeks an honorable peace settlement, the Congress will be guilty of the most disgraceful sellout ever achieved in American history.

Mr. DRINAN. Mr. Chairman, I rise to support the Morgan-Whalen-Hamilton provision of H.R. 16029, the Foreign Assistance Act of 1972. Now more than ever it is the moral imperative of this Congress and this Nation to end the bloody tragedy of our intervention in

Indochina. Let us act—finally—to end this unconstitutional and immoral war.

This provision is a reasonable and workable means through which the United States can withdraw from Indochina. If anything, it suffers from its moderation. It certainly does not "tie the hands" of the President. It does not compel theearly termination of all funding that many, myself included, have advocated. It does not commit the United States to a course of risk.

What this language does is to provide for the termination of American military involvement throughout Indochina this year, subject to three conditions: a release of all prisoners of war, an accounting for all missing in action, and a cease-fire between the United States, North Vietnam, and its allies, to the extent necesary to achieve a safe withdrawal of U.S. forces.

President Nixon has failed to end this war. He has failed by his own standards, as anyone can judge who remembers his words—his unconditional pledge—spoken just piror to the 1968 election:

> I want to make one thing clear: those who have had a chance for four years and could not produce peace should not be given another chance.

President Nixon has had 4 years, and peace is not in sight. He has had his "chance," and he has failed dismally. It is now incumbent upon Congress to act where the President cannot. This President has dropped more bombs and has caused more unjustified human suffering than any President in the entire history of the United States.

Can anyone doubt the cruel magnitude of the tragedy that our Nation has inflicted on Indochina?—56,000 American men have been killed in the Indochina war, 22,000 of them since President Nixon assumed office—30,000 American women have been made widows, and 80,000 surviving parents have suffered and continue to suffer the sorrow of a lost son. And at least 350 more Americans have become prisoners of war in the last 4 years.

In all, the Indochina war, by the most conservative official estimates, has brought death to over 1 million human beings, over 700,000 of them Vietnamese. It is clear that the civilians of Indochina have suffered most. By President Nixon's own admission there have been over 600,000 civilian casualties in South Vietnam since 1965. And, according to the President, in the last 3 months 45,000 more civilians have become casualties.

The fabric of Indochinese society and culture has been deliberately ravaged, and will probably never recover. One out of every 15 Vietnamese has been killed in the present conflict, and 6 million, or 1 out of every 4 Vietnamese, have been forced to become refugees. In the 43 months since President Nixon assumed office more than 2 million Cambodians and over 400,000 Laotians have been forced, principally by American bombing, to become refugees.

Since 1965, 23 billion pounds of munitions have been dumped on Indochina. The total tonnage of bombs dropped in this war exceeds the combined amounts of World War II and the Korean war. More than 3.3 million tons of bombs have been dropped by the Nixon administration alone.

The effect of this massive shelling and bombing has been the creation of at least 26 million bomb craters spread over a land area no larger than New England. More than 100 million pounds of lethal herbicides—agents orange, blue, and white—have been dropped on Indochina.

Five million acres of crops and forest lands—one-seventh of the total area of Vietnam—have been laid to waste. Thus it is that men and women the world over have called our policy "ecocide."

We have twisted nature itself into a weapon of war, in the form of "weather-modification" programs to increase rainfall on the Ho Chi Minh trail. We have created an Asian Dresden with our efforts at eliminating forests through firestorms. We have bulldozed massive areas of the Vietnamese countryside. We have set fire to hundreds of villages and hamlets. We have, in our alleged effort to save Indochina, come close to destroying it.

We have introduced the most sophisticated and deadly weapons in the history of warfare, and turned them upon the Vietnamese. We have devised the automated battlefield and antipersonnel weapons of unprecedented brutality and lethality. Indochina has become a grotesque testing-ground for the lethal side of our technology. The skies are filled with deadly laser-guided bombs, television guided bombs, remotely piloted bombers, and other exotic and horrible implements of destruction.

We have spent more than $20 billion to arm the South Vietnamese military apparatus, and created from scratch the sixth largest air force in the world, with at least 275 operational combat aircraft and 120 helicopters. We have trained, armed, and equipped an army of 1 million men, an army under the control of a corrupt, tyrannical dictator. Our military aid to South Vietnam has exceeded by 300 percent the total aid given to North Vietnam by the Soviet Union and the People's Republic of China.

We have stationed one-half of our B-52 strategic bomber force in the Indochina theater and have deployed approximately 900 attack bombers in Vietnam, Thailand, and the South China Sea—the largest assemblage of tactical airpower ever seen. And, we have deployed as many as six aircraft carriers and more than 55 other Navy combat ships around the coasts of Vietnam.

We have mined harbors, assassinated political opponents, and divided the people of the United States as they have not been divided since the era of our own Civil War.

We have done all this, and so much more, at a cost of $135 billion. And, unless the United States now terminates its involvement in this war, the people of our country will continue to pay an enormous sum for this killing and ravaging.

But the real costs—the human costs—of this war are graver still. We have seen thousands of servicemen return to their homes permanently disabled and still other thousands burdened with drug-addiction and disease. We have seen a war-generated inflation. We have seen the morale of our Armed Forces fall dramatically. We have seen American war crimes. We have seen the alienation of our youth. We have been the bitterness of the veteran who returns to find no job. We have seen our society torn, fragmented, and deeply frustrated.

But all that this heinous war has done to damage our Nation is miniscule indeed when compared to what our country has done to Indochina.

Whatever our original purpose was in Vietnam, we have now fallen into the predicament so wisely foreseen by the late Senator Robert F. Kennedy:

> The danger of this war is that we will become just as our enemy is. Look at the history. We accuse the enemy of bombing innocent civilians. We accuse the enemy of assassination and we developed the Phoenix program of assassination and destruction. We accuse them of invasion . . . and yet we invade ourselves, country after country. We accuse them of torturing the citizens of the countryside and they have, and yet we have tortured these same citizens of the countryside.

It is true, of course, that where we once had 550,000 ground troops in Vietnam there are now approximately 50,000. And it is also true that American casualties have declined in recent years. But it is sadly not true that this reduction in American troop-strength and casualty levels has resulted in a corresponding reduction in the American contribution to the total level of violence of the war; for it has been the policy of the Nixon administration to try to accomplish through bombing that which could not be achieved through the use of ground troops.

The American role in the war has simply moved from the ground to the air. While there are now 46,000 ground troops in Vietnam, there are well over 80,000 American soldiers and air personnel in Thailand and in the South China Sea whose function is to maintain the automated air war and the blockade of North Vietnam.

If anything, the American contribution to the level of violence in the war has increased. Because of the massive and indiscriminate bombing campaign, civilian casualties have risen from a monthly rate of 95,000 under President Johnson to an average of 130,000 under the Nixon administration. In 1 day during May of this year, American aircraft flew 426 bombing sorties, compared to the peak of 400 in 1968. Even as we debate this bill, bombs rain down on Indochina from American planes.

In recent months President Nixon has more than doubled the number of attack bombers operating in Indochina and more than tripled the number of B-52 heavy bombers in use. An average mission of three B-52's leaves a swath of destruction 1¼ miles long and six-tenths of a mile wide. It requires only 12 typical B-52 missions to equal the power of the atomic device exploded on Hiroshima. In fact, every month the United States drops on Vietnam enough explosives to equal 2½ Hiroshima-sized weapons. Approximately 22 tons of American bombs have been exploded on every square mile of Vietnam.

Perhaps the worst tragedy of the United States savage bombing campaign is President Nixon's apparent decision to free the Air Force from the targeting restrictions that had been in effect even during the peak years of the late 1960's. Few if any targets are now out of bounds. Recently we have seen persuasive evidence that the United States has deliberately bombed sections of North Vietnam's dike system in the Red River Valley.

No single act of the entire war could possibly approach the horrifying possibilities of bombing the dikes. No single act would so needlessly threaten the lives of the thousands upon thousands of peasants who live under the protection of the dike system. An American attack upon the North Vietnamese dikes, for the meaningless purposes that characterize our involvement in this war, would be a brazen crime against humanity of a magnitude never exceeded in the history of our planet. The President of the World Council of Churches has protested; the Secretary General of the United Nations has protested—but our President does not listen.

Mr. Chairman, we are shedding the blood of thousands and spending billions of dollars in support of a corrupt and dictatorial regime. We have no strategic stake in Indochina. We face no military threat from North Vietnam. We have no more reason for continuing this devastation than that so well stated by the former Secretary of Defense, Clark Clifford:

> We are in Vietnam today only because we got into Vietnam yesterday.

Our actions in Indochina are not only wasteful and immoral, they are unconstitutional as well. Whatever authority President Nixon once had to conduct this war was withdrawn when Congress belatedly repealed the Gulf of Tonkin resolution. The President's claim that his authority derives from the powers vested in him as Commander in Chief, and thus his responsibility for the recovery of American prisoners of war, is specious.

It is transparently clear that the goal of the President is not to recover our prisoners, but to attempt to maintain a non-Communist South Vietnam through a military victory—or a devastation so savage that it will be a victory through the exhaustion of Indochinese culture and society. This policy is well demonstrated in the negotiating position of the United States at the Paris peace talks.

I regret that I cannot agree with the President when he claims, as he did on July 27, that:

> At this point the chance for a negotiated settlement is better than it has ever been before.

We will not get our prisoners back until we have withdrawn from this war. The time has come to recognize that whatever obligation we had to South Vietnam, if there ever was an obligation, has been fulfilled hundreds of times over. The time has come to realize that our continuing involvement in Indochina serves neither the interest of the American people or the Indochinese people.

I say to my colleagues—stand up—be counted—throw the overwhelming weight of this catastrophe off the shoulders of our people—pass this provision—end this war.

Mr. BOLAND. Mr. Chairman, I rise in support of the provision calling for an end to all U.S. military activities in Indochina by the end of the year. This provision must pass intact, free of any amendments muddling its language or blunting its thrust. I will vote against any such attempt to emasculate the provision. Called the Morgan-Hamilton-Whalen amendment, after its principal architects on the Foreign Affairs Committee, the provision stems from two resolutions of the Democratic caucus: one enacted on April 20, 1972, by a vote of 144 to 58—this explicitly instructed Democratic members of the Foreign Affairs Committee to draft such legislation and clear its path to the floor—the other on March 31, 1972, by a vote of 138 to 62.

As you know, Mr. Chairman, both resolutions sought what the newspapers like to call a "date certain" for the withdrawal of all U.S. forces—contingent, of course, on the release of all American POWs and an accounting for all MIA's. The provision now before us would achieve precisely that goal, bringing home all U.S. troops by October 1 once we are assured the POW's will be freed and the MIA's accounted for. Two clauses in the provision—neither of them, I should point out, was specified in the Democratic caucus resolutions—call for some limited cease-fire to protect American forces as they withdraw from Indochina: a sort of laissez-passer for the garrison force of U.S. troops still lingering on there. The second calls on an appropriate international body—the Red Cross, for example—to verify the accounting for POW's and MIA's. These two sections of the provision are eminently reasonable, expediting withdrawal rather than encumbering it.

Here is the full text of the provision as it now stands:

> Sec. 13. Notwithstanding any provision of this or any other Act, the involvement of United States land, sea, and air forces, for the purpose of maintaining, supporting, or engaging in hostilities in or over Indochina shall terminate and such forces shall be withdrawn not later than December 31, 1972. Subject to a cease-fire between the United States and North Vietnam and those allied with North Vietnam to the extent necessary to achieve safe withdrawal of such remaining forces, and subject to the release of all American prisoners of war held by the Government of North Vietnam and forces allied with such Government and an accounting for all Americans missing in action who have been held by or known to such Government or such forces. The accounting for the American prisoners of war and missing in action referred to above shall be subject to verification by the International Red Cross or by any other international body mutually agreed to by the President of the United States and the Government of North Vietnam.

I need hardly point out, Mr. Chairman, that we have trod this ground before—month after month, year after year. Still, however weary we may be of these legislative skirmishes over "end of the war" amendments, the need for American withdrawal remains as compelling as ever. The bloodletting in Vietnam continues, as does the squandering of our resources.

The Paris peace talks—where North Vietnam and the Vietcong dally for months at a time on pro forma exercises in sword rattling and breast beating, where the Nixon administration continues to press "peace proposals" it knows are unpalatable to our adversaries—have achieved next to nothing.

Similarly, the accelerated bombing of North Vietnam and the mining of her major harbors have yet to yield anything even remotely akin to a peace settlement—even though these disquieting tactics may have slowed the Communist thrust into South Vietnam.

What I want to emphasize above anything else, Mr. Chairman, is that we may remain mired in Southeast Asia for decades unless the Congress acts today.

Can we tolerate such a chilling prospect—indeed, such a terrifying prospect?

Can we continue debating and dithering over this war while Americans die on Vietnam's battlefields or fall into the hands of enemy forces there?

I say we cannot.

I say we must end the bloodshed.

We have a clear mandate here today—not only from Democratic Members of the House, but from the American people themselves: polls demonstrate that up to 80 percent of them want the United States to quit this futile war.

Let us honor that mandate.

Mr. VANIK. Mr. Chairman, today, this body of Congress has yet another opportunity to terminate American involvement in the endless and destructive war in Vietnam. This is a war in which American soldiers have been dying for more than a decade, and yet, despite a tremendous loss of American lives, we are no closer to achieving our goals in Vietnam than we were a decade ago. It is senseless to continue our support of a military dictatorship in an area of the world in which we have no real national security interests.

The present administration apparently intends to continue the pursuit of some kind of an elusive "secret plan," a policy which has not worked and which could keep this country knee deep in the quagmire of Vietnam for an indefinite period of time to come. This policy was actually predicted by Prof. Hans Morgenthau in an article written in March of 1970. At that time, Professor Morgenthau wrote that President Nixon would eventually be forced to either disengage completely or reescalate the war "to the point where the complete destruction of the South Vietnamese countryside will dispose once and for all of the question of who will govern it."

The administration has apparently chosen the destruction of South Vietnam alternative. We have sprayed herbicides on one-tenth of the South Vietnamese cropland and on nearly one-third of the total forest acreage of South Vietnam. We have attempted to change the weather in Indochina by seeding clouds with silver iodide crystals. We have attempted to cause large-scale forest fires in Vietnam's rain forests through the use of magnesium incendiary bombs. We have leveled 3-acre areas throughout Vietnam through the use of 15,000-pound

concussion bombs. We have leveled with bulldozers some 800,000 acres of South Vietnamese land, an area roughly equivalent to that of Rhode Island. Needless to say, the effect of these programs and other similar ones on South Vietnam's evironment and economy has been simply staggering.

Mr. Chairman, I find the use of these weapons to be particularly unconscionable, since our ultimate goal in this has been and continues to be the preservation of a corrupt military dictatorship. The regime which is presently in power in Saigon has repeatedly imprisoned and tortured political dissenters, has maintained inhuman "tiger cage" cells, has protected and aided heroin sellers, and has continually intimidated the South Vietnamese press. In fact, just this past weekend, the Thieu government further restricted the freedom of the South Vietnamese press by ruling that only those publishers able to post bonds of about $43,000 will be allowed to publish. Surely this is not the type of government for which we should allow our soldiers to be maimed and killed.

Some defenders of our involvement in Vietnam have argued that the North Vietnamese have also ravaged the South Vietnamese countryside and that the North Vietnamese have also suppressed individual freedom and freedom of the press and that the North Vietnamese have also tortured and murdered political dissenters. But, Mr. Chairman, I do not believe that these reprehensible actions by the North Vietnamese justify some of the actions which have been committed by ourselves and our allies. I always have felt that America had to act on a higher moral level than our enemies. In the Washington Post of August 2, 1972, Charles Yost, former U.S. Ambassador to the United Nations, wrote:

> It has always been the proud boast and belief of Americans that our democracy embodies certain principles which makes us worthy of admiration and emulation by the rest of the world. We have been the first to claim a "double standard" which distinguishes us from totalitarian states and our behavior from theirs. Now much of the rest of the world is beginning to see less and less moral difference between us and the adversaries we seem more and more to imitate.

As the late Senator Robert F. Kennedy said, "The danger of this war is that we will become just as our enemy is."

The need to terminate our involvement in Vietnam is greater now than it has ever been before. There is simply no reason for the killing or maiming or the capture of one more American soldier or the expenditures of one more American dollar. Yet, this administration refuses to end the American involvement in Vietnam.

No nation has ever done more for an ally than we have done for South Vietnam. In terms of human lives, the cost of America's actions in Southeast Asia since 1950 has been nothing short of overwhelming: 56,000 American men have been killed, 300,000 men have been wounded or maimed, 1,126 men are missing, and 520 men are known to be prisoners of war. In addition, since fiscal year 1965, we have spent $120 billion to finance our activities in Southeast Asia. Finally, by 1973, we will have spent $20 billion for armament for the South Vietnamese. I for one do not know what more can be done to demonstrate a commitment to an ally. If the South Vietnamese cannot make it on their own after the expenditure of all of this American blood and treasure, then they will never be able to make it on their own.

Thus, it is up to the Congress to act, just as the framers of the Constitution expected them to do. The Nixon administration constantly argued that the Congress does not and cannot know all of the facts about the negotiations that are going on between ourselves and the North Vietnamese and that, therefore, the Congress is likely to undermine those negotiations if it does not follow the wishes of the administration. According to this logic, the Congress would have no greater role in getting us out of Vietnam than it had in getting us into Vietnam.

The framers of the Constitution divided the war powers between the executive and the Congress for the very reason that they stated in the debates on the Constitution that:

> It should be more easy to get out of war, then into it.

And that they were:

> For clogging rather than facilitating war; but facilitating peace.

The right of Congress to act is clear.

Mr. Chairman, the Members of this body must no longer abdicate this "duty to act," and, therefore, I urge the support of section 13—the end of the war amendment—of H.R. 16029, the Foreign Assistance Act of 1972. The provisions of section 13 of this bill are a particularly good method for terminating our involvement in the Vietnam conflict. The "end the war" provisions of this section with a date certain are all subject to the release of all American prisoners of war held by the Government of North Vietnam and its allies, an accounting for all Americans held by or known to those governments, and finally, a cease-fire between the United States and North Vietnam and its allies. The emphasis of these conditions is on the return of American prisoners of war and the withdrawal of American forces from Vietnam. In contrast, the President's proposals emphasize the cessation of hostilities throughout Indochina, an objective which would undoubtedly prolong our involvement in Vietnam both because of its unacceptability to the North Vietnamese and its reliance upon the cooperation of the Thieu Government, a government whose interests are very different from our own.

Finally, as noted in the additional views of the gentleman from Indiana (Mr. HAMILTON) and the gentleman from Ohio (Mr. WHALEN) in the committee report on this bill, section 13 would allow the President to "leave Vietnam with congressional and bipartisan support, and upon terms that a majority of Americans find acceptable."

Mr. Chairman, enough American boys have died in Vietnam and enough American dollars have been spent on Vietnam and enough American prestige has been wasted on Vietnam. This war has divided our country in a way in which it has not been divided since the Civil War, and in so dividing us, it has eroded our spirit. The time to end this war has come. Let us move to end it, and then, at last, let us begin the arduous task of fulfilling the great potential of this country.

Mr. MURPHY of Illinois. Mr. Chairman, on April 20, the Democratic caucus charged the Democratic members of the House Foreign Affairs Committee, of which I am a member, to report out legislation setting a date certain for the cessation of American involvement in the war in Southeast Asia. I wish everyone to note that I said the war in Southeast Asia. It used to be the war in Vietnam but it has spread considerably in the last few years. That is the depressing fact of the matter.

The committee prepared an amendment, section 13 to the Foreign Assistance Act of 1972, sponsored by Representatives MORGAN, HAMILTON and WHALEN. I wish now to express my support for this amendment.

As written, it contains three very important points: First, the release of all American prisoners held by North Vietnam or its allies; second, an accounting by an international body for all Americans held by these Governments; and third, a cease-fire between the forces of the United States and North Vietnam to the extent necessary to achieve a safe withdrawal of remaining American forces. I feel these proposals will allow America to end its involvement in this senseless conflict that is surely the wish of the American people.

There is no need to go through the entire record of this tragedy. But it is important to point out that the present administration was elected with a "secret plan" to end the war. We have yet to see any evidence of that plan. We are constantly reminded that the troop levels have been reduced in Vietnam, but it is just as appropriate to remind ourselves that the intensity of the air war has been increased. The simple fact is that if you are killing effectively from the air, you do not need a great number of ground troops.

We are told repeatedly that the war will be over soon if we will just be patient. I would respond by saying that we have lost 21,000 American lives, and more bombs have been dropped than in any previous time in man's history. How much patience can a country and its citizens have in the face of all that has happened?

The administration is fond of saying we are getting out. What purpose does it serve then to continue the bombing unless there is some ulterior motive? What purpose does it serve to continue spending millions of dollars to support a dictatorial regime? What purpose does it serve to lose more pilots and other troops? These are the questions I have to answer each and every day, posed by those I represent.

Shall we sit by and do nothing while we are told all is going well? Congress is the only branch of Government authorized to conduct a war, if that is how we can truly refer to this situation. And Congress now has the opportunity to set a date for our complete withdrawal as

the people demanded in 1968 and as they are demanding now.

It is not a case of leaving our allies defenseless. If Vietnamization has worked as well as we are told, then the Army of South Vietnam is one of the best-equipped in the world. All the more reason for us to withdraw and allow them to decide their political future. We have sacrificed more than any nation can be expected to sacrifice.

I call upon Members of this body to support the end-the-war amendment as a beginning in reordering our national priorities and the start of new national pride in America by its people.

Mr. KEMP. Mr. Chairman, I find myself opposed to section 13, the so-called Hamilton provision, for a number of reasons.

Looking back over the past year I think we can all be gratified over the significant new era in foreign affairs which our President has initiated through his visits to China and the Soviet Union. The President has succeeded in reversing the sterile attitudes inherited from the days of the cold war and in moving toward a significant reduction of the tensions which have dominated international relations. These developments have been widely applauded, not only here at home but throughout the world community.

It is incumbent on us now to consolidate these important advances by achieving peace—a just and a real peace—in Indochina. Any Indochina solution short of this would undercut these recent historic breakthroughs in world relations that offer such great promise for the future.

Frankly, I do not believe that the provisions of section 13 would lead to the just and real peace that we are seeking in the area. The limited cease-fire proposed would not stop the fighting. Rather, conclusion of the arrangement envisaged would almost certainly lead to a renewed North Vietnamese effort to subjugate South Vietnam by force. Retention of this provision would represent a heavy blow to the South Vietnamese people at a time when they are literally fighting for their lives. Our abandonment of these valiant and long suffering people would little serve to enhance respect for the role of the United States at home or abroad.

President Nixon is now embarked on the most intensive and serious peace endeavors in Paris. He, like President Kennedy in the Cuban missile crisis, deserves bipartisan support. He has made a most reasonable and generous proposal on May 8 which might serve as the basis for discussions. The United States is now trying to determine whether Hanoi may finally be prepared to move in the direction of serious negotiations. There is a chance at least that this will happen since the enemy cannot but realize the futility of his military offensive as well as the changed international environment following President Nixon's trips to Peking and Moscow. Now is not the time to cut our bargaining leverage and undermine these difficult negotiations—which would be the effect of the Hamilton section. Now is the time to give every support to the President in his quest for a just and lasting peace in Indochina.

Mr. COTTER. Mr. Chairman, once again this House faces the issue of Vietnam. This is not the first time the Congress has expressed its dissatisfaction with the continuing conflict in Southeast Asia. Unfortunately, despite clear statements of both the Congress and the overwhelming majority of the American people, the fighting goes on.

I fully support this proposal to legislate a fixed withdrawal date for U.S. troops, subject only to the return of our POW's and the full accounting of those men missing in action. I have consistently supported this position since coming to Congress.

This Congress must act to end the killing and maiming in Southeast Asia. The President has been unable or unwilling to end the war as he promised 4 years ago. In 3½ years, while the administration has "Vietnamized" South Vietnam and "wound down the war," over 40 percent of U.S. casualties have occurred, 20,000 Americans have died, and countless Asians have been killed or wounded.

Is the cause of peace any stronger for our efforts in Southeast Asia? Is the security of the United States enhanced by these efforts?

Tragically, the answer to these questions is no. The war in Vietnam has accomplished nothing positive and has led only to a disasterous series of negative domestic effects, and an impediment to the efforts of our Nation and other world powers to achieve world peace.

The time is long past for the end to this war. Congress has the obligation to act to end it. We must make our peace today in Vietnam and get on with the business of creating a condition of stable world order and rebuilding our Nation.

I urge this Chamber to support the provision which will set a fixed date to end our military effort in Southeast Asia to cut off funds for that war. The interest of the American people, the interest of those fine young men who have fought and died in Southeast Asia, and most importantly the interest of those brave Americans in the prison camps of North Vietnam demand that this Congress act immediately.

Finally, Mr. Chairman, I want to congratulate the distinguished chairman of the Foreign Affairs Committee, Doc MORGAN. I believe that Chairman MORGAN deserves our support because of his efforts in bringing this legislation before us today. The gentleman from Pennsylvania has heard this Nation's call for peace and has heeded it.

I believe that section 13 of the bill before us is the most constructive amendment to date to end the war, and I insert in the RECORD at this time the wording of this amendment.

Sec. 13. Notwithstanding any provision of this or any other Act, the involvement of United States land, sea, and air forces, for the purpose of maintaining, supporting, or engaging in hostilities in or over Indochina shall terminate and such forces shall be withdrawn not later than December 1, 1972, subject to a cease-fire between the United States and North Vietnam and those allied with North Vietnam to the extent necessary to achieve safe withdrawal of such remaining forces, and subject to the release of all American prisoners of war held by the Government of North Vietnam and forces allied with such Government and an accounting for all Americans missing in action who have been held by or known to such Government or such forces. The accounting for the American prisoners of war and missing in action referred to above shall be subject to verification by the International Red Cross or by any other international body mutually agreed to by the President of the United States and the Government of North Vietnam.

Mr. WALDIE. Mr. Chairman, I have consistently voted against Department of Defense appropriations and foreign assistance appropriations since December 1969 as an expression of my total opposition to the Vietnam war. I hesitated to do so from 1967 through 1969 though during that period I was also in total opposition to our Vietnam policy. In 1969 I finally concluded the only expression of opposition to Vietnam that was meaningful for a Congressman was to vote against funds for that war. It was and is my opinion that the Constitution provides that control over the purse of the Executive by the legislative branch and if a Congressman truly wished to do all he could to end the war he, in all conscience, must vote against funding of the war.

I regretted that the parliamentary procedures prevailing did not permit separate votes on items within the military appropriations bill and the foreign assistance bill. There were and are many worthwhile programs within those omnibus bills that I personally support.

For example, I am convinced that our Nation's security is closely bound to a secure Israel; a secure Korea and other areas in the world.

I would have supported such items in these appropriations bills. Similarly, I believe a strong military is a necessary item of national security and there were many provisions in these bills that I would have supported to further that belief.

But I was not afforded the luxury of selecting the good from the bad. When the final vote was taken on all such appropriation bills, it always included an approval of Vietnam-related expenditures. I believed during those years that it was more important to register as strongly and constitutionally as I could, my objections to the Presidents' war in Vietnam whether that President was Johnson or Nixon.

I still despise that policy. I still abhor the persistence of President Nixon in sacrificing American lives and dollars; in destroying a culture of long duration, for no discernible American purpose other than the ignoble one of "saving face."

But I now believe the Mideast situation has become critical. I am alarmed by the bellicose statements of Egypt's leaders of late. I am concerned that any lessening of American support of Israel would encourage Egypts' leadership to prolong the tensions and the peril of the present situation involving Israel and the Arab countries.

I am hopeful that understandings will ultimately prevail in the Arab leadership that beginning negotiations directly with Israel is the only route to a successful and just resolution of the differences existing between the states involved.

That such negotiations is the only course that will enable the peoples of that area to live in peace, in harmony and in dignity.

Such understandings will not come to pass if American resolution on behalf of the integrity and security of Israel is deemed by Arab observers—or Russian observers—to be faltering in any substantial way.

South Korea and North Korea now seem to be taking small but important steps that are in the direction of lessening the tensions between those nations. Perhaps the dream of all Koreans is a little closer, that being the unity of Korea and the Korean peoples into one nation once again. But certainly these small indications of a lessening of intransigence on the part of the North Korean leadership would not have occurred had any lessening of resolve on the part of the United States to insist on the integrity and the strength of South Korea been discernible.

These events seem to me to be hopeful and encouraging.

The defeat of the foreign assistance bill might very well be interpreted by observers as a lessening of the will of America to assist its friends; Israel and South Korea.

Though I remain adamant in my view that the Vietnam war is a disaster for America, I now believe at this critical juncture that an even greater disaster might be threatening; namely the renewal of the Mideast war and the renewal of the Korean war if tensions in those areas are not diminished.

I will vote for the Foreign Assistance Act in its final form though I will do all possible to enact the proposed end the war amendment to that act.

Mr. ADDABBO. Mr. Chairman, I rise in support of the end the war provision contained in H.R. 16029, the Foreign Assistance Act of 1972, and to urge my colleagues to vote against a further amendment to be offered to change the date of October 1 established by the Committee on Foreign Affairs. This important provision was included in the legislation before the House following an expression of support for an end the war amendment by the House Democratic caucus. That expression of support represents, in my opinion, the feeling of an overwhelming majority of Americans who are frustrated and tired of the continuing U.S. military involvement in Indochina.

There is no logical reason, other than the most partisan one, why the administration should oppose this provision for it is consistent with the stated objectives and policies of the President and consistent with Vietnamization of the war. The Congress has a responsibility to express its desires and to see to it that the President does not cease or change the withdrawal of U.S. troops from Indochina.

The end the war amendment is contingent upon the release of U.S. prisoners of war and upon an internationally supervised cease fire in Indochina. This affords more than adequate protection for any alleged U.S. interest in that area of the world. Last week the other body passed a similar but even stronger end the war amendment calling for total U.S. troop withdrawal based only upon the release of prisoners of war. I hope that this Chamber will concur with the Senate and make clear to the President the will of the Congress.

The question of a date for withdrawal should not be a controversial subject as this provision is drafted because the entire provision is contingent upon the release of prisoners and the establishment of a supervised cease fire. For that reason, we should be more than willing to meet our part of the bargain within weeks rather than months. I therefore will vote in favor of the end of the war provision and against the proposed amendment to change the date for withdrawal from October 1 to December 1.

Mr. Chairman, in recent years the number of Members of the House voting to support various end the war amendments has consistently increased reflecting concern among all Americans for a speedy end to this tragic war which has claimed more than 50,000 American lives and countless Vietnamese lives. The policy of Vietnamization has been slow to implement as illustrated by the loss of more than 20,000 American lives in the past 3 years. It is time for Congress to end U.S. participation in this tragic war and to present a clear and unequivocal position to the President. I have voted for a number of the end the war amendments in committee and on the House floor and I will continue to support such measures whenever the opportunity to do so is presented. May this be the winning opportunity and may we in the House respond by calling for an end to the loss of American lives and the disruption of American homes.

Mr. MONAGAN. Mr. Chairman, I support the Hamilton amendment and I am going to vote against the motion to strike this amendment from the bill. I voted for the amendment in our committee where it passed by a vote of 18 to 17. The amendment constitutes a strong statement to the President that in our opinion the people of the United States want a prompt and complete ending to our military involvement in Vietnam. It provides that U.S. military involvement would terminate on October 1 on condition that American prisoners of war be released that a cease-fire between the United States and North Vietnam be arranged to achieve a safe withdrawal of U.S. forces.

I supported the amendment to change the date from October 1 to December 31 but this proposal was defeated.

The resolution when it was originally proposed accorded with the time period set by the President and it should be noted that the language of this section includes a cease-fire even though one different in character from that advocated by the President. Also contained in this section is the vital condition that American prisoners of war be released.

I believe that the great majority of the people of this country support the objective of terminating the war and would find such termination acceptable if reached on the conditions which I have set forth in section 13 of the bill. This judgment has been recently confirmed by the results of a questionnaire which I sent to all the people in my congressional district about 2 months ago and to which 68.2 percent of the first 1,000 responding favored the setting of a specific date for complete withdrawal of all American forces contingent upon the release of the prisoners of war.

I realize that to some extent any action here is an action which cannot be translated into results. The capacity to achieve results rests solely with the President. Even if this language were to remain in the bill and be passed into law the President could veto the bill and quite probably would do so. Nevertheless, it does seem to me that our passage of this bill would constitute an admonition to the President that action is demanded and that the time has come to bring our activities in Vietnam to a conclusion.

I have come to this position by a slow and somewhat painful process but I have held it for some time and I take this position without any feeling of disloyalty or lack of patriotism.

The policy of bombing Hanoi into submission has been tried by two succeeding administrations of different parties. It has recently been carried on with ferocious intensity but it has not brought any solutions and it seems clear that it will not bring the solution which the President has proclaimed as necessary. Of course, the private approaches of the President and Mr. Kissinger have in the past been characterized by a greater willingness to compromise and this may well be the case in the current exchanges.

As an expression of my personal views and what I consider to be the opinion of the majority of the people of the country I support the language of the bill and hope that it will remain in the law as a statement of the intent of the Congress.

Mr. FRENZEL. Mr. Chairman, I support section 13 of the Foreign Assistance Act, the Whalen-Hamilton provision to terminate U.S. involvement in the war in Indochina, including the amendment by the authors to move the deadline to December 31, 1972. I concur in the belief that setting a postelection termination date would eliminate any possible political implication the earlier date might have had.

I have stated many times in the past, and repeat today, the importance of Congress playing a role in ending the war in Indochina. I applaud the President for his many efforts to end the war. I know his serious negotiations in Paris have been rebuffed by the North Vietnamese. But I feel that the United States should provide the new inputs included in this section into the deadlocked Paris peace talks to achieve real progress.

An important bargaining point in the bill is the request for a cease fire to the extent necessary to protect our withdrawing forces. However, I do not support efforts which would attempt to provide for a total cease fire. Not only have the North Vietnamese refused to accept a total cease fire in the past, but any of us would be hard pressed to define a total cease fire, and describe exactly how it would be accomplished.

Section 13 provides the best alterna-

tive so far for Congress to participate in the ending of the staggering U.S. commitment of manpower and resources to the seemingly never-ending war in Indochina. I would urge my colleagues to support its passage, with only the change in deadline.

Mr. HANLEY. Mr. Chairman, I do not intend to support the Hamilton-Whalen end the war amendment attached to this Foreign Assistance Act.

In view of my past support for several similar amendments, I feel that a statement on my part is in order. First, my personal views on the war in Vietnam remain unchanged. The United States should end its participation in the war by negotiating a cease-fire and having all U.S. prisoners returned along with a full accounting of those who are missing in action.

A number of things have changed since the House last voted on an end-the-war amendment, but the most important factor is that the President's personal representative, Henry Kissinger, is deeply involved in secret negotiations with representatives of North Vietnam. These negotiations resumed after the House vote on the so-called Harrington amendment, and they are the first glimmer of hope we have had since the President resumed full-scale bombing of North Vietnam and mined the harbors.

Because negotiations are underway now, I feel that it is a mistake to vote on the Hamilton-Whalen amendment at this time. It is important to remember that the conditions set forth in the amendment are similar to the ones stated by the President. They are conditions which can be met only through the process of negotiation. They are conditions which will have to be agreed upon. If there is no negotiated agreement, there will be no end to the war under the terms of the Hamilton-Whalen amendment.

In other words, at this juncture, the amendment has little meaning, because it adds little to the present negotiations. However, it is open to the misinterpretation that it is an effort to tie the hands of the President at the negotiating table.

Such an interpretation of the amendment is wrong and grossly unfair, but it will be made. The President is firmly in command of the negotiating process, and it should be evident that he desperately wants to reach an agreement.

In my view, then, Congress is well advised to give the President an unencumbered opportunity at this crucial juncture in the negotiations to reach a settlement. Even though the talks in Paris are secret, we are given to believe that a breakthrough is in the offing, and the President has made it clear that he does not want to see a division created between Congress and himself at this point in the negotiations.

I feel that Congress can best cooperate with the President by supporting the current round of negotiations and by praying fervently that there will be an agreement. If there is no agreement, no settlement, the American people will have an opportunity in 3 months to express themselves on the way to end the war. They may give their stamp of approval to the President's approach or they may reject it. However, it will be their decision.

I continue to believe that Congress has an obligation to make contributions toward a settlement, particularly when there is little hope that progress is being made.

Mr. SYMINGTON. Mr. Chairman, I support section 13 of the bill because it expresses in a practical and not damaging fashion what the American people want from this Congress. The argument has been made that the Congress ought to give the President a free hand in the current negotiations. That principle is a noble one which has stood the test of many years and many wars.

At one time it even stood the test of this one, or so it seems. At any rate, in my view, it no longer does so. It should recede, I think, before the steadily advancing tide of public disappointments, frustration, and incredulity. The public continues to hope that the President can extricate us from this war, but it no longer has the confidence that he can do so without assistance from the Congress even if that assistance should take the form of broadening negotiating options he would prefer to narrow.

Section 13 gives him this opportunity. He can reject it. He can veto the bill. He can refuse, as he so often says, to take the easy road, and he can limit his offer and counteroffer in Paris to those which spring full blown from his own mind. In doing so he would be making a judgment which all of us would have to respect as being his best judgment in the premises. That the best judgments of American Presidents serving during this conflict have presented the Nation with a huge war debt, inflation, inattention to domestic needs, a historic balance of payments deficit, great loss of blood, treasure, and confidence of our people old and young in the "system," does not diminish the right and duty of the incumbent President to exercise his judgment. But neither does it absolve the people and their other elected representatives, the Congress, from offering alternatives to that judgment where they feel and feel deeply that such alternatives are essential to our security and welfare.

Thus to declare, or even ruefully wish, the matter could be considered outside of politics is to complete the gratuitous slander accorded over the years to that exercise of human will, intellect, and organization which made Athens great and freedom forever grateful.

Yet should there be regret that this question is raised during an election period, whose fault is that? Certainly not that of the Members of Congress who have raised it every year since this administration took office. Their voices have been clear enough in nonelection years to be heard by the public, yet not persuasive enough to move the President. Very well, what is the axiom of election protocol that should silence them now?

Are we all subject to the rules of some kind of political parchesi where the President's piece periodically moves onto safe spaces, untouchable, and arrives at 1 to 3 months prior to the date of his reelection? No, I think it is fitting, albeit ironic, that the President's campaign pledges of 4 years ago must be redeemed with firm congressional help 20,000 combat deaths and $60 billion later, and within 2 months of the next election.

Moreover, unless some such effort is made, what is to dissuade the next administration from pursuing a similar course? To those who would say "it cannot be," I would refer the record. It has "been" and could well "be" again unless we stand by section 13. I said at the outset that the section was practical and not dangerous. It is not dangerous because it widens the President's options. It does not diminish them. It is practical because it assures every objective America could reasonably define at this juncture—withdrawal, a cease-fire to protect it, return of the prisoners, and an accounting of the missing in action. Those who argue that a limited cease-fire would not stop all killing must be reminded that there is no purely American initiative that can accomplish that miracle. There is no "made in U.S.A." seal of Good Housekeeping that can serenely resolve struggles and ambitions whose roots extend deep in time and history, predating the Caribbean landfall of the Santa Maria by 1,000 years or more.

That being so, what is the obligation of Congress as an institution invested with the power and duty, as and when necessary, to levy taxes, raise armies and declare war? What is the obligation of the individual Member such as myself who was grilled by a skeptical electorate 4 years ago, and specifically asked by it what I would do "to end the war"? What of the congressional class of 1970, which just 2 years ago, after the undeclared wars in Cambodia and Laos, became answerable to an even more demanding constituency which insisted on firm pledges and early action to end our participation in that struggle?

Should we have promised only to affirm Presidential initiatives smoothly described by generals with maps and pointers, and expertly explained by a Presidential assistant virtually unknown to the general public before Mr. Nixon took office? Was that our mission? Or was it to study to the limit of our means and resources, the likely consequences of various approaches to the cessation of America involvement, choose one that appeared to be the least harmful, and argue for it?

What magic has attached to any Presidential approach to this war that renders it so compelling in concept, and so sure of success as to warrant cheers from this body, or even silence for that matter? I say if Presidents want this kind of blind support for undeclared war policy they had better fashion one that can be grazed at least by the wide, groping sweep of our white cane.

No; this President of ours, who boasts of his deescalation, has, in the name of American honor, unleashed naval and air actions unprecedented in fury and risk in our entire history. Should it bring our small but determined enemy to his knees, before November, we shall be grateful for release from the bondage of this war, of course.

Whether we will or should be satisfied that the result, and the form it takes, justify the blood and treasure

spent to achieve it, is quite a different question. It is a question whose answer we once again anticipate by trying at long last to share in the lonely burden of decision. If "victory" it is to be, only history can define its parameters. Let us hope it does not occupy the niche preempted to date by King Pyrrhus of Greece.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New Hampshire (Mr. WYMAN).

The amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. BOLLING).

TELLER VOTE WITH CLERKS

Mr. HOSMER. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. HOSMER. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. BOLLING, HAMILTON, FRELINGHUYSEN, and FASCELL.

The Committee divided, and the tellers reported that there were—ayes 229, noes 177, not voting 27, as follows:

[Roll No. 316]

[Recorded Teller Vote]

AYES—229

Abbitt
Abernethy
Albert
Anderson, Ill.
Andrews, Ala.
Archer
Arends
Ashbrook
Baker
Baring
Belcher
Bell
Betts
Bevill
Blackburn
Boggs
Bolling
Bow
Bray
Brinkley
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Byrnes, Wis.
Byron
Cabell
Caffery
Camp
Carlson
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Tex.
Colmer
Conable
Conover
Crane
Daniel, Va.
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denholm
Dennis
Derwinski
Devine
Dickinson
Dorn
Downing
Duncan
du Pont
Edwards, Ala.
Erlenborn
Eshleman
Findley
Fish
Fisher
Flowers
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Frey
Garmatz
Gettys
Goldwater
Gonzalez
Goodling
Griffin
Gross
Grover
Gubser
Haley
Hall
Halpern
Hammer-schmidt
Hanley
Hansen, Idaho
Harsha
Hastings
Hays
Henderson
Hillis
Hogan
Holifield
Horton
Hosmer
Hull
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Kazen
Keating
Kee
Kemp
King
Kuykendall
Kyl
Landgrebe
Landrum
Latta
Lent
Lloyd
Lujan
McClory
McClure
McCollister
McDade
McEwen
McFall
McKay
McKevitt
McMillan
Mahon
Mailliard
Mallary
Mann
Martin
Mathias, Calif.
Mathis, Ga.
Mayne
Michel
Mills, Md.
Minshall
Mizell
Mollohan
Montgomery
Murphy, N.Y.
Myers
Nelsen
O'Konski
Patman
Pettis
Peyser
Pickle
Pike
Pirnie
Poage
Poff
Powell
Price, Ill.
Purcell
Quie
Quillen
Railsback
Randall
Rhodes
Roberts
Robinson, Va.
Robison, N.Y.
Rogers
Rousselot
Ruth
Sandman
Satterfield
Saylor
Scherle
Schmitz
Schneebeli
Scott
Sebelius
Shoup
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Spence
Springer
Stanton, J. William
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Terry
Thompson, Ga.
Thomson, Wis.
Thone
Vander Jagt
Veysey
Waggonner
Wampler
Ware
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Young, Fla.
Young, Tex.
Zablocki
Zion

NOES—177

Abourezk
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Aspin
Badillo
Barrett
Begich
Bennett
Bergland
Biaggi
Biester
Bingham
Blanton
Blatnik
Boland
Brademas
Brasco
Burke, Mass.
Burlison, Mo.
Burton
Byrne, Pa.
Carey, N.Y.
Carney
Celler
Chisholm
Clay
Collins, Ill.
Conte
Conyers
Corman
Cotter
Coughlin
Culver
Curlin
Daniels, N.J.
Danielson
Dellums
Dent
Diggs
Dingell
Donohue
Dow
Drinan
Dulski
Dwyer
Eckhardt
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Evins, Tenn.
Fascell
Flood
Ford, William D.
Forsythe
Fraser
Frenzel
Fulton
Fuqua
Galifianakis
Gaydos
Giaimo
Gibbons
Grasso
Gray
Green, Oreg.
Green, Pa.
Gude
Hamilton
Hanna
Hansen, Wash.
Harrington
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Hicks, Mass.
Hicks, Wash.
Howard
Hungate
Jacobs
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Koch
Kyros
Leggett
Link
Long, Md.
McCloskey
McKinney
Macdonald, Mass.
Madden
Matsunaga
Mazzoli
Meeds
Melcher
Mikva
Miller, Ohio
Mills, Ark.
Minish
Mink
Mitchell
Monagan
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Natcher
Nedzi
Nix
Obey
O'Hara
O'Neill
Patten
Perkins
Podell
Preyer, N.C.
Pryor, Ark.
Pucinski
Rangel
Rees
Reid
Reuss
Riegle
Rodino
Roe
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Runnels
Ruppe
Ryan
St Germain
Sarbanes
Scheuer
Schwengel
Seiberling
Shipley
Sisk
Slack
Smith, Iowa
Snyder
Staggers
Stanton, James V.
Steele
Stokes
Sullivan
Symington
Thompson, N.J.
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
Wolff
Yates
Yatron
Zwach

NOT VOTING—27

Aspinall
Davis, Ga.
Dowdy
Edmondson
Flynt
Gallagher
Griffiths
Hagan
Hébert
Hunt
Keith
Kluczynski
Lennon
Long, La.
McCormack
McCulloch
McDonald, Mich.
Metcalfe
Miller, Calif.
Nichols
Passman
Pelly
Pepper
Price, Tex.
Rarick
Rooney, N.Y.
Tiernan

So the amendment was agreed to.

Mr. ROUSH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the defeat of the "end-the-war" amendment has strengthened my conviction that this bill should be defeated. This House has refused to take a positive legislative stand which would have supported our efforts to terminate our involvement in the war in Vietnam. For us now to vote $2.131 billion in foreign military assistance is to add insult to injury. We seem bent on pursuing a course which says "military action can solve the problems of the world." I do not believe it. At a time when we cry peace we are placing tools of war in the hands of those who find war to be a way of life. We set nation against nation. We insist on arming corrupt dictatorships. We provide for other countries that which they do not find important enough to provide for themselves. We are on a course which every day is impugning our credibility as a peace-loving nation. We have a determination to spend money we do not have on a program void of reason or understanding. Just yesterday we engaged in earnest debate as to whether to spend $1.8 billion more than the administration asked for for the health and education of the people of this Nation. There is a threat of veto hanging over that bill. The administration spokesmen who ask us to vote against funds for health and for education are now not just asking but are insisting that we now vote $2.131 billion in this bill for foreign aid. Where are our priorities? Which is more important, the health and education of the people of the United States or the furnishing of military assistance to Greece with its military dictatorship, or Turkey, or Thailand—the narcotics pipeline to America—or Cambodia? For me, the answer is not difficult. I would take the welfare and education of my people first. I shall vote against this bill and I urge my colleagues to do the same.

Mr. GROSS. Mr. Chairman, during the general debate on this bill and amid all of the amendments to the policy provisions of the bill, there has been almost no discussion of the amount of money that the House will soon be called to approve or reject.

This bill calls for $2.1 billion. The comparable figure for last year was $1.7 billion. Thus, we are seeing here today only part of the tip of the foreign-aid iceberg.

Adding economic assistance, which is already authorized and which was $948 million last year, the total in this bill would be $3.1 billion, a billion-dollar increase over last year's outlay—an increase that cannot possibly be justified.

There is no way that bills carrying this kind of an increase can be made to conform to the President's request for a $250 billion ceiling on expenditures in this fiscal year. There ought to be a drastic cut in the foreign-giveaway program, not an increase, and the President ought to have demanded it.

For 25 years, Mr. Chairman, and through the various foreign-handout programs, this Government, including Congress, has tried to be all things to all people. It has failed.

Foreign aid has made a contribution to the deficits and debt of this country of some $220 billion. It has made and continues to make a substantial contribution to inflation that has driven this country to the brink of bankruptcy.

Moreover, Mr. Chairman, the other body has defeated the counterpart of

this bill, and I do not propose here today to breathe life into a foreign aid corpse that has been laid to rest in the Senate.

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

Mr. GROSS. I yield to my friend from Missouri.

Mr. HALL. I appreciate the gentleman's yielding, Mr. Chairman.

I join in the gentleman's thoughts. I am not much of an expert on icebergs or how to get rid of them, but I know a lot about amputation. Would the gentleman not recommend that we amputate this bill right after the enacting clause?

Mr. GROSS. That would be an excellent idea, the best suggestion I have heard today.

Mr. Chairman, I simply want the Members to be on notice as to what they will be voting on after the disposal of the next amendment.

Mr. Chairman, I am opposed to this bill.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am delighted now, after our recent differences to find myself again associated, I believe, in a bipartisan way with my distinguished friend the chairman of the Committee on Foreign Affairs. I am sure he will urge that this legislation be approved by the House.

I strongly hope that for the national security of the United States as well as the well-being of the free world this legislation is approved. I think it is in our interest and the interest of all free nations.

The amount of money that is authorized by this legislation, in my opinion, is necessary and essential. The Committee on Appropriations will have an opportunity at some subsequent date to pass judgment on the precise dollars, but we need this authorization and we need favorable action on this bill.

I plead particularly in this instance with my Republican friends and I hope that by an overwhelming vote the House of Representatives will approve this foreign aid military authorization bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 14. Section 5(a) of the United Nations Participation Act of 1945 (22 U.S.C. 287c(a)) is amended by adding at the end thereof the following new sentence: "Section 10 of the Strategic and Critical Materials Stock Piling Act (60 Stat. 596; 50 U.S.C. 98–98h), as amended by section 503 of Public Law 92–156 (85 Stat. 423), shall apply to prohibitions or regulations established under the authority of this section only upon a determination by the President that the application of section 10 to such prohibition or regulations is required in the national interest of the United States.".

AMENDMENT OFFERED BY MR. DENT

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

The Clerk read as follows:

Amendment offered by Mr. DENT: On page 11, strike out line 7 and all that follows through line 17.

Mr. DENT. My dear colleagues, I do not intend to take a long time and belabor this question at any length.

While it is a later date, the issue is still the same; it is still the same issue that we discussed in this House at length, and by a large vote we decided in this House that the issue then was to be resolved by lifting the embargo on Rhodesian ore.

Opponents of American trade with Rhodesia in this area have once again introduced legislation seeking to prevent the importation of chromium from that country. The importation of chromium from Rhodesia is absolutely essential to the welfare, the security, and the well-being of this Nation of ours.

I know that there are some underlying emotions in this thing that deal with something other than economics, but in this day and age there can be nothing but the economics of this situation to be discussed here, and in my humble judgment, it will be decided upon that issue.

Immediately after the embargo was placed on chromium ore we were forced into the position of becoming entirely dependent upon Soviet Russia for our source of this very, very essential metal.

A minute ago or not more than 5 minutes ago, the Democratic majority leader spoke about his trip to Red China and in talking about it he made this remark: He said that he could tell us without divulging everything that was said in their 6½-hour discussion with the leaders of Red China that there was a real serious concern about Soviet Russia taking over many of the Eastern countries and moving in. Those remarks from the distinguished gentleman from Louisiana ought to give each and every one of us reason enough to accept my amendment, because if there is a threat in that direction, then what kind of a threat do you think it poses for this Nation that has become so entirely dependent for its source of chromium?

I have said on this floor before, and I repeat, no nation can survive in war, nor can it prosper in peace without specialty steel. A trip to the moon would still be only a dream. Our everyday lives would certainly be shallow if we did not have the capability of producing specialty steels.

The price of chromium went up over 100 percent within a few short months after the embargo was placed. Seven months ago the embargo was lifted. There have been only two small shipments from Rhodesia, but there was a reason for that, we have opened up our stockpiles, and we are going to diminish those stockpiles to a very dangerous low and make us even further dependent upon Russian ore unless you adopt my amendment.

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

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

Mr. DENT. Within a very short period of time after the embargo was lifted the price of chromium went down 7 cents a pound, $140 a ton, which took from Russia $50 million on the amount of sales they made into the United States of America.

Letters have been sent out to all of the Members that do not contain facts. It is said in those letters, for instance, that "We are only interested in protecting the holdings of two American companies in Rhodesia."

Let me give you the record. These two American companies in 1965, the year before the embargo was placed, produced 625,000 tons of chromium. In 1971, after the embargo had been on for 6 years, they produced 650,000 tons, because they had been taken over by the Rhodesian Government and operated by them. Rhodesia is working 7 days a week. There is not 1 pound of chromium ore above ground, it is being shipped out as fast as it is being produced. Sixty-five percent of all the chromium comes from Rhodesia. Who is using the chromium? If there is a sanction, and there are 104 nations of the U.N. against the purchase of this chromium, then where is it going? And included in these 104 nations are all the nations in the world that produce steel. They cannot produce it without Rhodesian ore. There are only two countries that make a direct embargo on purchasing directly from Rhodesia, and yet these two countries have had to buy Rhodesian ore through a third-party nation. If you really want to put an embargo and you mean to put a social aspect upon it, and I do not say that is wrong, there is only one thing to do, if you defeat this amendment, then pass the next amendment that I will give you, and that amendment will bar the importation of any chromium ore or chromium products, before or after manufacture, that contain within them Rhodesian ore. Then if you place that kind of a sanction it is meaningful to those people, and you will have a sincere and honest motive in voting for an embargo, or in trying to keep an embargo.

But this is a farce. The only sanctions that have been placed by the U.N. are upon the American steel industry, and upon the American workers. That is exactly how it has reacted; that is all it has been.

I have been told that it does not mean anything to a worker, but the regional director of the steelworkers in my district—where I have five plants that produce specialty steel—sent me a telegram, and said flatly, "I urge you to defeat section 14."

I ask the Members to support my amendment.

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

Mr. Chairman and members of the Committee, it would be a tragedy if this Committee were to vote on this amendment under the representations that have just been made by our distinguished friend, the gentleman from Pennsylvania (Mr. DENT).

Let me make very clear what this section says, and what the Dent amendment would strike out. The Committee language says the President shall have the discretion to determine whether in the national interest we are required to observe United Nations sanctions against the importation of chrome ore or whether in his judgment the United States should not be compelled to observe these sanctions.

That is the only issue before the committee this afternoon.

Do you want to give the President some leeway—some discretion—to determine what the national interest is? Or do you want to adopt the amendment of the gentleman from Pennsylvania (Mr. DENT) which takes that discretion away and mandates that the United States shall be in violation of international law—in violation of its obligations under the United Nations Charter and in violation of a commitment to the world community.

Who has the greatest interest in what goes on here? Well, you would think that the people who work in the steel plants have that interest.

I have received a letter from Mr. I. W. Abel, president of the Steel Workers. He says that the United Steel Workers of America support the intent of the embargo and its continuation.

Now mark you—we are not saying that we want the embargo to continue as a matter of law.

All we are saying is that we want to restore to the President the right to make that decision as to what the national interest requires.

If you pass the Dent amendment, you destroy that discretion and you force the President and this administration to violate international law, no matter what the findings are that they may make.

Now note one other thing. Imports from the Soviet Union of chrome ore were about at the same level in 1971 as they were before sanctions were imposed.

The fact of the matter is that the Soviet Union is no more an important source of chrome under the sanctions than it was before the sanctions began.

One of the principal reasons is that Turkey has built up its production of chrome ore and is now a major supplier for the United States.

Now I might say, my friend, the gentleman from Pennsylvania, says that what we ought to do then is to bar the import of steel products which contain chromium which comes from Rhodesia. I do not think that is such a bad idea and I think that is perhaps something that we should explore. Because you know what is at stake here. We are dealing with the question of whether the United Nations is ever going to have the capacity to deal with international problems short of the use of force.

Remember the League of Nations days when Italy invaded Ethiopia and the League of Nations imposed sanctions on Italy, and then there was a disregard because of economic considerations. That spelled the end of the League of Nations and it spelled the end of collective security.

This is precisely the same issue that we have here today. Are the interests of Union Carbide and Foote Mineral, two steel companies in the United States, to determine the U.S. policy in this field irrespective of the findings of the President?

I hope this House will not agree. Let us give the President some discretion. Let us let him comply with these sanctions if he finds that compatible with our national interest. And if he finds he must ignore or violate the sanctions then let us give him that discretion as well.

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

Mr. FRASER. I yield to the gentleman.

Mr. REID. Is it not true that if we are to be one of three member nations of the U.N. in open violation of international law that our relations with Africa would clearly suffer and our moral position in the world would be partly undermined?

But more than that—is it not true that the United Steel Workers——

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

(Mr. FRASER (at the request of Mr. REID) was granted permission to proceed for 2 additional minutes.)

Mr. REID. If the gentleman will yield further, is it not true that the steelworkers union in its letter to you stated:

> It may be argued that as Americans we should have no concern for the rights of people in other nations.

So be it, but the United Steelworkers of America think we do, and for that reason it supports the United Nations sanction. Finally, did not that same letter make this point:

> The issue is not whether the imports of chrome would affect American steelworkers' jobs in the specialty steel industry. The union maintains that it is the importation of specialty steel itself that affects jobs and not the importation of chrome ore. It seems to me the steelworkers' position is clearly in support of sanctions and clearly in support of the United Nations keeping its pledge to the United Nations.

Mr. FRASER. The gentleman is quite right. Against the Dent amendment are the AFL, the Steelworkers, the Foreign Affairs Committee. Who is for the Dent amendment outside of Foote Mineral and Union Carbide?

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

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

Mr. MAILLIARD. I just rise to say that I agree with the gentleman. There is only one central issue if we are going to be a member of the United Nations: Are we going to abide by the provisions of the charter or are we by law going to take exception to the charter?

I realize the Congress made this judgment, but I think it is the wrong judgment, and if we proceed logically it gives the United Nations absolutely no means by which to bring any pressure to bear in international problems except by resorting to force. I think that is just most unfortunate.

Mr. FRASER. I thank the gentleman. I hope that will sustain the position.

Mr. BURKE of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the motion by my colleague from Pennsylvania to delete section 14 from the Foreign Assistance Act of 1972, H.R. 16029, and thereby enable the United States to continue purchasing chrome from Rhodesia.

I was the sponsor of bill, H.R. 10836, which was identical to the Byrd amendment to the military procurement bill last year which amended the United National Participation Act of 1945 to prevent the imposition thereunder of any prohibition of the importation into the United States of any strategic and critical material from any free world country for so long as the importation of like material from any Communist country is not prohibited by law.

Section 14 of H.R. 16029 does not directly repeal the law passed last year—the Byrd amendment—it leaves the issue up to the President. The aim of the sponsors and supporters of section 14 however, is clear. They intend it to stop the imports of Rhodesian chrome.

The Department of State supports section 14 because they say we are now under heavy criticism in the United Nations and that our relations with key African states are subject to considerable strain as a result of our purchases of chrome from Rhodesia.

Economic sanctions are not particularly successful diplomatic weapons. The U.N. sanctions against Rhodesia can probably be regarded as a failure. The Rhodesia sanctions have been in effect, almost 5½ years without, apparently, achieving their objective. The sanction has been frequently violated. More than 110 cases of sanctions violations have been reported to the J.N. Sanctions Committee, including 32 which deal with chrome.

Sir Alec Douglas-Home, the British Foreign Secretary, told Parliament on June 12, 1972, that "exports from Rhodesia have recovered to 97 percent of what they were before sanctions were imposed." He also told Parliament:

> A lot of exports are going to countries which are members of the United Nations and which are supposed to be supporting the sanctions. That is beyond dispute; 170 recommendations have been made that breaches of sanctions should be looked into and in only four cases, have prosecutions been made.

There are important national security considerations involved in our current reliance on the Soviet Union for the bulk of our national needs for chrome. We have no domestic production of chrome ore. The only domestic source for chrome is from disposals from the U.S. stockpile of strategic and critical materials. The Soviet Union was the source of nearly 60 percent of U.S. chrome imports in 1969 and 1970. The Russians supplied more than 40 percent in 1971. The other major suppliers were Turkey and South Africa. The purpose of the U.S. stockpile is defeated by reliance on the Soviet Union as a major source of chrome.

Like other minerals, chrome must be mined where it is found. Most of the major sources of metallurgical grade chrome ore are countries with which the United States may have moral or political differences. Rhodesia and South Africa are both under the control of governments which practice discrimination against blacks. The Soviet Union, of course, discriminates against Jews, Lithuanians, and many other racial and religious groups. The United States, to put it plainly, would cut off its nose to spite its face if we refused to buy chrome produced in countries whose policies we do not agree with.

As the dominate supplier of chrome, the Russians have driven the price from a presanction level of about $25 per ton

to a 1971 high of more than $61 per ton. Witnesses from the American Iron and Steel Institute testified before Congress that this increase in the price of chrome cost U.S. consumers of stainless steel more than $100 million a year.

The U.S. consumption of metallurgical grade chrome was 911,000 tons in 1970. Most of this went into stainless steel and other types of high performance steels. There is no adequate replacement for chromium in the manufacture of these steel products.

About 10 percent of the domestic production goes directly into military and defense applications. In the electric power generating industry, stainless steel is required for steam turbine blades because of its corrosion and heat resistance properties. Stainless steel is essential to many transportation uses including jet engine components. Stainless steel is also used in industries where cleanliness and sanitation are critical because of its corrosion resistance. Household appliance and kitchen tools also use chrome, but only about 5 percent of the domestic production.

Regrettably, foreign producers of stainless steel have increased their penetration of the U.S. steel market. This is due in part to the fact that they benefited from the sanctions against Rhodesia by buying from Rhodesia in defiance of the U.N. sanction. In 1971, imports of cold rolled stainless steel sheets accounted for 32.9 percent of the domestic supply, imported stainless steel wire for 48.3 percent of domestic supply, and imports of stainless wire rod for 46.3 percent of the domestic supply. Clearly, imports at this level have a serious impact on employment and production in the domestic steel and ferroalloys industries.

The effect of the U.N. sanction has been to help foreign competitors of the U.S. steel industry and to hurt the domestic economy. What is more there is some reason to believe that the U.N. sanction has not hurt the Rhodesian economy at all.

In the presanction era, chrome exports accounted for only 2 percent of Rhodesia's export trade. In 1964, for example, Rhodesia's total exports were valued at $354 million but only $7 million came from chrome. Rhodesia has never stopped producing or marketing chrome ore and the Byrd amendment did not make more chrome ore available on the world market. It only enabled U.S. firms to legally import chrome that would otherwise have gone to other steel producing countries.

The Byrd amendment did produce a reduction in the world price of chrome ore. The published price of Russian chrome ore today is $7 to $9 per ton lower than the 1971 price. However, this reduction does not help Rhodesia, it helps the United States. Rhodesia is likely to receive a reduced amount of foreign exchange for the sale of its chrome ore.

I believe section 14 of H.R. 16029 is not only unwise but leads to a policy which is ridiculous. The purpose of any economic relations with a foreign nation should be to aid our own economic interests. Chrome is essential to our manufacturing. Why should we, therefore, buy chrome from the Soviet Union and elsewhere at higher prices than we can buy it from Rhodesia? Economic sanctions such as section 14 would impose are illogical and gain us nothing. Instead, they will tend to further impair our own international balance of payments and impair our own economy at home.

Mr. HAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, if I may have the attention of the membership I promise I will not take the 5 minutes. I just want to correct the statement made by the gentleman from Minnesota about the importation of Russian chrome. The fact of the matter is that the importation of Russian chrome went from 210,000 tons in 1965, steadily upward, to 365,000 tons in 1970. As the United States became more dependent on Russian chrome, the price went up 200 percent. What happened when we started buying chrome from Rhodesia? The price dropped that very day 10 cents a pound.

The chairman of the committee is for this Dent amendment to strike this garbage out of the bill and let American industry be competitive with the industry in 38 other nations that are buying chrome from Rhodesia, all of whom belong to the United Nations.

Mr. CLARK. Mr. Chairman, I am in full agreement with the gentleman from Pennsylvania. I am presenting background and evidence as to why we should all support the Dent amendment.

AVAILABILITY OF CHROMIUM

Metallurgical grade chromite ore (45 percent or more chromium content) is found in relatively few places. Rhodesia, with known reserves exceeding 300 million long tons,[1] controls over 65 percent of the world's supply. The eastern bloc countries, including the Soviet Union, have reserves of about 26 million tons.[2] No chromite ore has been mined in the United States since 1961; this country is entirely dependent upon imports for its chromium requirements.

HISTORY OF THE RHODESIAN SANCTIONS

In 1965 Rhodesia unilaterally declared itself independent of British colonial control. After several months of unsuccessful negotiations, Great Britain requested the United Nations to impose economic sanctions against its former colony. A sanction resolution was adopted by the United Nations in 1966. By Executive order, President Johnson committed the United States to abide by the sanctions in early 1967.

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

Mr. HAYS. I yield to the gentleman from Pennsylvania.

Mr. CLARK. Mr. Chairman, the sanctions resolution and concurrent Executive order effectively prevented all trade between the United States and Rhodesia. During the sanctions period, the United States procured increasing amounts of its metallurgical grade chromium requirements from the Soviet Union as illustrated by the following chart:

Imports of metallurgical grade chromite from the Soviet Union[3]—Year, gross tons, and percentage of all imports:

1965	210,658	35
1966	251,167	42
1967	267,244	55
1968	299,527	68
1969	266,698	57
1970	365,312	57

As the United States became increasingly dependent upon Russian ore, the prices for Soviet chromite rose over 200 percent.[4]

During the sanctions period, the American-owned Rhodesian chromium facilities continued to operate under Rhodesian Government control. Although Univex, the government corporation currently operating the facilities, has not revealed production statistics during the past 5 years, most observers[5] estimate the following:

	Tons
1965	625,000
1967	350,000
1968	420,000
1969	400,000
1970	550,000
1971	650,000

The price of Rhodesian ore increased slightly during the sanctions period, but was rarely more than half that charged by the Russians to U.S. consumers. In October 1971, the Senate adopted an amendment to the Military Procurement Bill (P.L. 92-156; 85 Stat. 423) which effectively lifted the embargo on Rhodesian chromium. This legislation became effective on January 1, 1972.

In May 1972, an amendment was offered to the Foreign Relations Authorization Act which would have reimposed the sanctions. By a vote of 40 to 36 the Senate again refused to continue the embargo.

Currently pending before the House of Representatives is a provision which would seriously compromise the present lifting of the Rhodesian sanctions. Section 14 of the Foreign Assistance Act of 1972 (H.R. 16029) would require reimposition of the embargo unless the President determined it is in our "national interest" not to abide by such sanctions.

ISSUES

Several basic issues are raised by the pending legislation.

1. ESSENTIALITY OF CHROMIUM

Chromium is one of the most important strategic materials. In 1939 it was the first metal to be designated for stockpiling by Congress. The Bureau of Mines has noted that—

> Chromium is a strategic and critical commodity, essentially steel oriented, whose importance to defense and industrial needs is unlikely to diminish by the year 2000. Stockpiles of both ore and alloys will remain a necessity and foreign relationships with producing countries will remain essential to insure a continued supply.[6]

[1] *Bureau of Mines Bulletin 650*, 1970 Edition, Mineral Facts and Problems at p. 251.

[2] *Id.*

[3] FT-246, *Imports, TSUSA*, Department of Commerce, Bureau of Census, 1965-1970.

[4] See appendix A.

[5] *See, e.g., Washington Post*, November 21, 1971, p. A-8; Metal Statistics 1972, *American Metal Market*.

[6] Bureau of Mines Bulletin, *supra*.

2. THE SOVIET UNION AS A SOURCE OF SUPPLY

Not only is our current dependence upon the Soviet Union for this critical material questionable from a national security perspective, but the Russians have exploited their position as prime suppliers, to the detriment of American consumers. While world prices—primarily Rhodesian—for chromium remained relatively stable during the sanctions period, the price of Russian ore skyrocketed. As soon as the embargo was lifted in January, 1972, the price of Russian chrome dropped over 35 percent. This price decrease was not due to increased U.S. imports from Rhodesia; our trade with the Soviet Union has continued at about sanction levels and only two small shipments of Rhodesian ore have been imported in the past 7 months. The price drop was caused by the destruction of the Russian monopoly, graphically demonstrating the huge profit margins the Soviet Union made on United States sales during the sanctions period. I urge the adoption of the amendment.

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

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

Mr. SIKES. Mr. Chairman, let us cut right through the verbiage and get down to the facts. This amendment is before us because Rhodesia is largely black and its government is white. As a result of this the United Nations imposed sanctions and we were stupid enough to embrace those sanctions. It is to our advantage to trade with Rhodesia for a very particular reason—strategic materials. I do not know why we should be bound to the semantics of the United Nations. Everyone knows they are meaningless. Other nations do a thriving business with Rhodesia even though they are members of the U.N. France and West Germany are good examples. Never mind what the official records show. In Rhodesia you can see the name of the country of origin on the rolling stock, the machinery and equipment which are pouring in. Other nations trade with Rhodesia simply because it is to their advantage to do so.

How far are we prepared to go in protesting government by minority groups? Are the proponents of this amendment ready to offer an amendment to stop trade with Russia? Russia has a minority government. The Russian Government is all Communist in its makeup, but there are only a few Communists in Russia. If we are going to be consistent, let us send the Russian Ambassador packing, stop all the efforts toward world peace and trade with that nation.

The Byrd amendment permits U.S. firms to resume importation of chrome from Rhodesia despite U.N. sanctions. The amendment before us would put us right back where we were. It would stop importation of critical materials from Rhodesia. We must have chrome.

Do you know who will be the principal beneficiary under this amendment? Red Russia, the nation which still plans to destroy the American system of free enterprise. During the time that we were not buying chrome from Rhodesia we were buying from Russia, but we were paying twice as much. Many people will tell us we were buying Rhodesian chrome through Russia and Russia was making a whopping profit. The price has gone down because we opened the market to Rhodesia. Let us have the commonsense to place America's interests first and not be led around by the nose by the U.N. which never places America's interests first.

Mr. Chairman, may I say I also have a copy of a letter from the Steelworkers and I note this in the closing paragraph:

> The debate on the embargo should turn on its effectiveness as a tool and our responsibility as a Nation.

The embargo was not effective. We have a responsibility to America to look after America's interests. That means we should vote for the Dent amendment.

Mr. HAYS. I will just say in closing, Mr. Chairman, I have a great deal of fondness and respect for I. W. Abel. He was born and grew up in my district. I attended only 2 weeks ago tonight a big homecoming for him in the little town where he was born, the biggest thing they have ever had.

I am one of two people from Ohio who have a 100-percent vote, according to the AFL-CIO. Of course, I voted for the SST and I voted for a few other things, to make jobs, and that is how I got that rating.

But this is one time I am not going to pay any attention to the letter from the AFL-CIO. I am going to vote for American jobs and American industry and against the exportation of them to other countries.

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

Mr. HAYS. I yield to the gentleman from Pennsylvania.

Mr. DENT. I just want to say that jobs have been mentioned, and who should know better about jobs than a man who has five plants in his district. I called one plant yesterday. At the first of the year, before the embargo was lifted, that plant had gone from 1,800 to 1,300 jobs. In tube steel that is a lot. By the time the embargo was lifted, the first of this month, they were back up to 1,500 jobs, and that is $2 million.

Mr. HAYS. I thank the gentleman.

Mr. DIGGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I recognize that at this hour further comments may be counterproductive, but I cannot help but rise to remind all of the Members that last night this House alined itself with the poorest, most imperialistic dictatorship in all of Western Europe when it supported the amendment to take out the references to the Azores.

Now my respected friend from Pennsylvania—and he is my respected friend from the State, the home of Foote Minerals, one of the two biggest beneficiaries of this entire Rhodesian chrome matter—wants us to aline ourselves with racist Rhodesia, where 250,000 immigrant whites control the body, the soul, the destiny of 5 million Africans.

That is what it is all about.

I would remind all of the Members, as the gentleman from Minnesota pointed out, this merely passes along to the President the discretion to use this provision when he feels it is in the national interest. So all the talk we have heard in the well here on this debate about jobs being jeopardized and about free American enterprise and all the rest is completely irrelevant, unless, of course, one lacks faith in the President of the United States in his use of this discretionary power.

I should like to say in conclusion that I am shocked by the silence on this side of the aisle, because I am unaware that the President or the Secretary of State or any other person who has anything to do with the whole complex of matters pertaining to this has been out here in support of the amendment being offered by the gentleman from Pennsylvania. On the contrary, they have worked vigorously to try to repeal the so-called Byrd amendment. This is not a repeal of that amendment. This gives them an opportunity for expression.

Mr. MAILLIARD. Will the gentleman yield?

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

Mr. MAILLIARD. I want to let the RECORD show no one on this side has spoken against the amendment.

Mr. DIGGS. I appreciate the gentleman's comment.

Mr. DICKINSON. Will the gentleman yield?

Mr. DIGGS. I yield to the gentleman.

Mr. DICKINSON. I thank the gentleman for yielding.

I would like to say it has been my observation in the almost 8 years that I have served here that any time a bill comes up and it cannot stand on its own merits there is always a tendency to make it race related, that is, between black and white, and I for one am tired of it. I will vote for this bill on its merits and not on that issue.

Mr. DIGGS. I hope the gentleman will vote for it on its merits. I did not inject this into the issue. It was injected into the issue by the gentleman himself.

Mr. DICKINSON. Who else did it but the gentleman in the well?

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

Mr. Chairman, I find it rather amusing at this point to find some of the same people who just a few minutes ago on the so-called end-the-war amendment very much opposed to giving the President any discretionary authority that might benefit this country and now they turn around and take the opposite position and advance the argument that all they want to do is give the President the authority to do whatever he thinks is in the best interests of the United States.

Mr. ASHBROOK. Mr. Chairman, the closer one looks at the U.N. sanctions on Rhodesia, the more ludicrous the U.N. effort appears, and is. Several years ago the Indianapolis News ran a short, to-the-point editorial pointing out the double-standard tactic of clobbering the small, relatively powerless country while ignoring or explaining away abuses of giants such as the Soviet Union. The editorial follows:

A DOUBLE STANDARD

Does the United Nations Charter mean anything in the world body's deliberations?

One wonders in view of recent U.N. actions in the field of "human rights." Displeased by Rhodesia's restrictive voting policies, the U.N. has asserted the power to intervene in the country's internal affairs and initiated harsh diplomatic and economic sanctions. But in responding to "human rights" violations in the Soviet Union, the U.N. stated recently it has "no power" to interfere with a nation's internal policies.

In October, relatives of imprisoned members of Russia's so-called "dissenting Baptists" denomination presented the U.N. documentary evidence of suppression of religious freedom by Soviet authorities. They told of members sentenced to prison for exposing children to religion, prayer meetings broken up by police, homes and personal property of believers confiscated, and a group of Baptists beaten when they petitioned for redress of grievances.

In January, the U.N. acknowledged receipt of the appeal with a one-paragraph letter stating the world body has no authority in this area. The "dissenting Baptists" were told that "the Commission on Human Rights recognizes it has no power to take any action in regard to any complaints concerning human rights."

The statement is, of course, impeccably accurate. The U.N. Charter forbids the organization to involve itself in a nation's internal affairs.

In its relations with Russia, the U.N. has acknowledged this fact. We wonder if the world body will now apply the same standard to Rhodesia and lift its illegal economic and diplomatic sanctions.

To put the situation in proper perspective as it relates to section 14 of H.R. 16029, which has been under consideration for several days by the House, the text of the so-called Rhodesian amendment reads as follows:

SEC. 14. Section 5(a) of the United Nations Participation Act of 1945 (22 U.S.C. 287c(a)) is amended by adding at the end thereof the following new sentence: "Section 10 of the Strategic and Critical Materials Stock Piling Act (60 Stat. 596; 50 U.S.C. 98–98h), as amended by section 503 of Public Law 92–156 (85 Stat. 423), shall apply to prohibitions or regulations established under the authority of this section only upon a determination by the President that the application of section 10 to such prohibition or regulations is required in the national interest of the United States.".

As explained in the report on the bill, section 14 of the bill amends the United Nations Participation Act to provide that section 10 of the Strategic and Critical Materials Stock Piling Act as amended, shall apply to prohibitions or restrictions established pursuant to the former only upon a determination by the President that the application of section 10 is required in the national interest of the United States. The effect of this provision is to restore the President's authority to prohibit or regulate the importation into the United States of strategic materials from such countries as Southern Rhodesia when the United States is obligated to control or prohibit such importation as a consequence of the conditions of membership in the United Nations.

When Rhodesia declared herself to be independent of Great Britain in 1965, the British requested the U.N. to impose economic sanctions against her former colony. In 1966, the U.N. adopted a "sanctions resolution" which was followed in early 1967 by President Johnson's Executive order, thus committing the United States to follow the U.N. action.

The U.N. resolution and President Johnson's Executive order effectively boycotted all trade between the United States of America and Rhodesia.

However, in October 1971, the Senate adopted an amendment—by Senator HARRY F. BYRD, JR.—to the military procurement bill (P.L. 92–156; 85 Stat. 423) which lifted the embargo on Rhodesian chromium, effective January 1, 1972.

In May 1972, an amendment was offered to the Foreign Relations Authorization Act which would have reimposed the sanctions. The Senate rejected this new anti-Rhodesian amendment to restore the embargo.

The United States is entirely dependent upon chromium imports for its requirements and has been since 1961, the last year that the ore was mined domestically.

Chromium is a strategic and critical commodity, according to the Bureau of Mines, and its importance to defense and industrial needs is unlikely to decrease by the year 2000. Its vital necessity is testified to by the fact that it was the first metal to be designated for stockpiling by Congress in 1939.

Metallurgical grade chromite ore is found in but few areas. Rhodesia's known reserves, exceeding 300 million long tons, represent over 65 percent of the world's supply. By contrast the U.S.S.R. and its Eastern European satellites have reserves of 26 million tons.

From 1965 to 1970 the United States became increasingly dependent upon Soviet ore—which is a much lesser quality ore—as imports from the U.S.S.R. increased from 210,658 to 365,312 gross tons during that period. This represented, as a percentage of all imports from the U.S.S.R., an increase of 35 percent to 57 percent.

As the United States became increasingly dependent upon Soviet ore, the prices for Soviet chromite rose over 200 percent. The American-owned, Rhodesian chromium facilities, which continued to operate under Rhodesian Government control during the U.N. boycott, only increased their prices modestly but was rarely more than one-half those charged by the U.S.S.R. to U.S. consumers. The skyrocketing Soviet ore prices decreased only after the embargo was lifted in January 1972. However, the drop in Soviet prices was not caused by any significant increase in Rhodesian ore imports here, but by the destruction of the U.S.S.R. monopoly caused by the huge profits realized by the Soviets which were made on U.S. sales during the embargo period.

The U.S. economic problem has been compounded as a result of the sanctions against Rhodesia because other major Western Powers who compete with the United States in products containing this metal have reportedly not been abiding by the U.N. resolution. Our loss has been their gain thus placing this country at a severe competitive disadvantage in such areas as the specialty steel industry. This industry, to mention but one, employs over a quarter million workers whose jobs are now threatened by low-cost imports from Western producers of such commodities as stainless steel products.

The embargo on Rhodesian chromium has benefited, in short, only the U.S.S.R. chromium-using industry, and the foreign steel producer.

The U.N. resolution has done more harm to the United States than to Rhodesia whose government has not fallen as expected—and doubtless will not because of the increasing interest shown in that area by European and Japanese producers, U.N. members have purchased millions of dollars of Rhodesian products annually and are, therefore, in no position to demand of this nation that which they refused to deny themselves. Who are the largest exhibitors at Rhodesian trade fairs? The Germans and the French. Who has recently constructed a modern ferrochrome facility in Rhodesia? An Italian consortium.

It was stated that if the United States breaks the Rhodesian boycott it will affect U.S. relations with other nations of black Africa. If this is true, then why is it that most of the black countries of that continent traded extensively with Rhodesia during the sanction period? Two years ago, Rhodesia approved a $1.4 million foreign aid loan to one black African state. Last year Zambia purchased over $2 million in maize. Malawi is dependent on Rhodesian trade and, in fact, depends on the latter to employ her workers.

The U.N. resolution branded Rhodesia a "threat to world peace." Indeed. When and what countries has Rhodesia attacked with her military forces?

Is it Rhodesia who is pumping tanks, planes and missiles into Vietnam, Cambodia, or Laos?

Is it Rhodesia who is building naval facilities in Cuba or helping Castro to build up a military force out of all proportion to its needs.

Is it Rhodesia who so dominates the Egyptian Army that the latter cannot call its military forces its own?

Is it Rhodesia who is aiding and abetting guerrilla warfare movements throughout selected countries in the three subcontinents of the world?

Was it Rhodesia who invaded Czechoslovakia in 1968—2 years after the U.N. voted its sanctions? Has she completely controlled a wide arc of nations stretching from the Baltic to the Black Sea?

Does Rhodesia possess sites for massive missiles zeroed to the world's population centers?

Who kidded whom with such a hypocritical resolution? But perhaps it is only fitting that the U.N.'s major supporter should be the major beneficiary of that body's major sanctions whose effects cripple our industries—or that the U.N.'s most degrading member should benefit so handsomely by those same sanctions.

Mr. BUCHANAN. Mr. Chairman, I rise in support of the Dent amendment.

Whatever condemnation one may feel for the policies of the Rhodesian Government, certain facts are clear. The boycott allegedly imposed against that government by the United Nations action has not been observed in fact by most nations.

Apparently, only the United States and Great Britain have taken it seriously. One can observe in Rhodesia today a brand new Italian factory producing chrome in a country filled with German and Italian cars, doing an active trade with the French and generally prospering.

During the period in which we have observed the boycott, the Soviet Union, a pious party to the alleged boycott, is apparently buying chrome from Rhodesia and reselling it to us at a tremendous profit.

Rhodesia is an important source of chrome, a material important to our defense. That country is not only selling all she can produce at this time, she is forming relationships with and moving into commitments to other customers to whom she may well be obligated in the future for all the chrome that nation can produce. Japan, France, Germany, Italy, the Soviet Union, and practically everyone else on earth is doing business with Rhodesia, notwithstanding the alleged holy boycott.

The net result of this performance of hypocrisy by other nations is that unless we take this honest action in protection of our national interest, we will lose for our country an important present and future source of supply for a material important to our defense as well for other purposes.

We likewise will rob our exporters of a substantial amount of business and American workers of jobs.

Finally, Mr. Chairman, we will render ourselves dependent upon the Soviet Union as the source of a material for which they have consistently overcharged us but, more importantly, one which is vital to our own defense.

Such a situation is intolerable and I urge the adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. DENT).

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

TELLER VOTE WITH CLERKS

Mr. FRASER. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. FRASER. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. DENT, FRASER, HAYS, and MAILLIARD.

The Committee divided, and the tellers reported that there were—ayes 253, noes 140, not voting 39, as follows:

[Roll No. 317]

[Recorded Teller Vote]

AYES—253

Abbitt
Abernethy
Alexander
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashbrook
Baker
Baring
Belcher
Bennett
Betts
Bevill
Biaggi
Blackburn
Blanton
Bow
Bray
Brinkley
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Caffery
Camp
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Tex.
Colmer
Conable
Conover
Conte
Coughlin
Crane
Curlin
Daniel, Va.
Daniels, N.J.
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dennis
Dent
Derwinski
Dickinson
Devine
Dorn
Downing
Dulski
Duncan
Edwards, Ala.
Erlenborn
Eshleman
Evins, Tenn.
Fisher
Flood
Flowers
Ford, Gerald R.
Fountain
Frey
Fulton
Fuqua
Galifianakis
Garmatz
Gettys
Giaimo
Gibbons
Goldwater
Goodling
Gray
Green, Oreg.
Griffin
Gross
Grover
Gubser
Haley
Hall
Hammer-schmidt
Hanley
Hansen, Idaho
Harsha
Hastings
Hays
Heinz
Henderson
Hillis
Hogan
Hosmer
Hull
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Kee
Kemp
King
Kuykendall
Kyl
Landgrebe
Landrum
Latta
Lent
Long, Md.
Lujan
McClory
McClure
McCollister
McDade
McEwen
McFall
McKevitt
Madden
Mahon
Mallary
Mann
Martin
Mathias, Calif.
Mathis, Ga.
Mayne
Mazzoli
Melcher
Michel
Miller, Ohio
Mills, Ark.
Mills, Md.
Minshall
Mizell
Mollohan
Montgomery
Morgan
Myers
Nelsen
O'Konski
Perkins
Pettis
Peyser
Pickle
Pike
Pirnie
Poage
Poff
Powell
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rhodes
Roberts
Robinson, Va.
Rogers
Rooney, Pa.
Rostenkowski
Roush
Rousselot
Roy
Runnels
Ruppe
Ruth
Sandman
Satterfield
Saylor
Scherle
Schmitz
Schneebeli
Scott
Sebelius
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Snyder
Spence
Springer
Stanton, J. William
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Ullman
Vander Jagt
Veysey
Vigorito
Waggonner
Wampler
Ware
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Charles H.
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Yatron
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NOES—140

Abourezk
Abzug
Adams
Addabbo
Anderson, Calif.
Anderson, Ill.
Ashley
Aspin
Badillo
Barrett
Begich
Bell
Bergland
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Burke, Mass.
Burton
Carey, N.Y.
Celler
Chisholm
Clay
Collins, Ill.
Conyers
Corman
Culver
Danielson
Dellenback
Dellums
Denholm
Diggs
Dingell
Donohue
Dow
Drinan
du Pont
Eckhardt
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Fascell
Findley
Fish
Ford, William D.
Forsythe
Fraser
Frelinghuysen
Frenzel
Gaydos
Gonzalez
Green, Pa.
Gude
Halpern
Hamilton
Hanna
Hansen, Wash.
Harrington
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks, Mass.
Hicks, Wash.
Holifield
Horton
Howard
Hungate
Johnson, Calif.
Kastenmeier
Keating
Koch
Kyros
Leggett
Link
Lloyd
McCloskey
McKay
McKinney
Macdonald, Mass.
Maillliard
Matsunaga
Meeds
Mikva
Minish
Mink
Mitchell
Monagan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nix
Obey
O'Hara
O'Neill
Patman
Patten
Podell
Preyer, N.C.
Price, Ill.
Rangel
Rees
Reid
Reuss
Riegle
Robison, N.Y.
Rodino
Roe
Roncalio
Rosenthal
Roybal
Ryan
St Germain
Sarbanes
Scheuer
Schwengel
Seiberling
Smith, Iowa
Smith, N.Y.
Staggers
Steele
Stokes
Symington
Thompson, N.J.
Udall
Van Deerlin
Vanik
Waldie
Whalen
Wolff
Yates

NOT VOTING—39

Aspinall
Cotter
Davis, Ga.
Dowdy
Dwyer
Edmondson
Flynt
Foley
Gallagher
Grasso
Griffiths
Hagan
Hébert
Hunt
Keith
Kluczynski
Lennon
Long, La.
McCormack
McCulloch
McDonald, Mich.
McMillan
Metcalfe
Miller, Calif.
Moorhead
Nedzi
Nichols
Passman
Pelly
Pepper
Price, Tex.
Pryor, Ark.
Rarick
Rooney, N.Y.
Stanton, James V.
Terry
Thone
Tiernan
Wilson, Bob

So the amendment was agreed to.

Mrs. ABZUG. Mr. Chairman there has been much debate here yesterday and today on the question of our continued presence of Vietnam and our support of the government of President Thieu. I have already spoken to that particular point, and will not repeat myself here except to note that to really accomplish peace in Vietnam, we must withdraw our men unconditionally and cut off all military assistance to the Thieu regime. Only then can we reasonably expect to see our prisoners of war return home. Only then can we really hope for peace in South Vietnam under a coalition government including representatives of the National Liberation Front and the other groups now excluded, as well as representatives of the present government other than Mr. Thieu.

In stark contrast to the puppet government of Mr. Thieu is the democratically elected government of Israel, which would receive some $50 million in military assistance and $300 million in military credit sales under this legislation. No one-man elections or press censorship here—numerous political parties and journalistic activities flourish in Israel, and the people truly have a full voice in deciding how they will be governed. Instead of supporting a one-man regime in Saigon which cannot exist for a day without our aid and which is completely rotten from within, we should be offering aid to a nation which is fully prepared to defend itself and which has a government put there by its people alone.

Mr. ROUSH. Mr. Chairman, it must be ironic that, having fought for various provisions in this bill, I now intend to vote against it.

It is true that there are worthy programs in this bill. We include certain assistance to Israel which is necessary to the maintenance of a balance of power in the Middle East. We include a provision for trying to pick up the pieces in Southeast Asia and give back to some Vietnamese that which Americans consider a birthright: An eye, a face, an ear, or a bit of unscarred skin. Other funds are earmarked for the children of South Vietnam for their food, orphanages, and

other benefits. We have added our help to a world-wide effort to protect this planet's environment.

Why, then, with these provisions included, do I intend to vote against this bill? On June 20, 1848, Abraham Lincoln stood before this body and said:

> There are few things *wholly* evil, or *wholly* good. Almost everything, especially of governmental policy, is an inseparable compound of the two; so that our best judgment of the preponderance between them is continually demanded. On this principle the president, his friends, and the world generally, act on most subjects. Why not apply it, then, upon this question?

The issue we consider now is different from the one to which Lincoln referred, but the question he posed is as applicable to this as it was to the bill before the House then. For reasons which I have already explained at length, I believe that the preponderance between good and ill in this measure lies heavily with the latter. The good points in this bill we should sever and pass in other forms if need be, but let us reject this bill.

Finally, I should like to say something about the charge that those of us who feel as I do are "new isolationists." For my part, there is nothing new in what I advocate today; I have felt and voted this way since I came to Congress in 1959. That leaves us with only the word "isolationist" with which to deal.

We are not so simple as to believe that America can once more retreat into her infant-years solitude, building a seawall and living like the Dutch behind that. The world has become too close and pressing for that. President Eisenhower put it this way:

> What we call foreign affairs is no longer foreign affairs. It's a local affair. Whatever happens in Indonesia is important to Indiana. Whatever happens in any corner of the world has some effect on the farmer in Dickinson County, Kansas, or on a worker in a factory.

It is true that some of our motives in this aid dispersal have been other than altruistic. We were motivated by a fear of a Communist shadow that was slowly covering the earth, and we felt that simple self-interest demanded that we exercise a degree of control, a leverage, over other countries, which we implemented through arms aid. But, for the most part, I sincerely believe that our giving has not been a purely egocentric thing. It was done, as President Kennedy said in his inaugural address, "not because the Communists may be doing it, not because we seek their votes, but because it is right." Americans are very caring and selfless people who genuinely want to help others if they believe others are endangered. They have a very real sense of concern.

We have been like parents who have seen fledgling countries emerge or rebuild themselves. And now, having helped them come to adulthood, we must be mature enough to perform what any parent will agree is one of the hardest acts of all—that of relinquishment. We have helped when the situation was critical militarily. These nations are now in a position to provide for their own defense, and it is time we turned our attention inward and dealt with our own needs. What is needed is a degree of introversion, but it is not isolation. I prefer to call it not a "new isolationism," but a "new maturity."

I urge you to vote against this bill.

Mr. WOLFF. Mr. Chairman, the adoption by the House of my amendment to suspend aid to Thailand because of its major role in the international narcotics traffic is a significant step in the battle to halt the deadly flow of narcotics into this country.

Since my return from a Far East narcotics study mission some 9 months ago, I have attempted to focus the attention of the American people, and the efforts of the Congress on the drug traffic through Thailand. Increased public awareness and congressional pressure has unquestionably created the kind of atmosphere that has led to recent successes by combined United States-Thai narcotics agents in the Far East.

However, much more must be done. The Congress has today demonstrated its complete commitment to the goal of halting heroin traffic by enacting my amendment. This is not necessarily a punitive measure; rather it is an effort to strengthen the representations which our Government can make to the Thai Government on this critical matter. I feel very strongly that this expression by the Congress will yield even greater cooperation by the Thai Government and even more success in the crackdown on the illicit traffic.

Let the adoption of this provision of the Foreign Assistance Act serve notice not only on the Thai Government, but upon all governments that the United States considers the interdiction of narcotics traffic, and thereby the protection of our young people from heroin, to be our most important priority. I hope and trust that this message will be heard and acted upon by the Thais, and that the President will soon be able to resume the aid programs based on positive action by the nation.

Mr. MURPHY of Illinois. Mr. Chairman, I rise to voice my support for the provision of the Foreign Assistance Act to cut off foreign aid to the Government of Thailand until it is ready to cooperate with us in ending the illegal growing and shipping of heroin to the United States.

We have heard that it is not in our best interest to stop sending money to Thailand. We have heard that they are an ally and that it would cause a chasm in our friendship. If they were truly our friends, they would do all within their power to stop those who are trading in narcotics. Instead, we receive token gestures such as the burning of 25 tons of opium recently and it remains to be proven that the entire substance destroyed was opium.

Let us not fool ourselves. When our allies are in need of money, food or other assistance, the United States is always there with an open pocketbook. I believe the American people are tired of footing the bill for other countries and not getting any cooperation in return. Foreign aid is a two-way street and we should expect better results from other governments when it is necessary.

Call it foreign assistance, foreign aid, or whatever, the American taxpayers bear the expense. They are tired of their children becoming dope addicts while other countries let the drug trade flourish when it is within their power to stop it. I am totally against other countries becoming rich using the needle-marked arms of our young Americans.

Let me clarify one point: I favor most foreign aid. I believe it is our responsibility to help developing nations as best we can, but I also believe we should expect some cooperation when our country is faced with a problem of this magnitude. And we are not receiving that cooperation from Thailand.

I believe the American people are tired of reading day after day how we are in the midst of a drug crisis, a drug menace or whatever you want to call it, and we are seemingly powerless to do anything to stop it.

It is time we act. We know that opium is grown and refined in Thailand, we know it is shipped from there and we know the Thai Government has done little to prevent it whether intentionally or not. We must demonstrate that America and its citizens are bewildered over the lack of cooperation we are receiving. We must not allow a generation of misery to grow up while others profit from financial aid. The American people will not stand for that kind of action from the Congress.

It should be noted that this amendment gives the President the discretion to give or withhold the funds as he sees fit. But it is, in fact, an expression that the Congress won't sit idly by as long as narcotics represent a major business in other countries.

Let us therefore pass this amendment unanimously and initiate what could become the first of many serious efforts to urge other countries to cease drug trafficking before it is too late.

Mr. FRENZEL. Mr. Chairman, I rise in support of the Foreign Assistance Act of 1972. I should like to pay special tribute to the committee for putting into the bill a prohibition against giving aid to Thailand until that country makes substantial, effective action to prevent its opium products from reaching foreign shores, including ours.

The fact that Thai opium products are produced on a large scale and find their way into our country is no secret. On Friday, July 28, on NBC, the television public of this country viewed one of many heavy-guarded mule caravans of opium moving through the Thai countryside. On July 24, the New York Times cited a February 1972 confidential report of the Cabinet Committee on International Narcotics Control concerning air and sea smuggling. The report was prepared in cooperation with the State Department and CIA. It is stated that there is apparently no way to stop opium traffic due to "corruption, collusion, and difference" of many government officials involved, notably the Thais.

Therefore, Mr. Chairman, I am pleased to support strongly this provision in the committee bill. In addition to other members of the committee, I would personally applaud the efforts of Congressmen STEELE of Connecticut and WOLFF of New York. These men have led the fight to keep drug poisons out of our country.

Mr. SIKES. Mr. Chairman, I am certain everyone in the House wants an end to the war in Vietnam. The supporters of the end-the-war section of the bill are not alone in their desire for peace. They are not alone in the desire to have our prisoners released and a full accounting made for those missing in action. But those who seek approval of the language in the bill are unable to show the slightest evidence that their procedure will accomplish an end to the war and a return of American POW–MIA's. The Communists have never agreed to anything. They hope to achieve an American surrender. The things that have been said on Capitol Hill have kept that hope alive.

The Communists have not said they will return our POW–MIA's if we stop the fighting. They have not promised to return them even if we withdraw all American forces at a date certain. If past experience is an indication of things to come, we must assume that, once they gain the objectives proposed in this bill, they will simply raise the price for a return of POW–MIA's. I don't know what the new price would be. They have learned that their American prisoners possess a very high value as hostages. They are sufficiently inhuman to try to extract the very last measure of tribute—the last possible ounce of flesh for their return. The language of the bill will serve only to give new hope to the North Vietnamese and to encourage them to continue the fight.

Now let us look at the other side of the picture. Those who oppose end-the-war resolutions at a date certain—and American surrender in Indochina—see a shaping of events which can mean an end to the war within the months ahead.

The North Vietnamese have made it clear that they want to talk. Secret talks, the only kind that offer hope or progress, are again underway. For the first time, the North Vietnamese homeland is being made to feel in some measure the pressures they have brought to bear on the South Vietnamese. There has been no brutal invasion, but there has been a throttling of supply lines which make effective fighting possible. The North Vietnamese are now being told through leaflets and radio exactly what is happening to their sons and fathers at the fighting fronts and they are being told about the objectives of their own leaders. They are uncertain and uneasy. They see the destruction of military installations and munitions plants. They hear the bombs bursting. They know now it is a two-sided war, even though we have not warred on civilians.

Their ports are bottled up, their railways are cut, 50,000 and more of their young men will never come home again as result of the latest onslaught into South Vietnam. At least as many more will come home crippled if they get there at all. North Vietnam is feeling the pinch of war. At long last they have learned that America is not a paper tiger.

Through all of this there has been an open and generous invitation to end the war on terms that are highly advantageous to North Vietnam. All they have to do is to stop the fighting, agree to meaningful negotiations and return our POW–MIA's. They will be left holding a very substantial part of Indochina and Laos and Thailand and even South Vietnam while the negotiations are in progress. You and I know they probably will never agree to give up an inch of this captured territory, but the fighting would be stopped and South Vietnam would have its opportunity to continue to gain strength under its own chosen government. Anything further than that is outright surrender. You cannot change this with fancy language or pious hopes. Anything further means turning South Vietnam over to North Vietnam for butchery and persecution. That is what the war is all about. That is what the Communists have been fighting for. Do not make a mockery out of the services and sacrifices of every American who served in Vietnam. The language of this section is a cruel hoax on the American people.

Mr. COLLINS of Texas. Mr. Chairman, as my distinguished colleagues may recall, I introduced the original bill from which section 503 of the Military Procurement Act ultimately followed. It enabled us to restore our trade in chrome with Rhodesia and end the Russian monopoly on this critical material.

The vote at that time was 250 to 100. The House felt that continuation of the sanctions against Rhodesia as far as chrome ore was concerned amounted to an intolerable compromise of our national security, Mr. Chairman, our national security is still the issue. As long as we spend billions on maintaining defense parity with the Russians we cannot possibly afford to put ourselves in a position of reliance on Russia as our chief supplier of chrome.

Chrome is essential to the production of stainless steel and, therefore, utilized in almost every kind of defensive weapon from rifles to jet airplanes to missiles. We have long recognized its strategic military value. In fact, in 1939, when Congress anticipated the need to stockpile certain critical resources, chrome was the first on the list.

We have not mined chrome ore in this country since 1961. We are totally dependent on imports. And yet, the U.S. chrome consumption each year is one-quarter of the world's production of 5,635,000 tons.

It is not surprising that the Russians jumped in to fill the vacuum left when Rhodesian imports were cut off by the U.N. sanctions of 1967. Rhodesia is the source of over 65 percent of the world's supply of chrome. With Rhodesia out of the way there was no competitive factor in the world chrome market. Between 1967 and 1972, we were forced to rely on Russia for 60 percent of our yearly chrome requirements. The Russians took full advantage of their monopoly position. Our cost price for Russian chrome zoomed from $31 a ton in 1965, to $75 a ton in 1971.

With the enactment of section 503 and the lifting of the sanctions against Rhodesian chrome in January of this year we have seen a tremendous turndown in the price of Russian chrome. The Russians have recognized that their artificial monopoly is over and have dropped their price 35 percent to bring themselves in line with realistic market conditions.

Mr. Chairman, the Russians have made tremendous profits in the past few years at the expense of American consumers and American National Security. We were placed in this situation because the United Nations Security Council has ruled that the small country of Rhodesia is a threat to world peace. This is the same U.N. Security Council that refuses to discuss Vietnam and does not recognize that a crisis situation exists in Vietnam at all. If we fail today to eliminate section 14 from the Foreign Assistance Act, it will once again be the U.N. Security Council and not the Congress of the United States which determines American security policy.

Mr. BUCHANAN. Mr. Chairman, I urge the passage of this legislation.

Earlier in debate, questions were raised implying the President had not delivered on his promise to lead this Nation to peace and that he had no effective plan which would result in an end to our involvement in the Vietnam conflict.

The opposite is, in fact, the case. Mr. Nixon has a plan in progress which gives real hope for an honorable peace in Indochina and a generation of world peace in our time.

When he came into office, more than 550,000 Americans were committed to a shooting war in Vietnam with no clear plan in progress either to win that conflict or to extract them from it.

His Vietnamization and phased withdrawal program now has reduced that number to less than 50,000 with none but air forces engaged in a combat responsibility and even those engaged because of a new invasion and incursion by the North Vietnamese.

It is my conviction this House has rendered a service to our country by voting to strengthen his hand in this plan for peace in Indochina a few minutes ago.

The President also has a plan in progress for a generation of peace. Essential to it is the substitution of military and economic assistance to nations to whom we have commitments or which we deem vital to our national security for the kind of combat involvement of American forces as has been the case in Korea and Vietnam.

This, coupled with the new communication with Red China and a changing relationship to the Soviet Union, forms a valid basis for hope that we can achieve with his leadership the generation of peace for which he strives.

As a part of this strategy for peace, this legislation deserves the support of the Congress. I have come to a conviction of the importance of foreign aid generally in promoting U.S. foreign-policy interests in a large and vital area of the world. As you know, the developing countries contain fully two-thirds of the world's population. The most deep-felt need in most of these countries is economic development. They work hard at it and they devote a good deal of their resources to it. On the average, 80 percent of the investment outlays in the developing countries come from their own resources. There is no doubt that, if the United States were to disassociate

itself with this effort by terminating the aid program, our relations with the underdeveloped world would suffer considerable damage.

Our interests go beyond this, however. We stand to benefit directly from whatever success is achieved by these countries. To the extent that they are able to strengthen their economies and raise their standards of living, they will be in a better position to adopt sound and pragmatic policies in the international sphere and, also, maintain political stability at home. While this will not guarantee that these countries will always act in our interest or that political disruptions will not occur periodically in that part of the world, there is no doubt that in the absence of economic development in these countries political stability cannot be maintained.

I think it is important to note here that the U.S. effort to assist the developing countries is not a unilateral one. In the last decade the U.S. share of total foreign assistance to these countries has dropped from about 60 percent in the early 1960's to 43 percent in 1970. During this same period the percentage of our GNP that we devote to foreign assistance has dropped from 0.6 percent to 0.3 percent which ranks the United States 12th among the 16 major aid donors in aid disbursements relative to GNP. In other words, although the United States has the largest per capita GNP in the world, there are 11 other countries that devote a greater share of their GNP to foreign assistance than we do. The issues of whether or not we could do more can be argued but it is obvious that we are not alone in our efforts to assist the poor countries of the world.

The part of our aid programs with which we are concerned today is security assistance. This covers military credit sales, grant military assistance, and economic supporting assistance. The bulk of our credit sales goes to Israel to help maintain a military balance in that part of the world. The largest recipients of our grant military assistance are Korea and Cambodia. Our program in Korea is directed at troop modernization and will advance the time when we will be able to terminate our large-scale military presence in that country. In Cambodia, our assistance provides the necessary weapons and logistics for that country to defend itself against continuing aggression from North Vietnam.

Ninety percent of our security supporting assistance is for Southeast Asia: Vietnam, Cambodia, Laos, and Thailand. These countries are spending large amounts of resources for defense against external threats and insurgency. Our assistance enables them to continue their efforts while maintaining a minimum level of economic stability and growth.

The security assistance program is one of the most important instruments of U.S. national security policy. At a time when the United States is altering its role abroad, security assistance provides the incremental resources to bolster the self-defense capabilities of friends and allies. As President Nixon has pointed out, our assistance provides the foundation that permits these nations to "define the nature of their security and determine the path of their own progress." In short, security assistance is the means by which the United States expects to move allied and friendly nations toward increasing self-reliance.

Mr. WILLIAM D. FORD. Mr. Chairman, I want to express my support of section 13 of the Foreign Assistance Act. The provisions of this section call for a termination of all U.S. military involvement in Indochina by October 1, 1972, subject only to the release of all prisoners of war, an accounting of all servicemen missing in action, and a cease-fire between the United States, North Vietnam, and its allies.

I have supported every effort that has been put forth on the floor of the House of Representatives to bring about an end to the war and I strongly urge my colleagues to approve this effort today.

I believe these provisions set forth reasonable and responsible conditions for American withdrawal. The conditions will not impair any current negotiations because the ultimate responsibility for determining how the conditions are to be met still rests with the President. Furthermore, these provisions will not increase the risks to American troops because they include adequate safeguards in the event of North Vietnamese violations of any agreement.

However, for far too many years, Congress has acquiesced to threats from the White House that any attempts by Congress to set conditions for troop withdrawal would jeopardize peace negotiations. And for too long, we have been deluded by the administration's false promises that an end to the war is just within reach.

Today, once again, Congress has been called upon to exercise its constitutional powers in an effort to redirect the course of our policies in Southeast Asia. For 4 years, the American people have waited for the unveiling of President Nixon's "secret" plan to end the war, and for 4 years all we have seen is an expansion of the war into surrounding countries, an escalation of bombing, the mining of the harbors of North Vietnam, and an ever-mounting drain on the human and material resources of our country.

It seems unbelievable to me that after 4 years—and after the majority of Americans have overwhelmingly expressed their desire to get out of Vietnam—we are still continuing to debate this issue in Congress while the death and destruction goes on in Southeast Asia.

The length, cost, and horrors of this war are almost incomprehensible. The war has killed 56,000 Americans, 700,000 Vietnamese; 300,000 Americans have been disabled or wounded; 6 million Vietnamese have been made refugees; 1,600 prisoners of war or missing in action have not been returned or accounted for; and the expenditure of over $135 billion has distorted our national priorities and depressed our economy.

Furthermore, the country which we have been fighting to "save" has been the victim of incredible devastation to its land and people, and our own country has suffered beyond measure from the divisiveness within our society and from the people's increasing sense of distrust of the Government as a result of the continuation of the war.

It should be quite apparent to all of us that whatever commitment we had to South Vietnam has now been more than fulfilled. At the end of this year, we will have spent more than $20 billion to arm South Vietnam and to train the South Vietnamese army, which now numbers close to 1 million men. It is time that South Vietnam be allowed to determine its own political future; and it is time for the United States to redirect its resources to meet our responsibilities here at home and to face the challenges of a new era of world peace.

Mr. MITCHELL. Mr. Chairman, how does a nation live up to its potential for greatness? It does so by reaching back into its history and extracting therefrom the finest and the best principles and applying these to its present and future course of action. As we debate the committee report—Foreign Assistance Act of 1972, we in this House have an opportunity to reach into the past and apply principles derived from integrity, and decency and justice, and compassion to our present and future course in international relations.

To vote down the end the war provision would be violative of all that is just and decent and compassionate. There have been too many deaths in this unwanted war. Too many have been physically and psychologically maimed to the point that they may never again function as whole people in their respective societies. Too many of us have been duped by vague, politically expedient promises to end the war in Southeast Asia some day. But the killing goes on day after day, week after week, year after year. Too many, who were formerly anguished by frustration have been lulled into silence by the promise that "we are winding down the war." But the killing and maiming and dying goes on, day after day, week after week, year after year.

My colleagues, human life—all human life is precious. When shall we stop the insanity of the war in Indochina? The answer is "perhaps never" unless—unless this body finds within itself today the capacity for greatness. Unless this House finds today its capacity for integrity, decency, justice and compassion. Let us now act. Let us now set a date certain to end the war. Let us here today provide an answer to the question hundreds of thousands of people are now asking, "why did you let the madness continue?" If indeed we act today, we can answer that question not only for this generation but for future generations. If we act then, we can respond to the question by saying, "we saw the madness and we stopped it—we saw the destruction and we ended it—we witnessed the tragedy but we caught the vision of hope for peace."

How does a nation live up to its potential for greatness? There are many ways but there is one sure way to deny that potential. That is to maintain economic and political ties with those nations of the world who continue to act out 18th

and 19th century white supremacy, imperialist roles in these, the closing years of the 20th century. To jeopardize the Azores provision in this report would mean that this House has given open, unqualified support to the racist nation of Portugal. Similarly, if we change the provisions of section 14—the Rhodesian chrome problem—we indicate that this House gives open and unqualified support to the racist nation of Portugal.

Only because of a state of virtual slavery existing in Zimbabwe did the United Nations apply economic sanctions on the Ian Smith regime. Until September of last year the only countries to break that embargo were South Africa and Portugal. But this was to be expected, because a minority dictatorship exists in South Africa and because minority rule is maintained over the Portuguese colonies of Angola, Mozambique, and Guinea-Bissau. It was expected because Portugal and South Africa are fraternal brothers with Rhodesia. The three of them are the symbols throughout the world of white supremacy and black subjugation.

But in September of last year the Senate of the United States acted in such a way that it brought the eyes of all of black America and freedom loving people across the world upon it. Our Senate passed the controversial Byrd amendment, which in effect permitted the United States to import chrome from Rhodesia and thereby reverse its previous stance of strict adherence to the United Nations sanctions. With the passage of the Byrd amendment, the United States joined Portugal and South Africa as international outlaws. It was made clear to us in the Congress that this policy change reflected the majority sentiments of the Senate when a negating amendment introduced by the Senator from Wyoming (Mr. McGEE) was voted down in May.

Black people around the world gave pause then to consider the rationale behind these actions. No black man in this small world can consider himself free while a black man anywhere is kept in chains simply because of the color of his skin. Whenever the U.S. Government willfully and with a total absence of concern for the human suffering involved enters into collusion with a racist government that oppresses people solely because their skins are black, then we in the black community of America can never be safe.

Throughout the reign of madness in the Senate during the making of this racist foreign policy, one voice in particular rose in unison with black America. That voice was the voice of labor.

The president of the United Steelworkers of America unequivocally stated his union's opposition to the Byrd amendment. The AFL–CIO went on record as having strong reservations about such a policy.

But the crucial rejection came from the workers whose responsibility it is to unload the cargoes, the International Longshoremen's Association. Their president, Thomas Gleason, made clear the dockworkers position in the strongest of language:

We of the American trade union movement are committed to freedom and democracy of all peoples in our countries . . . we will continue to enforce the United Nations sanctions.

How does a nation live up to its potential for greatness?

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, 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. 16029) to amend the Foreign Assistance Act of 1961, and for other purposes, pursuant to House Resolution 1082, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were 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.

MOTION TO RECOMMIT OFFERED BY MR. WHALLEY

Mr. WHALLEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. WHALLEY. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. WHALLEY moves to recommit the bill H.R. 16029 to the Committee on Foreign Affairs.

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

There was no objection.

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

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 221, nays 172, not voting 39, as follows:

[Roll No. 318]

YEAS—221

Abzug
Addabbo
Alexander
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Badillo
Barrett
Bell
Betts
Biaggi
Biester
Bingham
Blackburn
Boggs
Boland
Bolling
Bow
Brasco
Bray
Brooks
Broomfield
Brotzman
Brown, Mich.
Buchanan
Burke, Mass.
Byrne, Pa.
Byrnes, Wis.
Caffery
Carey, N.Y.
Carlson
Carney
Cederberg
Celler
Chappell
Clancy
Clark
Conable
Conover
Conte
Corman
Coughlin
Culver
Daniels, N.J.
Danielson
Davis, Wis.
Dellenback
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dow
Drinan
du Pont
Dwyer
Eilberg
Erlenborn
Esch
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Frelinghuysen
Frenzel
Frey
Fulton
Garmatz
Gaydos
Giaimo
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Gubser
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Harrington
Harsha
Harvey
Hathaway
Hays
Heckler, Mass.
Heinz
Helstoski
Hicks, Mass.
Hicks, Wash.
Hillis
Hogan
Holifield
Horton
Howard
Johnson, Calif.
Jonas
Jones, Ala.
Karth
Kazen
Keating
Kee
Kemp
King
Koch
Kuykendall
Kyl
Kyros
Latta
Leggett
Lent
Lloyd
Long, Md.
McClory
McCloskey
McCollister
McDade
McEwen
McFall
McKay
McKevitt
Madden
Mahon
Mailliard
Mallary
Mann
Mathias, Calif.
Matsunaga
Mayne
Mikva
Minish
Mink
Mollohan
Monagan
Morgan
Murphy, Ill.
Murphy, N.Y.
Nelsen
Nix
O'Hara
O'Neill
Patman
Patten
Perkins
Peyser
Pickle
Pirnie
Poage
Podell
Preyer, N.C.
Price, Ill.
Pucinski
Purcell
Quie
Railsback
Rees
Reid
Rhodes
Roberts
Robison, N.Y.
Rodino
Roe
Rooney, Pa.
Rosenthal
Rostenkowski
Ruppe
Ryan
Sarbanes
Scheuer
Schneebeli
Schwengel
Sebelius
Seiberling
Shriver
Sisk
Smith, Iowa
Smith, N.Y.
Spence
Springer
Stanton, J. William
Steele
Steiger, Wis.
Stratton
Symington
Talcott
Teague, Calif.
Teague, Tex.
Terry
Thompson, N.J.
Udall
Vander Jagt
Vanik
Waldie
Ware
Whalen
White
Widnall
Wiggins
Williams
Wilson, Charles H.
Wolff
Wright
Wydler
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki
Zion

NAYS—172

Abbitt
Abernethy
Abourezk
Adams
Anderson, Calif.
Anderson, Tenn.
Andrews, Ala.
Archer
Ashbrook
Aspin
Baker
Baring
Begich
Belcher
Bennett
Bergland
Bevill
Blanton
Blatnik
Brademas
Brinkley
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Burton
Byron
Cabell
Camp
Carter
Casey, Tex.
Chamberlain
Chisholm
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Collier
Collins, Ill.
Collins, Tex.
Colmer
Conyers
Crane
Daniel, Va.
Davis, S.C.
de la Garza
Delaney
Dellums
Denholm
Diggs
Dorn
Downing
Dulski
Duncan
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eshleman
Evans, Colo.
Evins, Tenn.
Fountain
Fraser
Fuqua
Galifianakis
Gettys
Gibbons
Goldwater
Goodling
Griffin
Gross
Grover
Haley
Hall
Hammer-schmidt
Hansen, Wash.
Hastings
Hawkins
Hechler, W. Va.
Henderson
Hosmer
Hull
Hungate
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Pa.
Jones, N.C.
Jones, Tenn.
Kastenmeier
Landgrebe
Link
Lujan
McClure
Macdonald, Mass.
Martin
Mathis, Ga.
Meeds
Melcher
Michel
Miller, Ohio
Mills, Ark.
Mills, Md.
Minshall
Mitchell
Mizell
Montgomery
Mosher
Moss
Myers
Natcher
Obey
O'Konski
Pettis
Pike
Poff
Powell
Pryor, Ark.
Quillen
Randall
Rangel
Reuss
Riegle
Robinson, Va.
Rogers
Roncalio
Roush
Rousselot
Roy
Roybal
Runnels
Ruth
St Germain
Sandman
Satterfield
Saylor
Scherle
Schmitz
Scott
Shipley

Shoup	Stubblefield	Waggonner
Sikes	Stuckey	Wampler
Skubitz	Sullivan	Whalley
Slack	Taylor	Whitehurst
Smith, Calif.	Thompson, Ga.	Whitten
Staggers	Thomson, Wis.	Winn
Steed	Ullman	Wyatt
Steiger, Ariz.	Van Deerlin	Wylie
Stephens	Veysey	Wyman
Stokes	Vigorito	Zwach

NOT VOTING—39

Cotter	Landrum	Nichols
Curlin	Lennon	Passman
Davis, Ga.	Long, La.	Pelly
Dowdy	McCormack	Pepper
Edmondson	McCulloch	Price, Tex.
Flynt	McDonald, Mich.	Rarick
Gallagher	McKinney	Rooney, N.Y.
Grasso	McMillan	Snyder
Griffiths	Mazzoli	Stanton, James V.
Hagan	Metcalfe	Thone
Hébert	Miller, Calif.	Tiernan
Hunt	Moorhead	Wilson, Bob
Keith	Nedzi	
Kluczynski		

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Lennon against.

Mr. Moorhead for, with Mr. Passman against.

Mrs. Grasso for, with Mr. Rarick against.

Mr. Cotter for, with Mr. Nichols against.

Mr. Price of Texas for, with Mr. Landrum against.

Mr. Tiernan for, with Mr. McMillan against.

Mr. Kluczynski for, with Mr. Snyder against.

Mr. Pepper for, with Mr. Dowdy against.

Until further notice:

Mr. Nedzi with Mr. Hunt.

Mr. Metcalfe with Mr. Miller of California.

Mr. James V. Stanton with Mr. McDonald of Michigan.

Mr. McCormack with Mr. Keith.

Mr. Flynt with Mr. McCulloch.

Mr. Rooney of New York with Mr. McKinney.

Mr. Davis of Georgia with Mr. Thone.

Mrs. Griffiths with Mr. Bob Wilson.

Mr. Mazzoli with Mr. Gallagher.

Mr. Edmondson with Mr. Curlin.

Mr. Hagan with Mr. Pelly.

Messrs. TEAGUE of Texas and THOMPSON of New Jersey changed their votes from "nay" to "yea."

Messrs. CARTER and O'KONSKI changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the Whalen and Bolling amendments and on the bill (H.R. 16029), the Foreign Assistance Act.

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

There was no objection.

CONFERENCE REPORT ON H.R. 15692, DISASTER RELIEF LOANS

Mr. PATMAN submitted the following conference report and statement on the bill (H.R. 15692) to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans:

CONFERENCE REPORT (H. REPT. NO. 92-1332)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15692) to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

That (a) subsection (b) of section 7 of the Small Business Act (15 U.S.C. 636(b)) is amended by striking out the matter following the numbered paragraphs and inserting in lieu thereof the following:

"No loan under this subsection, including renewals, and extensions thereof, may be made for a period or periods exceeding thirty years: *Provided*, That the Administrator may consent to a suspension in the payment of principal and interest charges on, and to an extension in the maturity of, the Federal share of any loan under this subsection for a period not to exceed five years, if (A) the borrower under such loan is a homeowner or a small business concern, (B) the loan was made to enable (i) such homeowner to repair or replace his home, or (ii) such concern to repair or replace plant or equipment which was damaged or destroyed as the result of a disaster meeting the requirements of clause (A) or (B) of paragraph (2) of this subsection, and (C) the Administrator determines such action is necessary to avoid severe financial hardship: *Provided further*, That the provisions of paragraph (1) of subsection (c) of this section shall not be applicable to any such loan having a maturity in excess of twenty years. Notwithstanding the provisions of any other law, and except as otherwise provided in this subsection, the interest rate on the Administration's share of any loan made under this subsection shall not exceed 3 per centum per annum, except that in the case of a loan made pursuant to paragraph (3), (5), (6), or (7), the rate of interest on the Administration's share of such loan shall not be more than the higher of (A) 2¾ per centum per annum; or (B) the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eighth of 1 per centum plus one-quarter of 1 per centum per annum. In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 per centum of the balance of the loan outstanding at the time of disbursement.

"In the administration of the disaster loan program under paragraphs (1), (2), and (4) of this subsection, in the case of property loss or damage or injury resulting from a major disaster as determined by the President or a disaster as determined by the Administrator which occurs on or after January 1, 1971, and prior to July 1, 1973, the Small Business Administration, to the extent such loss or damage or injury is not compensated for by insurance or otherwise—

"(A) may make any loan for repair, rehabilitation, or replacement of property damaged or destroyed without regard to whether the required financial assistance is otherwise available from private sources;

"(B) may, in the case of the total destruction or substantial property damage of a home or business concern, refinance any mortgage or other liens outstanding against the destroyed or damaged property if such property is to be repaired, rehabilitated, or replaced, except that (1) in the case of a business concern, the amount refinanced shall not exceed the amount of the physical loss sustained, and (2) in the case of a home, the amount of each monthly payment of principal and interest on the loan after refinancing under this clause shall be not less than the amount of each such payment made prior to such refinancing;

"(C) may, in the case of a loan made under clause (A) or a mortgage or other lien refinanced under clause (B) in connection with the destruction of, or substantial damage to, property owned and used as a residence by an individual who by reason of retirement, disability, or other similar circumstances relies for support on survivor, disability, or retirement benefits under a pension, insurance, or other program, consent to the suspension of the payments of the principal of that loan, mortgage, or lien during the lifetime of that individual and his spouse for so long as the Administration determines that making such payments would constitute a substantial hardship;

"(D) shall, notwithstanding the provisions of any other law and upon presentation by the applicant of proof of loss or damage or injury and a bona fide estimate of cost of repair, rehabilitation, or replacement cancel the principal of any loan made to cover a loss or damage or injury resulting from such disaster, except that—

"(i) with respect to a loan made in connection with a disaster occurring on or after January 1, 1971 but prior to January 1, 1972, the total amount so canceled shall not exceed $2,500 and the interest on the balance of the loan shall be at a rate of 3 per centum per annum; and

"(ii) with respect to a loan made in connection with a disaster occurring on or after January 1, 1972 but prior to July 1, 1973, the total amount so canceled shall not exceed $5,000, and the interest on the balance of the loan shall be at a rate of 1 per centum per annum.

With respect to any loan referred to in clause (D) which is outstanding on the date of enactment of this paragraph, the Administrator shall—

"(i) make such change in the interest rate on the balance of such loan as is required under that clause effective as of such date of enactment; and

"(ii) in applying the limitation set forth in that clause with respect to the total amount of such loan which may be canceled, consider as part of the amount so canceled any part of such loan which was previously canceled pursuant to section 231 of the Disaster Relief Act of 1970.

"Whoever wrongfully misapplies the proceeds of a loan obtained under this subsection shall be civilly liable to the Administrator in an amount equal to one-and-one-half times the original principal amount of the loan."

(b) The last paragraph of the amendment made by subsection (a) shall apply only with respect to loans made on or after the date of enactment of this Act.

(c) Any person who (1) suffers any loss or damage as a result of a major disaster as determined by the President which occurred prior to the date of enactment of this Act, (2) is eligible for assistance under the amendment made by subsection (a), and (3) is otherwise eligible for benefits greater than those provided by the amendment made by subsection (a), may elect to receive such greater benefits.

SEC. 2. (a) Section 7(b) of the Small Business Act is amended—

(1) by striking out the period at the end of paragraph (6) and inserting in lieu thereof "; and"; and

(2) by inserting after paragraph (6) a new paragraph as follows:

"(7) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to partici-

pate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist, or to refinance the existing indebtedness of, any small business concern directly and seriously affected by the significant reduction of the scope or amount of Federal support for any project as a result of any international agreement limiting the development of strategic arms or the installation of strategic arms or strategic arms facilities, if the Administration determines that such concern is likely to suffer substantial economic injury without assistance under this paragraph.".

(b) Section 4(c) of the Small Business Act (15 U.S.C. 633(c)) is amended—

(1) by inserting "7(b)(7)," immediately after "7(b)(6)," in paragraph (1) thereof; and

(2) by inserting "7(b)(5), 7(b)(6), 7(b)(7)," immediately after "7(b)(4)," in paragraph (2)(A) thereof.

SEC. 3. The President shall conduct a thorough review of existing disaster relief legislation, and not later than January 1, 1973, he shall transmit to the Congress a report containing specific legislative proposals for the comprehensive revision of such legislation in order to—

(1) standardize the amount of benefits available to persons affected by disasters so as to achieve fairness and consistency with regard to the amount of benefits provided to such persons and to preclude the need for separate legislation to aid persons affected by future disasters;

(2) improve the execution of the Government's disaster relief program by eliminating unnecessary administrative procedures and reducing the number of agencies involved in disaster relief or increasing individual agency authority and responsibility; and

(3) prevent the misuse of benefits made available under the program.

SEC. 4. (a) The Congress hereby finds and declares that there has been substantial damage to educational institutions as a result of hurricane and tropical storm Agnes; that disaster relief for public educational institutions is adequately covered by legislation heretofore enacted; that nonprofit private educational institutions are not provided disaster relief benefits comparable to those provided to public educational institutions; that nonprofit private educational institutions have a secular educational mission; that students attending nonprofit private educational institutions that have been damaged or destroyed will have to be provided for in public institutions if the former institutions are not restored; and that these facts compel enactment of special measures designed to provide nonprofit private educational institutions which were victims of this catastrophe with disaster relief benefits comparable to those provided for public educational institutions.

(b) To the extent such loss or damage or destruction is not compensated for by insurance or otherwise, the President may make grants to nonprofit private educational institutions in major disaster areas as designated by the President for the repair, restoration, reconstruction, or replacement of educational facilities, supplies, or equipment which have been lost, damaged, or destroyed as a result of hurricane and tropical storm Agnes, if such facilities, supplies, or equipment were owned on the date of such loss, damage, or destruction by an organization exempt from taxation under section 501 (c), (d), or (e) of the Internal Revenue Code of 1954 and the facilities, supplies, or equipment were being used to carry out the purposes for which such organization was accorded that exemption; except that no grant may be made under this section for the repair, restoration, reconstruction, or replacement of any facility for which disaster relief assistance would not be authorized under Public Law 81-815, title VII of the Higher Education Act of 1965, or the Disaster Relief Act of 1970 if such facility were a public facility.

(c) The amount of a grant made under this section shall not—

(1) exceed 100 per centum of the cost of—

(A) repairing, restoring, reconstructing, or replacing any facility on the basis of the design of such facility as it existed immediately prior to the disaster referred to in subsection (b) and in conformity with applicable codes, specifications, and standards; and

(B) repairing, restoring, or replacing equipment or supplies;

as they existed immediately prior to such disaster;

(2) in the case of any facility which was under construction when damaged or destroyed as a result of such disaster, exceed 50 per centum of the cost of restoring such facility substantially to its condition prior to such disaster, and of completing construction not performed prior to such disaster to the extent that the cost of completing construction is increased over the original construction cost due to changed conditions resulting from such disaster;

(3) be used to pay any part of the cost of facilities, supplies, or equipment which are to be used primarily for sectarian purposes; or

(4) be used to restore or rebuild any facility used or to be used primarily for religious worship; replace, restore, or repair any equipment or supplies used or to be used primarily for religious instruction, or restore or rebuild any facility or furnish any equipment or supplies which are used or to be used primarily in connection with any part of the program of a school or department of divinity.

(d) For the purposes of this section—

(1) the term "educational institution" means any elementary school (as defined by section 801(c) of the Elementary and Secondary Education Act of 1965), any secondary school (as defined by section 801(h) of the Elementary and Secondary Education Act of 1965), and any institution of higher education (as defined by section 1201(a) of the Higher Education Act of 1965); and

(2) the term "school or department of divinity" means a school or department of divinity as defined by section 1201(e) of the Higher Education Act of 1965.

SEC. 5. Subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961-1967), is amended by adding at the end thereof the following new section:

"SEC. 328. (a) Notwithstanding any other provision of law, in the administration of this subtitle and the rural housing loan program under section 502 of title V of the Housing Act of 1949, as amended (42 U.S.C. 1472), in the case of property loss or damage or injury resulting from a major disaster as determined by the President or a natural disaster as determined by the Secretary of Agriculture which occurred after June 30, 1971, and prior to July 1, 1973, the Secretary—

"(1) to the extent such loss or damage or injury is not compensated for by insurance or otherwise, (A) shall cancel the principal of the loan, except that the total amount so canceled shall not exceed the greater of (i) 50 per centum of the original principal amount of such loan but not more than $5,000, or (ii) the per centum that would be canceled of a loan of the same size by the Small Business Administration under section 7(b) of the Small Business Act, as amended (15 U.S.C. 636(b)), and (B) may defer interest payments or principal payments, or both, in whole or in part, on any loan made under this section during the first three years of the term of the loan, except that any such deferred payments shall bear interest at a rate per annum to be determined by the Secretary of the Treasury under section 234 of the Disaster Relief Act of 1970 (42 U.S.C. 4453), or that established by the Small Business Administration under section 7(b) of the Small Business Act, as amended (15 U.S.C. 636(b)), whichever is lower: *Provided*, That no one borrower shall be eligible to receive more than one such cancellation for any single disaster.

"(2) to the extent such loss or damage or injury is not compensated for by insurance or otherwise, may grant any loan for repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required loan is otherwise available from private sources: *Provided*, That in the case of any loan for refinancing, either under clause (3) of this subsection or under section 322 of this subtitle, require the borrowers to demonstrate that they are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time.

"(3) may, in the case of the total destruction or substantial property damage of homes or farm service buildings and related structures and equipment, refinance any mortgage or other lien outstanding against the destroyed or damaged property if such property is to be repaired, rehabilitated, or replaced, except that the amount refinanced shall not exceed the amount of the physical loss sustained. Any such refinancing shall be subject to the provisions of clauses (1) and (2) of this subsection.

"(4) shall require the recipient of any emergency loan made under this section to execute the agreement to refinance required by section 333(c) of this title: *Provided*, That any such loan shall be reviewed at not less than two-year intervals to determine if the agreement to refinance shall become applicable.

"(b) Notwithstanding any other provision of law, the provisions of subsection (a) of this section shall also apply to the administration of the programs referred to in such subsection in the case of any property loss or damage or injury, including loss or damage to agricultural crops, resulting from flood or excessive prolonged rain, drought, or other natural disaster occurring after June 30, 1971, and prior to July 1, 1973, in any area determined by the President to be a major disaster area or in any area determined by the Secretary of Agriculture to have suffered a natural disaster during such period.

"(c) Any loan made under this section shall not exceed the current cost of repairing or replacing the disaster loss or damage or injury in conformity with current codes and specifications. Any loan made under this section shall bear interest at a rate per annum to be determined by the Secretary of the Treasury under section 234 of the Disaster Relief Act of 1970 (42 U.S.C. 4453), or that established by the Small Business Administration under section 7(b) of the Small Business Act, as amended (15 U.S.C. 636(b)), whichever is lower.

"(d) In the administration of any Federal disaster loan program under the authority of this section, the age of any adult loan applicant shall not be considered in determining whether such loan should be made or the amount of such loan.

"(e) The benefits provided under this section shall be applicable to all loans qualifying hereunder, whether approved before or after the date of enactment of this section.

"(f) The President shall conduct a

thorough review of existing disaster relief legislation as it relates to emergency loans and housing loans administered by the Farmers Home Administration of the United States Department of Agriculture, and not later than January 31, 1973, he shall transmit to the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report containing specific legislative proposals for the comprehensive revision of such legislation in order to—

"(1) adjust the benefits and the coverage available to persons affected by disasters;

"(2) improve the execution of the program by simplifying and eliminating unnecessary administrative procedures; and

"(3) prevent the misuse of benefits made available under the program."

SEC. 6. Section 231 of the Disaster Relief Act of 1970 is amended by—

(1) inserting "(a)" after "Sec. 231."; and

(2) adding at the end of such section the following new subsection:

"(b) Loans to which this section applies may also be made for the purpose of providing small business concerns with working capital, the payment of operating expenses, and any purpose for which loans may be made under section 7(a) of the Small Business Act (15 U.S.C. 636(a))."

And the Senate agree to the same.

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

WRIGHT PATMAN,
WM. BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
WILLIAM S. MOORHEAD,
ROBERT G. STEPHENS, Jr.,
WILLIAM B. WIDNALL,
ALBERT W. JOHNSON,
J. WILLIAM STANTON,
C. P. WYLIE,
Managers on the Part of the House.

HARRISON WILLIAMS,
T. J. MCINTYRE,
WALTER F. MONDALE,
ALAN CRANSTON,
JOHN TOWER,
ROBERT TAFT, Jr.,
W. V. ROTH, Jr.,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15692) to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

RETROACTIVITY, FORGIVENESS, AND INTEREST RATE

The Senate receded to the House with an amendment concerning the retroactivity, foregiveness, and interest rate features contained in H.R. 15692. The provisions agreed to in conference provide for the following:

(A) For Presidentially declared and Small Business Administration declared disasters occurring during calendar year 1971 disaster loans would have a foregiveness feature not to exceed $2,500, and the remaining balance of the loan would carry an interest rate of 3%.

(B) For the period January 1, 1972, to July 1, 1973, the two categories of disaster loans referred to in paragraph (A) would be made with a forgiveness feature not to exceed $5,000, and the remaining balance of the loan would carry an interest rate of 1%.

Where the interest rate is higher under existing law than that agreed to by the Conference Committee, the loans will be refinanced at the new lower rate. The new rate will apply to the balance on the loan outstanding on the date of enactment of this Act.

In addition, the requirement in the Disaster Relief Act of 1970 that the borrower must pay the first $500 of a loan before he can receive any forgiveness has been removed retroactively to January 1, 1971.

CUTOFF DATE

The House receded to the Senate amendment which provided for an expiration date of July 1, 1973, and directed the President to study all disaster programs and submit legislative recommendations to the Congress by January 1, 1973.

It was unanimously agreed by the conferees of both Houses that no application for disaster assistance should be accepted by the Small Business Administration after six months from the date of the declaration of disaster, except that the six-month period could be extended upon a determination by the Administrator of the Small Business Administration of hardship or other valid reasons.

FARMERS HOME ADMINISTRATION

The House receded to the Senate amendment dealing with loans made by the Farmers Home Administration in connection with either Presidentially declared disasters or disasters declared by the Secretary of Agriculture. The interest rate on disaster loans declared by the Farmers Home Administration will be the rate determined by the Secretary of the Treasury under the Disaster Relief Act of 1970 or the rate established by the Small Business Administration, whichever is lower. With regard to forgiveness of Farmers Home Administration loans, the forgiveness is limited to 50% of the original principal amount of the loan but not to exceed $5,000, or the per centum that would be cancelled by the Small Business Administration under this Act. With regard to retroactivity for Farmers Home Administration disaster loans, the Senate amendment agreed to by the House provides that the new law shall apply to disasters occurring between June 30, 1971, and July 1, 1973.

FLOOD INSURANCE

The Senate amendment to the House bill contained a provision requiring all borrowers to obtain Federal flood insurance, if available, during the life of the disaster loan. The House-passed bill contained no provision. The Senate receded to the House position.

ELECTION OF BENEFITS

The Senate amendment contained a technical provision which provides that a person entitled to greater disaster benefits under other laws may elect to obtain those benefits. The House-passed bill contained no similar provision, and the House receded to the Senate position.

AID TO ASSIST IN COMPLYING WITH NEW LEGAL REQUIREMENTS

The Senate amendment contained a provision which would allow the Small Business Administration to make loans to small businesses which incur certain expenses as a result of the need to comply with new Federal or State law. Such loans would be made at interest rates based on the cost of money to the Federal government and there would be no limitation on the amount of the principal of the loan. The House had no similar provision, and the Senate receded to the House position.

STRATEGIC ARMS LIMITATION BUSINESS LOSS LOANS

The Senate amendment contained a provision which would allow the Small Business Administration to make small business economic loans to small businesses adversely affected by international agreements limiting the development of strategic arms. The House had no similar provision. The House receded to the Senate position.

GRANTS TO NONPROFIT PRIVATE SCHOOLS

The Senate amendment contained a provision which would allow the President to make grants to non-profit private educational institutions in areas declared a major disaster by the President in connection with hurricane and tropical storm Agnes. The House language contained no similar provision. The House receded to the Senate position.

In addition, the Senate amendment contained a provision which provided that funds appropriated to the President for "Disaster Relief" were to be made available for carrying out the program of assistance to schools. The House had no similar provision. The Senate receded to the House position.

KINDS OF DISASTERS TO WHICH BENEFITS APPLIED

The House bill made assistance available for Presidentially declared disasters and to disasters in non-Presidentially declared areas that arose from the same Presidentially declared disasters. In addition the House bill provided separate benefits for disasters declared by the Small Business Administration.

The Senate amendment would make assistance available for Presidentially declared disasters and disasters declared by the Administrator of the Small Business Administration and disasters declared by the Secretary of Agriculture. The House receded to the Senate position.

REFINANCING OF HOME MORTGAGES

The House bill contained a provision that would allow the refinancing of home mortgages, but would limit such refinancing to the amount of the actual loss sustained from the disaster. The Senate provision provided that home loans could be refinanced including up to 100% of the outstanding amount of the original mortgage but in no case could the monthly mortgage payment be less than the monthly payment on the mortgage prior to the refinancing. The House receded to the Senate position.

SUSPENSION OF PAYMENT FOR DISABLED OR RETIRED PERSONS

The Senate bill contained a provision allowing the Administrator of the Small Business Administration to suspend for the lifetime of the borrower repayment of principal on home loans if the borrower is retired or disabled and is supported by disability or pension insurance, provided that the Administrator feels that payment of the mortgage would work hardship on the borrower. The borrower would still be required to make interest payments. The House had no similar provision. The House receded to the Senate position.

DISASTER LOANS FOR WORKING CAPITAL

The Senate amendment contained a provision that would allow disaster loans for working capital as well as for repairing, rebuilding, or refinancing. The House had no similar provision. The House receded to the Senate provision with an amendment making it clear that working capital loans would be available to only small businesses as defined by the Small Business Administrator and only for operating expenses and working capital losses resulting from the disaster.

TITLE

The Senate title provides as follows: "An Act to authorize for a limited period additional loan assistance under the Small Business Act for disaster victims, to provide a study and report to the Congress by the President setting forth recommendations for a comprehensive revision of disaster relief

legislation and for other purposes." The House receded to the Senate title.

WRIGHT PATMAN,
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Managers on the Part of the Senate.

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I have requested this time for the purpose of asking the distinguished majority leader the program for the remainder of this week, if any, and the schedule for next week.

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

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

Mr. BOGGS. In response to my friend, the distinguished minority leader, we have completed the program for this week, and I shall ask unanimous consent to go over until Monday shortly.

The program for next week is as follows:

Monday is District day but there are no bills.

There are nine suspension bills that were previously scheduled, and they are as follows:

H.R. 6618. Gunboat *Cairo* Restoration;

H.R. 15922. Railroad Retirement Act Administration;

H.R. 12383. Mailing of drugs for analysis;

S. 2956. War powers;

S. 596. International agreements; transmittal to the Congress within 60 days;

H.R. 13792. Use of Government production equipment;

H.R. 15577. International bridges construction;

H.J. Res. 1257. International Agency for Research on Cancer; and

H.J. Res. 1211. South Pacific Commission.

After the consideration of these bills, there is for the consideration of the House, H.R. 13694, American Revolution Bicentennial Commission. We hope to conclude consideration of that measure on Monday.

For Tuesday, there will be the call of the Private Calendar, followed by the following bills:

H.R. 16254. Disaster relief supplemental appropriations;

H.J. Res. 1278. Continuing appropriations, fiscal year 1973;

H.R. 15375. Motor Vehicle Safety Act with an open rule and 1 hour of debate; and

S. 3824. Public Broadcasting Corporation authorization, with an open rule and 1 hour of debate.

For Wednesday, H.R. 16071, Public Works and Economic Development Act, subject to a rule being granted.

H.J. Res. 1227. SALT Interim Agreement subject to a rule being granted; and H.R. 15003, consumer product safety subject to a rule being granted.

For Thursday and the balance of the week, there is for the consideration of the House, H.R. 13915, the Equal Education Opportunity Act, open rule, with 2 hours of debate.

There are a great many conference reports which will be considered next week from the various committees, including the Committee on Appropriations.

It is quite certain that there will be a session on Friday.

I would like to put the Members on notice as to that fact.

After the conclusion of business on Friday, we will go over until September 5.

Of course, Mr. Speaker, conference reports may be brought up at any time, and any further program will be announced later.

Mr. GERALD R. FORD. Would the gentleman from Louisiana like to make an observation with reference to the reception of the U.S. Olympic Team?

Mr. BOGGS. Mr. Speaker, if the gentleman will yield further; yes, I shall be glad to do so, but I have to get permission in order to do that.

RECEPTION OF U.S. OLYMPIC TEAM

Mr. Speaker, I ask unanimous consent that it may be in order on any day next week for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in this Chamber representatives of the U.S. Olympic Team.

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

ADJOURNMENT OVER TO MONDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week may be dispensed with.

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

There was no objection.

PERSONAL EXPLANATION

Mr. FOLEY. Mr. Speaker, I was unavoidably absent on teller vote 317. Had I been present, I would have voted "no."

TO CREATE A NATIONAL PRIMARY SYSTEM

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

Mr. BLANTON. Mr. Speaker, on June 8 of this year I introduced H.R. 15395, the Presidential Elections Act, a bill to abolish the electoral college and create a national primary system. This bill was referred to the Committee on House Administration and as of yet, no action has been scheduled.

Although this legislation has many strong points, I would like to mention just two. The bill mandates a 40-percent plurality for both the national primary and the general election in order to achieve a victory. I consider this requirement essential to the success of any national primary legislation.

Second, in what I think is one of the most needed aspects of the legislation, the bill places a restriction on candidate advertising before 30 days prior to the primary and 45 days prior to the general election. My bill is the only piece of legislation to contain such a provision.

Mr. Speaker, I am disturbed that no action has been taken on this legislation. A recent Gallup poll showed that 72 percent of the voting public preferred a national primary, while only 18 percent opposed it. I think that there is a depth of wisdom in the feelings of grassroots America that is all too often ignored.

It is no wonder that the voters prefer a change as presidential primaries continue to proliferate. This year we set a new record with 23 presidential primaries. I fear that within the next 4 years we will see that record broken again as more States seek nationwide recognition.

I think that all voters should have a say in the choice of a party nominee. It is true of course that under our present system the public can work through the local party machinery on behalf of a candidate. In theory this sounds like the epitome of participatory democracy, but in practice we all know that the few who know the system and have the time to devote to it are the ones who control the proceedings. I do not think that any man or woman should be penalized just because they do not have the time or because they may be unfamiliar with party mechanics. Our Founding Fathers never intended this democracy to be for the elite few and it is time that we made it easier for every American to exercise his right not only to vote for President, but also to choose the party nominee.

Mr. Speaker, I feel that this bill, along with the recently enacted campaign spending legislation, is a step toward true electoral reform. The time to act on this bill is now, not when the crush of the next presidential race is upon us. We owe this to the American people. They have waited too long already for meaningful reform. Let us not deny them again.

THE PLAN TO ABOLISH FARM PROGRAMS

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

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

Mr. ABOUREZK. Mr. Speaker, on June 16 of this year I chaired the regional hearings of the Democratic Platform Committee on Farming and Rural Life in Sioux City, Iowa. During the new hearings, I was shocked by the disclosure of a study, "New Directions for U.S. Agricultural Policy," which had been circulating within the U.S. Department of Agriculture. It was prepared by a Young Executive Committee originally established by Secretary Hardin and maintained by Secretary Butz.

That study was shocking because it proposed an end to all farm price support programs and recommended that farm policy disregard the incomes of farmers as a policymaking criterion. Under this study, policy should only concern itself with assuring adequate production to meet domestic and export needs.

The Honorable JOHN MELCHER of Montana, placed this study in the CONGRESSIONAL RECORD on June 21. I am sure that he fully understands the implications of these policy recommendations by the Young Executives and hope that this study will become the object of careful scrutiny.

Since July 16, I have looked this study over very carefully and have tried to learn as much about it as I could. Frankly, what I have found out is not very comforting.

To begin with, there is the background of the group making up the membership of the "Young Executives." I have not been able to track down the background of each member, but what I have found is revealing.

For example, William L. Ruble, the representative of the ASCS—the farm program agency—is a Ph. D. mathematician specializing in computers. He has been with the USDA for about 3 years and came to that agency specifically to spearhead evaluations of ASCS activities with the idea of designing a central computer system to handle the agency's business and recordkeeping.

He was somewhat involved in a similar job for the Navy in regard to their central personnel records computer. His background in agriculture is spotty at best, although I would hope that he learned something about farms in the past 3 years.

Jerome A. Miles of the Office of Budget and Finance was also with ASCS for a while as a management analyst. His task, however, was to analyze operations with the objective of improving the efficiency of paperhandling. He had nothing to do with program policy. He, too, is expert in computers.

Clarence R. Hanna represents the Office of Information Systems. This is a whole new department set up to supervise computer operations. Odds are that he is also a computer man.

We have then a group staffed with people who may know a whole lot about computers and modern computer technology. But I can not help but wonder what they know about farmers and farming.

I note that when this report first became public, the USDA tried to dismiss it as having "no official status" and being "developed independently" by the Young Executives. However, I would point out that this committee was set up by an official, numbered Secretary's memorandum. It cannot be considered a simple study group.

Its recommendations will be given the most serious consideration within the Department and at the very least seem to reflect the thoughts of the new, young leadership brought into the Department under the present administration.

The committee did, I understand, try to broaden its knowledge of commercial grain and livestock farming by visiting south central Texas, Mississippi, Washington, and California. I have nothing against those States and recognize that they are important centers of American agriculture. However, they missed the entire "breadbasket of America."

I do not understand how you can expect to review the state of American agriculture without visiting Kansas, Iowa, Missouri, Nebraska, North Dakota, or South Dakota. That would be like trying to examine American automobile manufacturing without visiting Michigan.

Even more frightening, however, than the manner in which this report was carried out, is the premises upon which it is based. The following premises are all wholly unacceptable and I completely reject them. Nonetheless, they are the basis of this report:

First. The farm income problem is simply the underutilization of resources, not that people are unable to make a decent living.

Second. There is an adequate return on resources now.

Third. The correct objective for USDA is to assure that farm income is consistent with farmer investment of capital and management ability and with returns of investment elsewhere in the economy.

Fourth. It is the statistics that make farm income look bad. The statistics are out of kilter because they recognize too many farms, and if you jigger the numbers by slicing off the smallest 1.4 million farmers, then everything will be all right—never mind the people.

Fifth. If you can get rid of enough farmers so that only about 600,000 are left, the number will be small enough that they can force better prices from food processors in the market place, since each, accordingly, will be a larger farm unit.

In their own fashion, the committee did deal with the problem that would occur in regard to land prices if commodity programs were eliminated. They said, in effect, that land prices are too high anyway, let them crash. But they did not deal with other capitalization—machinery, livestock, farm buildings and so forth—nor did they deal with what would happen to business in rural areas when the crash comes. Not only will you be forcing 2.1 million farms out of existence, but you will close the doors of countless smalltown businesses dependent on farm families for their livelihood.

Further, the assumption of the committee that the crash in land values could manage over a five-year phaseout is completely false. It would occur immediately upon the passage of the phaseout program, and might even begin as soon as it appeared that the Congress might pass such a phaseout.

The committee also makes an assumption that has always been popular, but which has never been proven true; namely that lower farm prices mean lower food prices. If the two were tied together as directly as that, food prices would be very little higher than they were 20 years ago. We all know better than that.

Finally, the committee most cavalierly dismisses the problem of what to do with those millions of farmers that have been displaced from the land. They recommend that these farmers go to work in other jobs. But we all know what the state of the economy is today. There are few other jobs, and widespread unemployment. The suggestion that "additional off-farm employment opportunities must be found" is nothing more than a cruel joke. No wonder that the committee strongly supports the family assistance plan. As they point out, "welfare reform would serve as a basic element in the development of programs to improve rural America" when millions of farmers are forced from their farms by this cruel policy.

I am pleased that a result of those platform hearings in Sioux City, where this proposed crime against American agriculture was revealed, the Democratic Party adopted a plank which specifically states:

> We repudiate the Report of the USDA Young Executive Committee which would eliminate the family-type farm by ending price support, loan and purchasing programs on all farm commodities, and which would put farm people on the welfare rolls.

I support that plank and am sure that when American farmers learn what the USDA has in mind for them, they will, too.

"MANNY" RIDGELL WILL BE MISSED

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

Mr. FASCELL. Mr. Speaker, last Sunday evening the House of Representatives lost one of its most dedicated and competent servants. The sudden death of House Office Buildings Superintendent A. Emmanuel "Manny" Ridgell came as a shock to all of us. He was as much of a fixture around here as the buildings which he oversaw.

Manny has served the House longer than most of the Members have been here—40 years. He began in 1932, at the age of 20, as a messenger; held several clerical jobs through 1947, when he was appointed assistant superintendent; and, in 1948, he was appointed superintendent, the position he held until his death this week.

During his tenure as superintendent he served under four Speakers of the House and three Architects of the Capitol. His total career spanned the terms of seven Presidents. His duties, in addition to the assignment of office space to

the Members, included the responsibility for the maintenance, operation, and structural mechanical care of the three House Office Buildings and the subway to the Capitol. He supervised 667 employees in overseeing this task.

The very length of his tenure bespeaks the kind of job he did. He served thousands of Members of this House during his 24 years as superintendent. He did an outstanding job, earning the appreciation and respect of each of us. To each of us he was an admired and dear friend. The services he performed were invaluable in making the daily task of serving those we represent pleasant and easier.

Manny had all the qualities of the amiable Irish. He was a devout Catholic, a family man, and had a ready wit. In addition, he had a fantastic memory which his friends said equaled that of a modern computer.

It will be difficult, if not impossible, to replace Manny. He is sorely missed by us all. I join our colleagues in extending our deepest sympathies to his wife, Mary, their daughter, Sister Mary Ann, and their sons, Charles and Father John Ridgell.

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

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

Mr. BOGGS. Mr. Speaker, I appreciate the gentleman from Florida making these observations about our friend, Mr. Ridgell. I was out of the city last weekend when his death occurred and I did not know of it until just this moment when the gentleman from Florida informed me of it.

"Manny" Ridgell was one of the most dedicated men we had here. He worked for years and years and was always tremendously helpful to the Members of the House.

I join with the gentleman from Florida in extending sympathy to the family of "Manny" Ridgell.

Mr. FASCELL. I thank the majority leader.

THE HAMILTON-WHALEN PROVISION IN THE FOREIGN AID ASSISTANCE ACT OF 1972

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

Mr. DON H. CLAUSEN. Mr. Speaker, I believe it is accurate to say at this time that a great many of us in this body today have undergone a great deal of "soul-searching" and thoughtful deliberation on the question of whether or not to support the Hamilton-Whalen provision in the Foreign Assistance Act. I know I have.

With the indulgence of my colleagues, I should like to comment briefly on the relative merits and demerits of the Hamilton-Whalen provision as I see them. I do not think there is any question that a great many people throughout this land looked to this provision as a viable means of ending the war in Vietnam or at least cutting off funds for its continuance, in spite of the fact that it would not cut off any funds and is conditional upon a cease-fire, the exchange of POW's, and an accounting of those Americans listed as missing in action.

Because of its similarity to the President's latest proposal for ending the war, it is indeed tempting. Supporting it would, no doubt, be politically popular with some people in this important election year. Many of us, however, have been haunted by the question which I kept asking myself over and over again—is it right or is it merely a legislative symbol of tokenism to a nation weary of war?

On its own merits, the Hamilton-Whalen provision, in my judgment, has several inherent weaknesses that cry out for understanding. First, is the proviso for a cease-fire between the United States and North Vietnam. Why were the South Vietnamese excluded? South Vietnam is a party to the conflict and now is reported to have the largest standing army of any nation in Southeast Asia. What about the South Koreans, the Laotians, the Cambodians, the Thais, and others? What good is a cease-fire in this or any other war that does not include the principals? What genuine assurances do we have for success when a cease-fire is not supervised?

Another question that one must ask, is what a firmly set withdrawal date—one fixed by an act of Congress—would do to the United States bargaining position? Who here can say that we may not be only days or weeks away from an agreement to end the war? Who here can say with absolute certainty that this provision might not prolong the war or the release of our POW's? The key question is, Who can guarantee that POW–MIA situation can be resolved to where we will see them return to their families and their country?

The North Vietnamese have demonstrated that they are tough, determined, and skillful negotiators. For years they have used American POW's as hostages—knowing how much we care about those men and how determined we are to get them back. By setting conditions which arbitrarily excludes an internationally supervised Indochina wide cease-fire, what guarantees or assurances exist that all the prisoners will be returned, or that there will be, in fact, a complete accounting of those listed as missing in action?

Finally, there is the question of whether or not the Hamilton-Whalen provision, by tying it to an act of Congress rather than a sense of the Congress resolution—is acting contrary the powers granted to the Congress. As my colleagues are aware, a motion was defeated at the original Constitutional Convention that would have given the legislature the same power of peace, as they were to have that of war.

I just wish it were possible to unite this Congress and the American people behind a common declaration of policy. If we were united and if world opinion has any value in influencing the people holding our POW's as hostages for purely bargaining purposes, I sincerely believe we could anticipate some beneficial results.

I do not believe that any Member of Congress, deep down in his conscience, honestly believes for 1 minute that you can end a war by a legislative act alone. Nearly all the Members I have talked to on both sides of this issue and on both sides of the aisle, agree with this statement.

In my view, we have far too many people attempting to "quarterback" U.S. strategy on the withdrawal of American personnel from Vietnam. With the President firmly and publicly committed to a positive program of withdrawal, I believe it would serve the country's best interests and the interests of our POW–MIA's, if constructive suggestions were channeled directly to the President himself.

A recent editorial in the highly respected and widely read newspaper, The Christian Science Monitor, stated in very clear and understandable words what I believe to be a very constructive suggestion that we in the Congress might read and heed.

It states as follows:

[From the Christian Science Monitor, Aug. 4, 1972]

DON'T ROCK THE BOAT

Past experience in dealings with Hanoi's leaders has shown it is risky to expect too much from peace talks. The art of fine-tuning interpretations from the shading of words and phrases is a blurry one at best. That said, there are signs from the current Paris peace talks that perhaps both Hanoi and Washington are showing just enough flexibility to make an over-the-table settlement possible.

The signs are admittedly sketchy: a milder ring to the usual invective from Hanoi's representatives; hints that the North Vietnamese insistence that a political settlement precede any military agreement might be altered *if* the way were opened to some Communist participation in a new Saigon government; and a softened insistence on Hanoi's demand for immediate removal of President Nguyen Van Thieu from office. On the United States part, some flexibility has also been shown toward Mr. Thieu's offer to step down from office before new elections are held.

It is reasonable to speculate that any softening on Hanoi's part reflects their expectation that they shall have to deal with Mr. Nixon for another four years.

All of this needs to be kept in mind with regard to the Senate vote Wednesday, in which it passed an amendment by a 49-to-47 vote requiring withdrawal of all American forces from Indo-China in four months, subject to release of American prisoners of war. That amendment to the military procurement bill must still go to a Senate-House armed services conference committee, where it is not expected to pass. However, it does underscore the growing possibility of a showdown between President Nixon and the Congress over the Vietnam war. And it could bolster similar efforts in the House, which next week considers a foreign aid authorization bill to which the Foreign Relations Committee has attached an antiwar rider.

There have been many moments when the Congress would have been well advised to take courage in its hands and to bring its powers to bear on halting the continuing escalation of the Vietnam conflict. But it chose instead to look the other way. Now, at the most propitious moment in the history of the peace talks for some real settlement. Congress is ill-advised to rock the

boat by trying to recoup the reins it long ago handed over to the President.

Having given the White House the lead for so long in this miserable war, the Congress would do well to let Mr. Nixon make this last bid for peace without interference. If he fails, then he must answer for it to the electorate in three months. But for the sake of the Vietnamese people, north and south, and for the prisoners and their families, even the dim possibility of a negotiated settlement ought not to be jeopardized by a vote that could not in any case end the war.

CONGRESSMAN ORVAL HANSEN OF IDAHO INTRODUCES H.R. 16232, THE COMPREHENSIVE CORRECTIONAL TRAINING AND EMPLOYMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. HANSEN) is recognized for 15 minutes.

Mr. HANSEN of Idaho. Mr. Speaker, I have this week introduced H.R. 16232, to amend the Manpower Development and Training Act of 1962. This amendment would provide financial assistance for a special manpower training and employment program for criminal offenders and for persons charged with crimes. It also would permit presentencing options for the courts so as to help the offender, rather than merely locking him up and then trying to decide how to rehabilitate him. In introducing this bill, I wish to acknowledge and compliment Senator JAVITS and his colleagues for their work in support of similar legislation in the Senate.

Action on new legislation to foster truly rehabilitative programs that involve real education and job training in the correctional field is long overdue. Since Attica and similar disturbances, legislation has been introduced in both Houses, but as yet we have had little or no action. I would urge that this House soon engage in extensive hearings on my bill, calling upon expert witnesses in the correctional field, including those with real experience in developing education and job training programs, to the end that soon we will have the most effective correctional legislation that can be devised by the Congress. I add my voice to the many correctional studies conducted by Presidential commissions as well as private groups, all of which underscore the long and short-range benefits to be accrued by a truly rehabilitative correctional system. Such a system must necessarily include education and job training for market place jobs and not merely prison jobs as is often the case.

Very recently a study conducted by RCA under contract with the Office of Education's Division of Manpower Development and Training came across my desk. Although I have not as yet examined this report carefully, a cursory review reveals that in one particular, at least, it corroborates the findings of almost every correctional study in recent years: That rehabilitative correctional programs, for a variety of reasons, are not given the priority at any governmental level that they should be given.

In 1966, the MDTA was amended to include special education and training programs for persons in correctional institutions. Through this modest beginning, a great deal has been learned about effective practices in correctional education and training programs. In 1968, such programs were permitted to continue when the MDTA was again amended.

Unfortunately, in recent years, funds for correctional training under the MDTA have not been provided by the Congress. As a result, the already oversubscribed discretionary funds available under MDTA are levied against; and, when these are not available—and this is usually the case—the States must use State-apportioned MDTA funds. This is happening in my own State of Idaho and I am sure this is not an atypical situation. The squeeze on State education budgets is forcing some very difficult choices on State legislatures. In 1973, for example, in Idaho, we hoped that the vocational education budget could sustain some correctional programs as it had been doing, and funds were requested for this purpose. Yet a reassessment of public school needs indicated this was not possible, and for fiscal year 1973, the State legislature was compelled to curtail funding of these programs.

Because my State recognizes that priority must be given to the rehabilitation of those who have been convicted or charged by the criminal justice system, a decision was made to use State-apportioned MDTA funds for correctional education and training programs. With the limited MDTA State-apportioned funds, however, the tradeoffs must come; and, such decisions are usually made at the expense of programs in other critical needs areas.

I am pleased to say that correctional programs in my State have been successful. One at the Idaho State Penitentiary at Eagle, Idaho, has particularly proven its worth. Through this program operated cooperatively by Mr. Raymond F. May, the director of corrections, and Mr. Roy Irons, State director of vocational education, some 55 inmates have received training in a variety of job-market relevant skills, including forestry aide, air conditioning mechanic and auto mechanic. As one State official put it, the Idaho Penitentiary program has "served the purpose" in that the program contributed to the rehabilitation of a large percentage of participating inmates. In it inmates were given a chance as well as a skill.

We need a stated national priority for rehabilitation in the correctional field, and a comparable commitment of funds. This is why today I have introduced the Comprehensive Correctional Training and Employment Act. This national commitment is justified for humanitarian reasons and it is in the self-interest of society to assure the successful reintegration of former offenders, and those charged, into the community.

The act follows:

SECTION-BY-SECTION ANALYSIS OF H.R. 16232, THE COMPREHENSIVE CORRECTIONAL TRAINING AND EMPLOYMENT ACT

SEC. 2. This section amends title II of the Manpower Development and Training Act of 1962 to establish a new Part D entitled: "Comprehensive Correctional Training and Employment Programs", as follows:

SEC. 251. STATEMENT OF PURPOSE

This section declares the principal objective of the U.S. correctional system to be the rehabilitation of individuals confined in correctional institutions, sentenced to probation, or released on parole and states that manpower training and employment programs have been identified as one of the most critical elements of successful rehabilitation.

The purpose of the Part is to authorize the provision of specialized manpower training and employment programs for criminal offenders and persons charged with crimes, as an integral part of the correctional process, and with the assistance of the private sector, in order to improve employment opportunities for such persons, increase the effectiveness of the correctional process and reduce recidivism.

SEC. 252. DEFINITIONS

This section defines the terms "eligible individual", "eligible applicant", "juvenile delinquent", "youthful offender", "Secretary", and others.

"Eligible applicant" means any state or local public agency or private agency or organization, or combination thereof.

"Eligible individual" means criminal offenders, including youthful offenders, and juvenile delinquents, and persons charged with a crime.

"Secretary" means the Secretary of Labor.

SEC. 253. PROGRAM AUTHORIZATION

Authorizes the Secretary of Labor to provide financial assistance to eligible applicants for the planning or conduct of, or assistance to: pretrial and other intervention programs offering eligible individuals participation in training and employment programs prior to final disposition pursuant to plans approved by the appropriate judicial and prosecuting authority; manpower training and employment programs in correctional institutions (including on-site and offsite work experience projects); programs offering a full range of employment opportunities with public agencies and private business concerns; professional and paraprofessional training programs; research programs assisting employment service personnel; programs for the provision of manpower training and employment services in model community-based centers and the provision of bonding assistance.

SEC. 254. FINANCIAL ASSISTANCE FOR MANPOWER TRAINING AND EMPLOYMENT PROGRAMS

Authorizes the Secretary to make grants to eligible applicants, consistent with basic criteria under Section 605: Each application must ensure that supportive services are provided along with training and employment; ensure that training is for a job for which a demonstrated demand has been determined to exist; provide wherever possible for the involvement of industry, labor and employment personnel from the private sector of the economy and for the use of training equipment comparable to what used in th job for which training is furnished; indicate prior arrangements for release of participants upon satisfactory completion of training and for follow-up training; and meet certain administrative requirements.

With respect to training programs, this section accords priority in funding as to programs for which arrangements have been made with public or private employers for employment after release.

BASIC CRITERIA

SEC. 255. Requires the Secretary to prescribe basic criteria in respect to labor market information, suitable length of training, the formulation of employability plans, the establishment of advisory committees, and the equitable participation in programs by

all segments of the population of eligible individuals.

EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. 256. Requires the Secretary to establish criteria assuring equitable distribution of financial assistance among the States taking into account, among other fatcors, relative crime rates and the ratio of the number of persons confined in correctional institutions, on probation, on parole, or charged with crimes within the state to those nationally. No state shall receive more than 15 percentum of the amounts appropriated.

LIMITATIONS ON FEDERAL ASSISTANCE

SEC. 257. Limits federal financial assistance to 90 percent of program cost unless the Secretary, pursuant to objetcive criteria, decides otherwise; non-federal contributions may be in cash or in kind.

MANPOWER TRAINING AND EMPLOYMENT PROGRAM IN FEDERAL CORRECTIONAL INSTITUTIONS

SEC. 258. Authorizes the Secretary of Labor, pursuant to agreements with the Attorney General and the Secretary of Health, Education and Welfare, to conduct special model programs for eligible individuals in Federal correctional institutions and in the federal courts, consistent with the purposes of the part.

AVAILABILITY OF EMPLOYMENT OPPORTUNITIES

SEC. 259. Requires the Secretary to ensure due consideration for applications for programs serving eligible individuals submitted under on-the-job training programs under the Manpower Development and Training Act of 1962, the Economic Opportunity Act of 1964, as amended, and the Emergency Employment Act of 1971.

SEC. 260. COORDINATION AND PROGRAM LINKAGES

(a) Requires the Secretary of Labor and the Attorney General to enter into agreements to assure the combining of resources, maximum program coordination and joint planning between programs conducted under this Part, under Part E, of Title I of the Safe Streets Act of 1968, the Juvenile Delinquency Prevention and Control Act of 1968 and other federal laws; (b) requires the Secretary of Labor and the Secretary of Health, Education, and Welfare to enter into agreements pursuant to which the Secretary of Health, Education, and Welfare will provide education to participating eligible individuals and will insure programs linkage with vocational education, vocational rehabilitation and similar programs; (c) requires coordination, by arrangement with the Director of ACTION, for the use of volunteer programs; and (d) authorizes the Secretary to insure such arrangements as are necessary to insure maximum coordination and joint planning between programs conducted and assisted under this Part within each State.

SEC. 261. STUDIES AND REPORTS

Authorizes the Secretary of Labor, in consultation with the Attorney General and the Secretary of Health, Education, and Welfare to conduct a continuing study on the effect of programs conducted or assisted under the Part and to compile information on the employment opportunities of criminal offenders, including research on impediments to employment. The Chairman of the Civil Service Commission is also required to report on the means of increasing employment opportunities for such persons in the Federal Service.

SEC. 262. PAYMENTS

Authorizes payment of the Federal share of program costs.

SEC. 262. WITHHOLDING

Authorizes the Secretary to withhold funds, after notice and hearing, in cases of an applicant's non-compliance with statutory provisions of the Part.

SEC. 263. AUTHORIZATION OF APPROPRIATIONS

This section authorizes appropriations of $40 million for fiscal year 1972, $100 million for fiscal year 1973; and $200 million for fiscal year 1974.

SEC. 3. This section amends the Manpower Development Training Act of 1962 to make certain conforming changes.

SEC. 4. This section amends the Wagner-Peyser Act of 1933 to require State employment service plans to include provision for the designation and assignment of personnel for the promotion and development of employment opportunities and placement for criminal offenders and persons charged with crimes.

SOYBEAN SALE TO RUSSIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. Mr. Speaker, just 7 months to the day after my one-man soybean mission to Moscow, the Soviet purchase of 1 million tons of soybeans was announced.

This is an historic event for American agriculture. It represents a major decision by the Soviet Government to introduce whole beans, meal and oil into their feed and food system.

Soybeans have had such spectacular acceptance elsewhere that I am confident this will be just the first in a series of substantial purchases in the years ahead.

In my calls last January on food industry, trade, and agriculture officials in Moscow my emphasis was on prospective food uses of soybeans as well as feed uses.

During the months since my trip to Moscow, critics have tended to discount the possibility of a Soviet soybean purchase, especially in light of the present supply and price condition and the competitive relationship of beans to the sunflower product so popular in the Soviet Union.

My confidence in the sale of soybeans was based on the belief that Russian leaders would recognize beans are the best buy for meeting growing consumer demand for high-quality low-price protein.

The Soviet decision is a special cause for rejoicing by Illinois farmers, in addition to the great benefits it will bring to our entire economy. The purchase represents the annual output of 1 million acres or 14 percent of Illinois soybean land.

The purchase shows the value of special efforts to cultivate markets in the Soviet Union along the lines of the upcoming Illinois agricultural trade mission announced recently by Gov. Richard Ogilvie.

LABOR AND HEW APPROPRIATIONS BILL

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, yesterday I voted against the Labor and HEW appropriations bill. I regret very much that this nay vote was necessary, but increases of the size called for in this bill will eventually require a vote for higher taxes which the taxpayers just cannot afford. This appropriation bill includes much needed funds for many desirable programs, but this conference bill goes too far and promises too much by providing increases that are inconsistent with our Federal revenues.

This appropriation bill is $1.8 billion over the budget request; $958 million or 23 percent over the budget for the health items, and $791 million, or 23.6 percent over the budget for education. If I had felt these additional dollars were going to deal with our real health, education, and welfare needs, I would have supported it and looked for other places to make cuts in Federal spending, but this was not the case. Much to the contrary, one program, that for social services, is a virtual open-ended raid on the Federal Treasury and may cost an additional $3.5 billion or more over the budget request in payments to the States for social services. Expenditures for this program doubled in the past fiscal year and may quadruple this year into the range of $5 billion. There has been little or no accountability from the States on how much is spent for which services and how well they accomplish these goals. In some cases States are putting 75 percent of moneys normally spent for social services back into the State's general fund and then using the remaining 25 percent as matching money to draw another 75 percent out of the Federal Treasury. I think it would be very difficult indeed to say that these expenditures are absolutely essential and that solutions to our great national problems are vitally dependent upon them.

The largest dollar increase in the conference report is $170 million in additional funds for mental health services. I am not critical of these important programs, but just during this administration, funding for these mental health services has increased by 83 percent while overall budget authority increased by only 27 percent, or at a rate only one-third of that for mental health. Much of the extra $47 million for health services delivery is added to programs already expanded in the budget request, as is the case with the additional $52 million for preventive health services.

The same is the case in the education area. To the budget request of $3,335,597,000 for the Office of Education, the Appropriations Committee added $301 million and the House, by adopting the Hathaway amendments, increased the appropriations by another $364 million. Before voting for this amendment, I discussed it with many educators from my district, from New York State's education department and representatives of national groups. They encouraged me to support the amendment and did not indicate that it was inadequate, yet the conferees added another $127 million to what the House had already approved.

Mr. Speaker, last month I mailed to my constituents a four-page "Congressional Report." My first paragraph read:

> The critical necessity to curb spending and inflation and provide jobs transcends politics. Government at all levels must become more efficient and work toward spending reductions, especially at the federal level.

Inflation and jobs were the subject I dealt with first in this report, because

they are the subjects of deepest concern to my constituents. I went on in this report to remind them that I had earlier introduced a bill which would limit Congress and the executive branch to a spending ceiling of $246 billion in fiscal 1973, the amount of the administration's fiscal 1972 budget request.

In this same "Congressional Report," as another means of curtailing runaway Government spending, I proposed that Congress consider the most economical funding of each ongoing program and discard the practice of basing authorizations on previously approved annual levels. This HEW appropriation bill is an excellent example of the need for a fresh review annually of ongoing programs to determine the level of funding needed for the most effective operation of each program.

In good conscience, I could not vote for the HEW-Labor appropriations after introducing these two measures. I want the best buy for each Federal dollar spent and to get it we must start judging programs on their merit and effectiveness rather than their political popularity. If we hope to enforce a ceiling on Federal spending for fiscal 1973, and restore fiscal discipline to this country, this HEW-Labor appropriation bill would have been a good place to begin.

RADIOLOGICAL EMISSIONS AND STATES RIGHTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRENZEL) is recognized for 40 minutes.

Mr. FRENZEL. Mr. Speaker, section 274 a Nos. 4, 5, and 6 of the Atomic Energy Act are entitled "Cooperation with the States." They read that:

It is the purpose of this section—

(4) to establish procedures and criteria for the continuance of certain of the Commission's regulatory responsibilities with respect of byproduct, source, and special nuclear materials, and the assumption thereof by the States;

(5) to provide for coordination of the development of radiation standards for the guidance of Federal agencies and cooperation with the States; and

(6) to recognize that, as the States improve their capabilities to regulate effectively such materials, additional legislation may be desirable.

Mr. Speaker, it is my purpose today in cooperation with my distinguished colleagues, Mr. FLOOD of Pennsylvania and Mr. WOLFF of New York, to introduce some of that additional legislation which the Atomic Energy Act of 1954 calls for. Therefore, we have today introduced a bill, a copy of which is inserted here:

H.R. 16309

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 274 (c) of the Atomic Energy Act of 1954 is amended by striking out "No agreement" and inserting in lieu thereof "Subject to the last sentence of subsection (d), no agreement".

SEC. 2. Section 274(d) of the Atomic Energy Act of 1954 is amended by adding at the end thereof (after and below paragraph (2)) the following new sentence:

"Each State shall have authority to regulate the discharge of radioactive waste materials from atomic energy utilization facilities, and in its discretion to set standards which are more stringent than those adopted by the Commission, if there is in force between such State and the Commission an agreement under subsection (b), and if such State has demonstrated its competence in the administration of its responsibilities under such agreement.

This amendment would allow those 24 States which have entered into materials license agreements with the AEC to establish standards for other nuclear materials, if they have demonstrated their competency in the initial licensing agreements. These initial agreements provide under section 3 of 274 that:

b. the Commission is authorized to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission under chapters 6, 7 and 8, and section 161 of this Act, with respect to any one or more of the following materials within the State—

(1) byproduct materials;

(2) source materials;

(3) special nuclear materials in quantities not sufficient to form a critical mass.

During the duration of such an agreement it is recognized that the State shall have authority to regulate the materials covered by the agreement for the protection of the public health and safety from radiation hazards.

Thus a State which has made an agreement with the AEC, presently has complete regulatory power over natural radioactive material, X-ray medical, dental, and industrial machinery, and many of the artificially accelerator-created materials used in American society today. The crucial question centers around those "special nuclear materials in quantities not sufficient to form a critical mass."

At present that limit is defined as 250 grams which is a sufficient amount to use in laboratory research, for certain industry uses, and for calibration settings, but insufficient for fuel element creation or fuel reprocessing. But the question here is not whether one State desires to reach critical mass or create an explosive force, but rather how to control the precise amount of radiological waste materials and emissions which a State deems desirable for its citizens. The artificial barrier of 250 grams of these materials seems unreasonable when discussing public health. As I noted earlier, 24 of the 50 States have entered into, and competently performed, their regulatory duties under these licensing agreements. Of these 24, 17 have nuclear powerplants and, under this proposal, would be able to set their own radiation standards. Fourteen other States have reactors, but are without the agreements, and could be expected to enter into these agreements should this bill become law.

Even without this bill, however, a number of States already have facilities functioning which operate under regulations significantly different than the national standards of the AEC. Notable among these are Florida and Pennsylvania. A major contention of those States which desire the ability to create more stringent standards is that specific geographic situations dictate differing requirements. In Florida, the AEC, of necessity, has recognized this factor, and does permit differing standards due to the peculiar water table in Florida. The opportunity which the AEC extended to Florida has not been extended to those other States which feel that their environmental needs and conditions dictate similar "exceptions."

In Pennsylvania, on the other hand, the State and private industry have cooperated for over 16 years in setting standards which have been consistently 10 percent to 100 percent lower—more stringent—than those of the AEC. The Pennsylvania operation is an example of the spirit which should be developed on a nationwide basis. But if it cannot be developed, it must be legislated.

The Minnesota case of Northern States Power against Minnesota was recently decided when the Supreme Court upheld the lower courts decision against the State. It is just one example of Minnesota's many attempts to set more stringent standards for radiological waste. The number of States which have specifically protested the AEC's right arbitrarily to set these minimum standards in the Minnesota case include: Illinois, Kansas, Maryland, Michigan, Missouri, Pennsylvania, Vermont, Virginia, and Wisconsin all of which filed amicus briefs in circuit court. Arkansas, Delaware, Mississippi, and West Virginia filed amicus briefs as members of the Southern Governors Conference, and six other States filed supporting statements.

These States supported the Minnesota case for varying reasons, but two stand out most clearly: First, the States' right to safeguard the health and welfare of its people; and second, the alleged "inadequacy" of AEC's standards.

The Supreme Court decision sustains the argument that Congress in the Atomic Energy Act of 1954 did preempt State governments from regulating the radioactive emissions from nuclear power plants. But it does not change the underlying validity of our Federal system nor our concept that the States are the primary units in our American political system, and therefore have primary responsibility for the health and safety of their citizens. If Congress legislatively preempted the States in this matter, by legislation Congress can restore to the States their proper role in decisions affecting the exposure of their citizens to radioactive effluents of nuclear power plants.

Throughout congressional history the States' right to protect the health and welfare of its own citizens is clearly demonstrated. As John Badalich, former director of the Minnesota Pollution Control Agency, testified before the JCAE in 1970:

It is a long established concept that a subordinate unit of the government has the right to establish more stringent requirements in its own area when it feels it necessary for the protection of its citizens by reason of factors unique to its area.

This concept is borne out in section 11 of the Federal Water Pollution Control Act, which in part reads:

It is hereby declared to be the intent of Congress that any Federal department or agency . . . shall . . . cooperate with . . . any state or interstate agency or municipality having jurisdiction over waters into which

any matter is discharged from such property in preventing or controlling the pollution of such waters.

The Federal Air Quality Act of 1967 cites in section 101(a)(3):

. . . that the prevention and control of air pollution and its source is the primary responsibility of States and local governments . . .

In this Congress we have passed the noise pollution bill, the so-called boat head amendments in H.R. 11896 and section 109 of the Clean Air Act—all of which allow the States the right to set more stringent standards than the Federal minimum.

However, the States involved are not protesting on any empty principle, but because they are convinced that the AEC has erected standards which are inadequate. An article from the Rutland Daily Herald of September 12, 1969, concerning an AEC meeting in Burlington, Vt., reads:

BURLINGTON.—The scientific community warned Vermont officials Thursday that the state should quickly adopt strict legislation to limit the amount of radioactive discharge from atomic plants.

A group of distinguished scientists in Burlington, appearing on a panel discussion during the Atomic Energy Commission's conference on nuclear power, also issued the following warnings to state officials:

"The danger of catastrophic accidents at nuclear plants is very real.

"If the AEC continues to allow nuclear plants to discharge radioactive wastes at current levels, the lifespan of Americans will be reduced by at least eight years.

The state cannot look to the AEC to properly regulate nuclear plants because the AEC has a built-in conflict of interest."

Those warnings came from a group of five of the Nation's top nuclear scientists gathered at the University of Vermont's Waterman Building Thursday morning prior to the start of the AEC public hearing.

The first stern warning of the session came from Dr. Arthur R. Tamplin of the University of California. Dr. Tamplin, a specialist in radiological problems, said:

There is no question that the levels of radioactive discharge permitted by the AEC should be substantially reduced. The eventual outcome of discharge at present levels will be to reduce the average life span of Americans by eight years—and that is a conservative estimate.

Further indication of the States concern was made by Drs. John W. Gofman and Arthur R. Tamplin, of the AEC's Livermore Laboratories, in a testimony before the U.S. Senate Subcommittee on Air and Water Pollution November 18, 1969:

We wish to apprise you that, in our opinion, the crucial pre-sing problem facing everyone concerned with any and all burgeoning atomic energy activities is to secure the earliest possible revision downward, by at least a factor of tenfold, of the allowable radiation dosage to the population from peaceful atomic energy activities. The Federal Radiation Council (FRC) allowable dose of whole body ionizing radiation is 0.17 Rads per year. We shall present to you hard evidence that leads us to recommend that this be reduced now to 0.017 Rads or even less. And we shall present to you the estimated disastrous consequences to the health of the public if this recommendation receives less than immediate, serious attention.

When the AEC in 1963 requested our laboratory to undertake long range systematic studies of the effects of Man-Made Radiation upon man, we told AEC Chairman Seaborg and (then) Commissioner Haworth that the results of our studies could very well suggest restrictions upon ongoing or proposed AEC projects. We said further that we intended fully to disclose publicly any evidence developed, favorable or unfavorable to the AEC. Both Commissioners assured us they were perfectly happy about this project—all they wanted was for us to be sure to provide the truth.

Today, we have presented your Committee with much evidence indicating that current radiation exposure guidelines are indeed dangerous—much too high. It would indeed be naive for us to believe that our recommendations will be received with enthusiasm in all quarters . . .

We intend to continue to provide critical appraisal of questions of atomic energy safety in such a manner that the evidence can be examined by the scientific and public community at large. We do not subscribe to the concern that the public might, thereby, become unduly or prematurely alarmed. If a real controversy concerning the evidence exists, the public very well ought to be alarmed, and ought to demand that we pace our technical progress in such a way always that unanswered questions are decided in favor of the health and welfare of the public.

The AEC's policy of establishing the lowest practicable standards has been roundly criticized. Recently the AEC has begun to apply numerical measurements as guiding principles, not enforced regulations, to light water reactors. This is a step forward but we, and the States, wonder why these guides are not being applied to breeder reactors, fuel reprocessing plants, and other nuclear installations.

The present doctrine of as low as practicable is vague, weak, uncertain, and only intermittently enforceable. One of the major concerns of our States is that this policy will be excessively influenced by the level of demands placed upon the plant at power shortage points. However, even if we accept this low as practicable standard for present application, we must still look to the future. According to the Federal Power Commission, by 1990 our country's use of electricity will be increased fourfold. According to their calculations, over one-half of all the electricity generated will be from nuclear installations. We can no longer concern ourselves with one isolated plant, but now must contend with large groupings or concentrated "plantations" of nuclear plants as advocated by former AEC Chairman, Glenn Seaborg. When that day arrives the capacity for administration of regulations must be far greater than it is today.

Gentlemen, we are planning for the future. With the cooperation of Governor Anderson of my State of Minnesota, and the State governments of Pennsylvania and New York, we are proposing a bill which will give us a planning basis for the future.

Congressmen WOLFF, FLOOD, and I believe that this is a compromise bill. It goes only part way toward giving States control over radiological emissions. Minnesota, Pennsylvania, and New York are supporting it, not as a completely desirable solution, but as a politically possible, first-step compromise.

We have proved this year, that we cannot get more State control than this bill would give. We have yet to prove next year whether we can get this much.

Mr. WOLFF. Mr. Speaker, I would like to call this body's attention to legislation being introduced today by my distinguished colleague, Congressman FRENZEL, and of which I am a proud cosponsor, along with the esteemed gentleman from Pennsylvania, Congressman FLOOD. This bill would add an important new element to the present licensing procedure which is followed in the construction and operation of nuclear power facilities by giving the States a voice in the promulgation of operating standards. Similarly, it would encourage the States to develop their expertise in the area of nuclear science so that they might play a greater part in planning for future development of nuclear resources within their jurisdictional boundaries.

A number of months ago, when this body considered the Water Pollution Control Act amendments, I expressed my strong support for the States to expand their authority to participate in the formulation of nuclear effluent standards by offering an amendment that would permit the States to set more stringent requirements than the Federal Government for the discharge of wastes from atomic powerplants. Unfortunately, this amendment was not included in the final version of the bill, with the result that the States still do not have the privilege or the authority to exercise control over the amount of nuclear waste which will contaminate their own land and waters.

While this new measure would not in any way abrogate the authority of the Federal Government to continue to establish and enforce pollution standards for atomic facilities, it would instead offer a strong incentive for State-Federal cooperation in the development of sound, practicable standards for nuclear discharge. With the States being most immediately responsible to their citizens for the maintenance of protective public health standards, it is only fitting that the States be afforded the opportunity to participate in the promulgation of those standards. Additionally, for too many years, the Federal Government has held a monopoly on expertise in atmoic energy development, yet the Atomic Energy Act itself indicates that the States should develop their own regulatory authority. This bill which we are introducing today merely reiterates this goal and encourages the States to develop and exhibit competence in the nuclear field.

Mr. Speaker, the question of regulation of nuclear effluent, as it is discharged from operating powerplants, is but a small part of the larger issue of overall regulation of nuclear power. To protect the health and safety of all Americans as we turn more and more to the use of atomic energy to meet our needs for power in the future, we simply cannot afford to continue to emphasize development and growth and ignore the need for sound, technologically feasible standards for the regulation of nuclear power.

To do so is to court disaster, for in dealing with one of nature's most potent and dangerous substances, it is imperative that we develop the widest range of knowledge and technology possible. Encouraging the States to join in this effort, as our legislation would do, can only result in added benefits for all Americans as the use of atomic power is expanded to serve this country's energy needs.

GENERAL LEAVE

Mr. FISH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of Mr. FRENZEL's special order and to include therewith extraneous matter.

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

There was no objection.

THE SAFE STATES ACT OF 1972

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. HEINZ) is recognized for 15 minutes.

Mr. HEINZ. Mr. Speaker, I am today introducing the Safe States Act of 1972.

This legislation will strengthen the Disaster Relief Act of 1970, Public Law 91-606, whose enactment is proof of congressional concern for safeguarding the lives and property of victims of natural disasters. This law provides Federal grants to the States to develop comprehensive disaster preparedness plans and expedite the efforts of the affected States to give aid, assistance, and emergency welfare service to the devastated area.

The States however, have taken little or no initiative in meeting their responsibility to their citizens. Although the Federal Government provides matching funds for the development of State disaster plans, fewer than one-third of the States were participating in this program at the end of 1971. Furthermore, many of the States participating in this program have formulated plans which exist only on paper. I would go so far as to say that no State provides for the safety, or preparedness against disaster that their citizens expect or deserve. In fact, disaster preparedness is a very low priority, then, for most States. Their plans have never been adequately tested nor has aid been given to local communities to coordinate their activities during a disaster.

My home State of Pennsylvania is an example of a State which has taken the initiative of applying for a Federal grant to develop a plan, but whose implementation has been totally inadequate. In 1971, Pennsylvania applied for a $14,850 grant although the maximum amount available is $250,000. For this sum, the State has in its possession, a plan, approved by the Office of Emergency Preparedness, whose stated objective is "the development, maintenance, and operation of a fully coordinated statewide organization composed of State, county, and local units capable of immediate and effective action aimed at the protection of life and property and the alleviation of human hardship and suffering in natural disasters."

One had only to witness the developments before, during, and after the disaster caused by Hurricane Agnes to realize that this plan was not operable. An illustration of the disparity between the plan on paper and the reality of its implementation—or lack thereof—was exemplified by the needless damage to property in the Pittsburgh area. The Weather Bureau was not able to issue flood warnings to communities situated near the rivers until 4 a.m. Friday, June 23, only 4 hours before the flooding reached the critical stage. Due to the lateness of the hour, citizens were totally unaware of the situation. During hearings of the Government Activities Subcommittee of the House Government Operations Committee on June 29, 1972, officials of the Weather Bueau stated that there were no means available to them to alert the people to the danger. Yet the Pennsylvania Plan specifically states that: "for emergency purposes, each city, borough, town, and township is expected to install and maintain a public warning system which differentiates between the attack signal and an attention signal which should be used in natural disasters followed by a public broadcast of essential emergency information."

Numerous instances such as this occurred throughout the State and this situation is certainly not representative in Pennsylvania alone. It points out not only the ineffectiveness of the State's leadership, but also the inadequacies of the Disaster Relief Act of 1970.

The fact is that we have no means by which to judge the effectiveness of any plan which has been formulated through Federal grants from the Office of Emergency Preparedness.

In its "Report to Congress on Disaster Preparedness 1972," the Office of Emergency Preparedness made the following observations:

> Every State in the Union is vulnerable to some type of natural disaster;
>
> State disaster planning is uneven in coverage and quality;
>
> Planning is essential for any region or community likely to be affected by a disaster in order to determine what preventive and protective measures can and should be taken before and at the time of a disaster;
>
> State disaster plans should, above all, be more concerned with the needs of local communities, with greater emphasis on predisaster preparedness. However, a review of state plans reveals that only 21 states provide funds to municipalities for this purpose;
>
> Although all states have civil defense plans, it has become evident that provisions which are useful in a civil defense context are not well suited to meeting all disaster problems and responsibilties:
>
> Failure to make provision for disasters invites heavy loss of life and severe property damage.

It is obvious from these criticisms that the Federal Government must take decisive action to insure that the citizens of this country are protected from natural disasters to the fullest extent possible. During the past 4 months two natural disasters have caused untold human suffering. The damage wrought by the flood in Rapid City, S. Dak., and by Hurricane Agnes on the east coast is in excess of $3.5 billion. It is evident that the loss of life and property damage which was caused by these disasters could have been substantially lessened if adequate predisaster plans had been implemented.

Enactment of the Safe States Act will make certain that the citizens of every State are better prepared to fend off disaster. This act provides for the mandatory development and maintenance by States of disaster preparedness programs. These plans must be in accordance with the Federal standards including performance standards, for disaster preparedness which are to be formulated and, most importantly, enforced by the Office of Emergency Preparedness. These standards will be applied on a regional basis with special emphasis given to preparedness of natural disasters to which the region is susceptible.

Under this act, any State which does not meet the minimum standards for disaster preparedness established by this act will not be eligible for any Federal disaster relief assistance. In addition the bill revises the formula for matching funds to the States for the development of disaster plans by increasing the Federal share to 90 percent if the plan is approved by the Office of Emergency Preparedness.

During the last decade all but six of our 50 States were declared major disaster areas. Yet only 14 of our 50 States have taken even minimal first steps to prepare disaster plans. It is time that we came to grips with the notion that "it cannot happen to me." The States have too frequently found an excuse to delay the allocation of funds for disaster preparedness. It is only after a tragedy occurs that the pressing need for preparedness becomes apparent to them. I do not believe that we can allow this situation to continue. We cannot permit people to have the false sense of security that their lives and property are protected when in fact they are not. What's more, it is inexcusable that Federal tax dollars are wasted by providing assistance to States who refuse to implement the necessary precautionary measures.

Passage of the Safe States Act will provide the precautionary measure needed.

AN UNFAIR ATTACK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, in today's Washington Post there was an Evans and Novak column claiming that Chairman WRIGHT PATMAN has been filibustering the 1972 housing bill, and preventing action on it. Any such charge is unfounded, unfair, and untrue.

WRIGHT PATMAN has been no czar and no autocrat; he runs the Committee on Banking and Currency with a fair and even hand. He was the first chairman as far as I know to institute the 5-minute rule, which he devised in order to assure that every committee member has a chance to question witnesses. And if there is not time for questions to be raised, he

assures that every member has an opportunity to seek written answers to the questions he might have. Chairman PATMAN bends over backward to accommodate the members, and I for one am grateful for it.

With respect to the housing legislation, it is ironic that on the same day that Chairman PATMAN is assaulted for supposedly holding up action, another newspaper tells about how the FHA program is falling into red tape, disrepair and disrepute. WRIGHT PATMAN knows this; he is concerned about our housing programs—after all he was a pioneer in devising many of our housing laws. What he wants is the same thing everybody else wants—a program that will work.

I think that every member of the committee will tell you that a great many markup sessions on the 1972 housing bill have been delayed an hour or two by waiting for a quorum, and by debates on procedures. WRIGHT PATMAN has been there every day, on time. He has started meetings as soon as a quorum appeared; he has changed the rules so as to expedite action.

But one thing Chairman PATMAN has not done is to choke off consideration of this bill, and he has good reason for it. The bill is controversial, and it is complex. Members have many questions to ask, and many changes to suggest. He wants to be assured that the members are satisfied, and that we will have a bill that will work and that we can defend. That would be impossible without full, fair and open consideration. If allowing democratic procedure is to filibuster, then I do not know the meaning of the word. How can a czar also be a Democrat?

The committee was perfectly free, and still is, to choke off debate. Evans and Novak themselves admit that this was refused by the committee itself. WRIGHT PATMAN did not refuse to cut off debate—the committee itself did.

Evans and Novak have been unfair in their attack on our distinguished chairman. They would be the first to blame him for a bad bill—but they demand hasty action, too. It seems that men who defend democratic procedure and full debate are automatically relegated to crusty curmudgeon status. This is unfair and unfortunate, because if I know the mark of distinction, it is prudence and patience in the face of demands for haste and ill thought.

Let us consider the housing bill carefully. Let us work on it until we are satisfied. Then we will have something that might work, and serve this country better than existing programs. Then we will have something we can defend successfully. It would be wrong for us to bring out a bill that even the Housing Subcommittee has doubts about, a bill that has not been fully considered. If it takes a year to get a workable program, let us take a year. But if it takes a year, let us be realistic and blame the whole committee, not just its chairman.

Mr. Speaker, I make a part of the RECORD the column to which I referred.

[From the Washington Post, Aug. 10, 1972]

TYRANNY ON CAPITOL HILL

(By Rowland Evans and Robert Novak)

With the White House watching silently, Rep. Wright Patman of Texas is using his power as chairman of the House Banking Committee to strangle the $4 billion housing bill behind closed doors in the most tyrannical performance by a committee chairman in years.

The struggle between Democrat Patman, an oldstyle populist who turned 79 last week. and moderate committee Democrats goes back years. But the current episode carriers glittering political dividends for President Nixon's re-election campaign.

If, as now seems highly probable the housing bill is killed by Patman's personal filibuster. Mr. Nixon can pin the blame on the Democratic Party.

Little wonder, then, that although housing secretary George Romney has appealed to committee Republicans to rescue the bill, the White House has kept in the background. Nor has Rep. William Widnall of New Jersey, the committee's senior Republican, lifted a finger against Patman's filibuster.

The chance for that came Tuesday, when Rep. William A. Barrett of Pennsylvania, chairman of the housing subcommittee, finally forced a vote on his motion demanding a full committee decision on the bill by Aug. 17, the day before the congressional recess. That effort failed, 14 to 9, when not one Republican voted with Barrett.

Having won that key test, Patman now can continue the forced reading of every work in the 271-page bill. The Patman-controlled committee clerk started droning in mid-July, on the specious grounds that House rules require a bill to be read in its entirely before voted on by a committee.

The bill-reading rule now being used as the underpinning of Patman's legislative tyranny is hardly ever followed. Patman himself, in fact, earlier this year whipped out the $5 billion emergency public works bill after a one-day hearing; it was marked up—that is readied for a final vote—in a few minutes.

The apparent reason for Patman's dictatorial opposition to the housing bill is not so much the bill itself as Patman's lust for revenge against insurgent committee Democrats who reduced Patman's power five years ago, led by Reps. William Moorhead of Pennsylvania, Thomas L. Ashley of Ohio and Robert G Stephens, Jr., of Georgia. Patman has never been reconciled to the independence of Barrett's housing subcommittee. Alone of subcommittee chairman, Barrett has power to hire staff on his own.

But neither Barrett nor the insurgents were prepared for the chairman's present display of raw power. For the first ten days of the enforced bill-reading, with the committee's 37 members sitting around the committee table trying to stay awake, tempers held.

Recently, however, tensions have risen. Last Thursday Patman flatly refused a routine request by three members—two Republicans and a Democrat—to reserve the right to amend portions of the bill covered during their absence to vote in state congressional primaries.

Patman flatly opposed this normal congressional courtesy. When it was forced to a test, he found himself alone on the 27-to-1 vote.

Democratic Rep. Frank Annunzio of Illinois, angry over Patman's performance, retaliated with a loud demand that Patman change his vote.

"I don't want to change my vote," Patman sanctimoniously replied. "We should stay on the job every minute."

Furious now, the gravelvoiced Annunzio shouted back: "That is so obvious that it didn't have to be said. I've never bull . . . my colleagues in my life." Patman ignored Annunzio, but the incident came close to sparking a full-blown rebellion against the autocratic chairman.

Revolt-minded anti-Patman Democrats earlier sought help from Speaker Carl Albert to force Patman to convene the closed-door mark-up hearings in the first place. Patman had stalled the bill for two months following approval by the Barrett subcommittee.

But with all the high political stakes of an overwhelmingly Democratic Congress failing to pass an election-year housing bill for the first time in a decade, even open revolt might not succeed.

AMMUNITION, ASSASSINS, AND THE GUN LOBBY

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, when the Senate voted yesterday to ban the sale of cheap handguns it was both good news and bad news.

The good news was that halting the sale of these Saturday night specials was long overdue. These guns serve no useful purpose. They are made to kill. They are involved in most gun murders. There are millions of them already in the stockpile of American arms, and that collection of guns is the largest of any nation in the world. There are guns enough for every man, woman, and child in the Nation.

And so, if the Senate bill becomes law, their sale to the public will be banned. Stocks of them remaining on dealers shelves will be bought up by the Government, and the killer gun market will be reduced by something like a million a year. That is good news.

The bad news is that the bill contains an amendment that pulls more teeth out of the Gun Control Act of 1968. The relentless and implacable gun lobby has once again worked its will on Congress. The amendment would remove from recordkeeping requirements the sale of all .22 caliber rimfire ammunition.

That amendment kills all restrictions on the sale of the ammunition most used in the millions of Saturday night specials already on the streets of America. Now, those who have the guns need not even identify themselves when they buy ammunition. That is bad news.

Mr. Speaker, there is an interesting story behind that amendment. It begins in late 1968 even before the ink was dry on the Gun Control Act of 1968 as it was signed by President Johnson. The law was passed after an 8-year legislative battle during which there were riots and killing in our streets, a President, his brother, and other important public figures were assassinated. At every turn in the legislative road there were headlong battles with the professional army of lobbyists fielded by the gun lobby. The gun lobby opposes all restrictions on the ownership of firearms.

So in December of 1968, smarting from defeat with the passage of the Gun Control Act, the lobbies regrouped and immediately began an assault on the new law. A detailed battle strategy was formulated by the leaders and was communicated to the public in the first editions of firearms and firearms-oriented publications of the new year. Top priority in that plan to gut the new law was to remove the restriction against the sale of .22 rimfire ammunition.

The restriction was placed in the law when Senator Robert Kennedy, one of the law's chief proponents, was murdered

with .22 caliber ammunition. Here in the House the fight against restricting the ammunition sale was led by the then Representative Clark MacGregor. During the Senate-House conference, it was learned that Federal Cartridge Corp., the largest maker of .22 ammo—is located in MacGregor's district near Minneapolis and that he had worked closely with the munition maker's attorney to draw amendments to eliminate ammunition from controls. But the conferees, headed by Judiciary Chairman EMANUEL CELLER, dropped MacGregor's amendments from the final bill and for the first time in history the sale of ammunition used in most street crimes was brought under control.

But with the change of administrations in 1969, the gun lobby became more brazen. Richard Nixon was never more than lukewarm to the notion of controlling firearms, and during his campaign for the Presidency he said so. Those in his administration were even cooler to the idea. They were clearly determined to see that the full potential of the law was never realized.

Shortly after the Nixon administration took over, a $50,000 public service film explaining the operation of the new law was killed even before it was released, on the grounds that it made hunters and sportsmen look bad.

G. Gordon Liddy, a New Yorker long identified with gun lobby interests, was named to a key position in the Treasury Department which administers the law and he took care of the film. Later, Liddy appeared as a White House aide where he was able to do more for the cause of the gun lobby. Just last year he convened in the White House a series of meetings with top figures of the gun lobby to discuss firearms legislation. Some of the White House guests were from the group that originally drew the plans to gut the Gun Control Act. Meanwhile, Clark MacGregor had become the administration's chief lobbyist on Capitol Hill and remained there until recently.

And so the gun lobby, thought by many to be the most powerful and effective special interest group in the Nation, scored a big victory yesterday. It accomplished the first major legislative step in dismantling the most comprehensive gun control law ever adopted by Congress. As you can see, they had a lot of help in doing it. And we can expect more attempts to water down the gun laws from this same group of special interests.

Public hearings have been held on similar legislation by the Judiciary Committee of the House and it is possible that it will come to a vote before the close of this session. It is for that reason that I call attention to the defect in the Senate bill and suggest that we in the House be alert to attempts by the munitions makers to open up the sale of ammunition to every crook, delinquent, and assassin who would set society right with a couple of shots from his Saturday night special.

Crime in the streets is still our No. 1 national concern. Firearms crimes are rising. Street gangs have armed themselves. Mob warfare is in the headlines everyday. We should not lend ourselves to this madness by taking restrictions off the sale of the ammunition most in demand by the punks and spoilers who assassinate our leaders and terrorize our streets.

NATIONAL GRANDPARENTS DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. DANIELS) is recognized for 5 minutes.

Mr. DANIELS of New Jersey. Mr. Speaker, I have today once again introduced legislation which would in a small way recognize a generation of Americans whose lives too often seem hopeless and forelorn. Ironically, our senior citizens seem forgotten in an age when more and more Americans are living longer and in better health.

We have done a few things to protect the interests of senior citizens and to make their lives somewhat easier. Medicare and medicaid programs, although not all they could be, do provide assistance for many older people. We have provided special services and facilities for older persons through OEO, HEW and Department of Labor programs.

But these are physical programs that touch the outer portion of the lives of older people. Throughout the last few decades families have drifted apart and older people often cut adrift. Even though their outer lives and physical needs may be satisfied, many feel lost and neglected. Indeed, the 1971 White House Conference on Aging, for which I drafted the authorizing legislation, recognized that "among the primary characteristics of aging persons today are loneliness and emotional deprivation . . ."

Mr. Speaker, I have introduced today legislation that costs absolutely nothing but some effort on the part of the Congress and the President to take a few moments to provide for official recognition of "National Grandparents Day" to be designated as the second Sunday in October of each year.

TAX POLICY REVIEW ACT OF 1972

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BINGHAM) is recognized for 5 minutes.

Mr. BINGHAM. Mr. Speaker, I am today introducing a bill originally introduced by my colleague from Arkansas (Mr. MILLS) and known as the Tax Policy Review Act of 1972, which would terminate 54 provisions of the current Federal income tax law allowing deductions or exemptions from tax. During this period, the Congress would have to reenact any of these provisions which it decided, after careful review, should be continued.

The American public and the Congress are fed up with the inequities of the current tax system. Loopholes in the present law allow the rich and the corporations to get away with paying very little taxes while the average wage earner, who can ill afford it, bears the brunt of high Federal costs. It is high time for the Congress to assume its responsibility and take a sweeping look at a situation that is unfair to the majority and beneficial to a select few.

With the country facing an $87 billion budget deficit over the next 3 years, I feel it is imperative that we find ways of cutting expenditures and increasing revenues to stave off a potentially critical national fiscal situation without placing an unbearable burden on the average citizen.

IRVIN P. MAZZEI GREAT CIVIC LEADER PASSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DANIELSON) is recognized for 5 minutes.

Mr. DANIELSON. Mr. Speaker, the labor movement in Los Angeles, the State of California, and our Nation has lost a great leader. It is with a deep sense of sadness that I bring to the attention of the House, the recent passing of Irvin P. Mazzei.

Mr. Mazzei was a man of extraordinary ability who devoted much of his energy and constructive efforts to the cause of the working man. He began his union career as a member of the American Guild of Variety Artists in 1939. Later he was the western regional director of AGVA, vice-president of the Los Angeles County Federation of Labor, and then he served as the president of the Los Angeles County Federation of Labor for more than 8 years. His record as a union leader shows that he stood for principles and that he worked hard and conscientiously.

Mr. Mazzei also had an impeccable record of selfless service as a community leader. He made outstanding contributions to young people while serving as president of the Southern Area Boys Club, president of the Economic and Youth Opportunities Agency of Greater Los Angeles, and as a member of the Los Angeles County Delinquency and Crime Commission, the National Council on Crime and Delinquency, and the Los Angeles County Area Council, Boy Scouts of America.

This fine man also made contributions to society in the areas of health and community relations while serving on numerous community, civic, and philanthropic boards and agencies. His human qualities, his kindness, his charity, and above all his deep concern for the community will long be remembered by the entire Los Angeles community.

SIXTH ANNUAL CONSTITUENT POLL OF THE EIGHTH CONGRESSIONAL DISTRICT OF PENNSYLVANIA

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

Mr. BIESTER. Mr. Speaker, I am very pleased to report that the results of my sixth annual constituent poll of the residents of the Eighth Congressional District of Pennsylvania have been tabulated. The breakdown of responses on each question is printed below for the information of my colleagues in the House.

[In percent]

	Yes	No	No response
1. Which of the following do you consider the most preferable course of action in Vietnam?			
(a) Continued phased withdrawal of American forces consistent with the President's program	38		6
(b) Immediate withdrawal of all American forces	16		
(c) Withdrawal of all American forces by a definite date conditioned on release of POW's	40		
2. The National Commission on Marijuana and Drug Abuse has recommended that the possession of marijuana for personal and private use no longer be an offense. Would you favor such a change in Federal law?	34	63	3
3. Do you favor the President's recent efforts to open more normal relations with China?	85	11	4
4. Do you favor the establishment of federally supported voluntary day care centers for the children of working mothers?	43	52	5
5. How successful have the wage-price regulations been in reducing the pace of inflation?			
(a) Highly successful	1		20
(b) Moderately successful	43		
(c) Unsuccessful	36		
6. Do you favor the continuation of wage-price controls?			
(a) For 6 months	12		23
(b) For 1 year	22		
(c) For 2 years	27		
(d) Not at all	16		
7. Would you favor the adoption of a no-fault auto insurance program on the national level if the States fail to adopt a no-fault system?	77	17	6
8. Do you favor the construction of nuclear powerplants at Newbold Island and in Bucks and Montgomery Counties?	54	38	8
9. Do you favor legislation to stop new and additional student transportation to achieve racial balance in schools?	75	21	4
10. Do you favor continued efforts to work toward a more racially integrated society?	57	27	16
If so, what steps should we take:			
(a) More housing opportunities	35		
(b) Increased accessibility to job opportunities and better transportation facilities	50		
(c) Other	15		
11. With the completion of the Apollo space program, would you favor:			
(a) Development of a space shuttle as proposed over the next 6 years?	50		13
(b) Radical reduction of the entire space program	37		
12. The House Judiciary Subcommittee of which I am a member is presently considering legislation to suspend the death penalty for 2 years.			
(a) Do you approve of such a suspension?	21	64	15
(b) Would you favor the abolition of the death penalty except in cases where conviction resulted from the death of law enforcement officers?	9	64	27
(c) Would you favor the abolition of the death penalty in all instances?	18	59	23
(d) Do you favor the death penalty?	66	19	15
13. Would you oppose granting amnesty to draft resisters upon the end of our involvement in Vietnam conditional upon the men involved completing two years of military or alternate service?	52	45	3

MEETING THE CHALLENGE OF FOREIGN TRADE

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

Mr. SEIBERLING. Mr. Speaker, today I am introducing two bills dealing with problems posed to our economy by changing world economic conditions. These bills would accomplish three basic objectives:

First, they would provide a new program of adjustment benefits and services to workers affected by imports and other economic factors beyond their control;

Second, they would revise the tax laws to eliminate the indiscriminate granting of tax subsidies to American corporations exporting capital and technology; and

Third, the bills would amend the customs laws to simplify and make more effective the antidumping and countervailing duty procedures, laws presently so cumbersome as to be almost useless. The proposed changes would facilitate prompt and effective action against importation of foreign products at discriminatively low prices or under special foreign government subsidies.

These two bills, the Trade and Economic Conversion Adjustment Act, and the Foreign Trade Amendments Act of 1972, will, I hope, offer some significant legislative answers to the problems of unemployment and economic dislocation increasingly associated with imports and U.S. foreign investment.

In an already tight job market, the American worker perceives the rising tide of imports as a serious threat to his security. Concern about jobs lost to imports has provoked calls for a review of our foreign trade policies and for a reversal of the open trade philosophy which guided these policies through the last three decades.

For the most of the period since World War II, these policies have worked well. This period has seen a phenomenal growth in the world economy and the economy of the United States. This growth has brought with it a significant rise in real living standards in the developed countries, including the United States. However, the very success of our international trade and investment policies, together with certain negative facts, such as the Vietnam war and enormous military budgets, have led to a basic shift in America's competitive position. Secretary of Commerce Peter G. Peterson, then Assistant to the President for International Economic Affairs, speaking last December, summarized this development as follows:

> The old policies were based partly on early postwar realities, and sometimes reflected lags between changes in those realities and the world's perception of those changes. The central fact of the past twenty-five years had been the conviction—ours as much as that of other countries—that the U.S. was dominant, both in size and competitiveness in the international economy and that the practices, institutions and rules governing international trade and payments were structured to fit that fact. We as a nation and the world as a whole were too slow to realize that basic structural and competitive changes were too slow in responding.

Some people have reacted to this situation by proposing that the United States abandon its open trade philosophy and embrace a restrictive philosophy, adopting such protectionist measures as import quotas and drastic controls and tax penalties over foreign investment by American corporations.

Those who advocate freezing imports and restricting the export of American capital do so out of a legitimate concern for the welfare of the American worker. It is a concern which is shared by many of those who have misgivings about the imposition of such controls. The dislocation of any worker is a personal tragedy and a loss to the community and the Nation. On the grounds of simple compassion for people in distress, it cannot be ignored.

At the time I became a Member of Congress, hundreds of workers in my congressional district were unemployed. Hundreds of them are still unemployed. Many more live in fear of unemployment. To say that I am concerned about their situation is putting it mildly. Since being in this House, I have spent a very large portion of my disposable time attempting to get a clear understanding of the causes of their distress and possible legislative action to remedy the situation.

The problem is not a simple one, and there are no simple solutions to it. The effects on the whole economy, if wrong legislative choices are made, could be severe and could actually create more unemployment and a lower standard of living. For this reason, and because I am not an economist, I have declined to take a fixed position on some of the more drastic legislative proposals relating to foreign trade and investment. These proposals, such as the Burke-Hartke bill, should be the subject of thorough and searching legislative hearings before they can be considered for submission to the Congress as a whole.

I took the liberty months ago of urging the distinguished chairman of the Ways and Means Committee to hold such hearings. So far, no such hearings have been held and, as far as I know, none are scheduled. In the meantime, the dollar devaluation and other measures to alleviate the situation have been put into effect. But the problem has not gone away and is not likely to go away until our national policies—and those of other countries as well—are brought into line with the economic realities of the new era.

As a result of my own study of the problem, I have concluded that the need for certain types of legislative action in this area is sufficiently clear and the implications of such legislation are sufficiently limited that it could be adopted without waiting for the extensive hearings that are needed for some of the more drastic proposals. This is the proposed legislative package that I am offering today.

Before describing the legislation in detail, let me make a few general observations. These may be obvious to anyone experienced in this field, but I think they bear repeating.

THE FUTILITY OF UNILATERAL ACTION

First of all, I think we must recognize that the United States cannot, acting by

itself, solve the international trade and investment problem. Our Nation's economy is still the keystone of the arch of the free world's economy, but it cannot function effectively independent of the other members of the structure. We can, by unilateral action, disrupt the economy of the free world—and impoverish ourselves in the process. But in today's world, we cannot unilaterally solve all of our Nation's economic problems, and our ability to solve any of them unilaterally diminishes with each passing year.

Already the United States imports $4.4 billion worth of raw materials to keep our factories operating and to produce the goods needed to maintain our standard of living, and the trend is toward greater imports in the future. By 1985, economists have estimated, imports to keep our economy operating will have to undergo a sixfold increase. Obviously, we will have to earn the foreign exchange to pay for these materials. There are only two ways to earn the foreign exchange:

First, the export of our goods and services, and

Second, earnings from our foreign investment.

The United States will be severely hampered in its ability to increase its earnings in foreign exchange unless it can break down many of the artificial restrictions that other nations have imposed on imports and foreign investment. To accomplish this will require multilateral agreements or understandings between the United States and other nations.

This does not mean that we should not equip ourselves with all reasonable means of combating unfair trading practices by other nations, such as dumping their products in our markets at artificially low prices or subsidizing their exports to an unreasonable degree.

Nor does it mean that we should not provide ourselves with bargaining chips to use in negotiating with other nations to lower their barriers to our exports. However, we must be aware of the danger that such chips, if they take the form of additional restrictions, may evolve into permanent trade restrictions, which would have the effect of constricting rather than expanding our ability to export.

NEGATIVE IMPACT OF TRADE RESTRICTIONS

This brings me to the other side of the foreign trade coin. Not only is a go-it-alone policy likely to be unproductive in promoting our exports; it is likely to be counterproductive if, as is usually the case, it involves long-term, large-scale restrictions on foreign imports. This is why I have serious misgivings as to whether protectionist legislation will really protect American jobs.

Having grown up during the great depression of the 1930's, I have a strong sense of the danger as well as the futility of attempting to export unemployment. Many economists have expressed the belief that the protectionist Smoot-Hawley Tariff Act of 1930 was a major contributing factor to both the severity and length of that depression.

The trouble with creating new restrictions against foreign imports is that they are likely to provoke retaliation by other nations, creating additional restrictions on American exports. If this approach turned out to be disastrous in the 1930's, what reason have we to believe it would be any less disastrous today? Certainly the jobs likely to be saved through import quotas and similar protectionist legislation must be balanced against the jobs that are likely to be lost because of reduced exports. My readings on this subject indicate that the result is likely to be a net loss of jobs in the United States.

State Department economists have estimated, for example, that if import quotas such as those proposed under Burke-Hartke are imposed, and there is an equivalent retaliation by our foreign trading partners, the immediate impact on the U.S. job market would be a net loss of nearly 8,000 jobs. The number of jobs lost in U.S. export industries and industries supplying them would exceed the number gained in other industries presently competing with imports by that amount. That is only the immediate effect.

Lost jobs mean lost income, reduced consumer spending, and ultimately, the loss of still more jobs. This debilitating sequence of events is one that could be repeated many times before the shock waves of the initial job loss finally subside. In their report, the State Department economists estimated that by the time the ripples died down, the net loss of jobs could be as high as 30,000 to 80,000.

While other economists may present different figures, the consensus appears to be that the net impact of restrictive trade policies on domestic employment would only be negative.

Clearly, this is a very serious obstacle to be overcome by the proponents of restrictive trade legislation. They must, at the very least, demonstrate that their proposals will not produce an overall net loss in employment in the United States. For while it is possible for such legislation to protect certain jobs in certain industries, the Congress could not be expected to protect the jobs of some American workers by creating unemployment for an even larger number of other American workers.

THE DOMESTIC SOURCE OF OUR ECONOMIC PROBLEMS

A third basic observation I would make is that the primary solution to our unemployment problem lies in the adoption of domestic economic programs to insure full employment. Despite the seriousness of the threat of imported products, most, if not all, of the unemployment in my own congressional district, a highly industrialized area, is the direct result of failure in our own domestic economy. I believe the same could be said for the country as a whole. Whether foreign tariff barriers are reduced—or U.S. tariff walls are raised—the internal problems which plague our economy and make American goods less competitive abroad and at home will remain. The American worker will not be secure in his job until they are solved.

What are they? There is one expression which seems to have gained general acceptance as a catchphrase describing the whole complex of problems facing American industry and the U.S. economy—failing productivity. Since 1965 the United States has experienced a rate of productivity increase much slower than those enjoyed by Japan and Western Europe. In the period 1965–1970, U.S. productivity increased at an annual rate of 2.1 percent, while Japanese productivity expanded at the phenomenal rate of 14.1 percent per year In this same period the French showed annual productivity gains of 6.6 percent; German and Italian productivity rose at better that 5 percent annually. Even Great Britain, with its supposedly sluggish economy, experienced a higher annual rate of increase in productivity than did the United States—3.1 percent. Is it any wonder that American goods have become less competitive?

The blame for our poor productivity performance and our consequently weakened competitive position can only be laid at our own doorstep. Some business leaders and public officials have suggested that it is all the fault of the American working man. "His wages are too high, he is not producing enough," they say. "He is pricing American goods right out of the domestic and world markets." These charges may be true in some cases. But the objective facts do not bear out these charges for the economy as a whole. In the period 1957 to 1970, unit labor costs increased at an annual rate of 1.9 percent. But our yearly rate of inflation was substantially higher than this; prior to the freeze, consumer prices were increasing at better than 5 percent annually. Clearly it is misleading to place the blame for rising prices on labor. It is equally misleading to blame the workers for our poor showing in productivity. Their output is ultimately limited by the technology at their disposal.

Is the rising tide of imports and the decline in our exports the fault of American businessman, then, for not having modernized their plants fast enough to keep pace with foreign competition? In some cases it is. The steel industry is a case in point. While the absence of restrictions has made possible the entry of foreign steel, particularly Japanese steel, it is primarily superior technology that has made it competitive. The Japanese produce 80 percent of their basic steel by the new basic oxygen process. In contrast, only 48 percent of American steel is produced this way—the process, incidentally, was invented in Austria. On the whole, however, American industry leads the world in managerial skill and creativity.

Mr. Speaker, if the blame for our sagging productivity lies anywhere, it lies right on our own doorstep. The Federal Government itself is the biggest single contributor and source of both inflation and the lag in productivity growth.

Since 1946, the Congress has authorized and the executive branch has spent, nearly a trillion dollars—$1,000,000,000,000—on the military. It is well recognized today that this massive investment in economically unproductive military programs has come at the expense of domestic social needs and programs, which have gone begging as our military budgets have continued to grow. It is prob-

ably no coincidence that the great Swedish economist, Gunnar Myrdal, has stated that it will cost at least a trillion dollars and require at least a generation for America to rebuild its cities, end poverty, and heal all of the many social deformities that have dislocated our society in recent years and are generally lumped under the heading of the urban crisis.

What is not as well perceived is that the tremendous expenditures we have made for weapons and weapons technology have diverted our scientific and technological resources from civilian to military pursuits. This domestic "brain-drain," I believe, has contributed significantly to the poor productivity record of America's civilian economy.

Higher productivity depends on both capital investment and technological improvements. Industrial technology is improved through scientific research and development—R. & D. The rapid growth of federally supported defense and space research and development in the postwar period has promoted a rise in the overall costs of R. & D. both to the Government itself and to private industry. Government demand created a seller's market for scientific and technical personnel and bid the cost of their services up. As a result, R. & D. has become prohibitively expensive for many private firms. This, combined with the diversion of the best of our scientific and technical talent to defense and aerospace work, has slowed the growth of civilian R. & D. over the last two decades.

If American industry is to become more competitive, it must become more productive. This will depend to a large measure, on the successful conversion of a substantial portion of our economic resources from military to civilian uses. A comprehensive economic conversion program, combined with an outward-looking trade policy which seeks the relaxation of trade barriers as the best way to gain entrance to foreign markets for American products, will, in my view, best serve this country's economic interests in the long run.

But this is still cold comfort to the worker who loses his job because of increased imports in the short run. If it is to be our national policy to seek freer trade, it is also our responsibility, as a humane nation, to see that workers dislocated by foreign competition, through no fault of their own, are not left out in the cold while the rest of the Nation prospers. Those of us who believe that there are great benefits to be reaped from the expansion of international trade must recognize that there are costs as well. It would be grossly unfair to permit the development of a situation in which society enjoys the benefits of freer trade while particular groups of workers are burdened with the costs.

Congress recognized the Government's obligation to assist workers laid off as a result of our foreign trade policies—at least in principle—when it made adjustment assistance part of the Trade Expansion Act of 1962. In practice, however, the present adjustment assistance program has not worked. It is difficult for workers to qualify for benefits, and the assistance that is available is inadequate. Although the effort has been less than successful, the concept behind it is still sound. I believe that the principal of public responsibility for the consequences of national economic policy can and must be made to work.

TRADE AND ECONOMIC CONVERSION ADJUSTMENT ACT

The Trade and Economic Conversion Adjustment Act, which I am introducing today, is intended to translate that principal into reality. This bill is much more comprehensive than the present adjustment assistance program. It would improve on it in three basic ways.

OBJECTIVE ELIGIBILITY STANDARDS

First, it would be easier to invoke. Under the present law, a worker's eligibility for adjustment assistance is settled on the basis of two subjective judgments—that increased imports are a "major factor" contributing to an industry's decline, and that these imports resulted in major part from trade concessions. The gray area here is considerable. When do imports cross the threshold from being a minor nuisance to being a major disruptive factor? How often can it be shown that particular increases in imports have resulted in major part from trade concessions? The answer has proven to be almost never. In case after case, the Tariff Commission has decided against workers seeking assistance.

Under the new law I am proposing, workers would only need to show that a decline in their firm's output was accompanied by an adverse change in the industry's trading position—either an increase in imports or a decline in exports, or both. In the event that the industry-wide export-import pattern remains unchanged, workers could still qualify for assistance if they could show that a decrease in their employer's production was accompanied by reduced sales to customers who made increased purchases of the product from foreign competitors.

These new criteria would tie the determination of eligibility to specific, readily correlated economic data. They would eliminate the contentious issue of what is major and what is minor. Adjustment assistance would be based on the bedrock of sound economic analysis. This, more than anything else, will promote fair and equitable administration of the program.

MORE GENEROUS BENEFITS

The second important improvement is in the size and scope of the benefits proposed in my bill. Even if a worker can pass the difficult eligibility requirements, the present adjustment assistance program provides unemployment compensation of up to 65 percent of the national average manufacturing wage for a maximum of 1 year. It seems to me that our people are entitled to something better than this and that we can and should provide it for them.

The benefits provided by my bill would sustain workers and their families with minimal erosion of their economic status, and no loss of their self-respect, for a period long enough for them to find new jobs. Briefly summarized, the adjustment benefits I am proposing would compensate workers at the rate of 80 percent of their own previous wages while they remain unemployed. If they take new jobs at reduced wages, they would be compensated for the entire difference between their new earning levels and their old, guaranteeing them 100 percent of their prelayoff earnings. Their health benefits, as well as the employer's portion of their contributions to social security, would also be maintained.

In addition to these basic benefits, dislocated workers would, under my bill, be eligible for job retraining and relocation assistance.

Finally, the maximum period during which most senior workers would receive benefits would be greatly extended. Any worker employed by a firm for at least 4 weeks prior to being laid off would be eligible to receive benefits for 12 months. Workers would receive an additional month's benefits for every additional year of past employment by the firm which laid them off, and an additional 2 months' benefits for every year of employment in excess of 10. Older workers, who are likely to have a more difficult time finding new jobs, would thus be afforded extra protection under my bill.

EXPANDED SCOPE OF COVERAGE

The proposed act improves on the present adjustment assistance program in a third important way: it significantly expands the scope of coverage.

If our civilian economy is to become truly healthy and viable again, if the fires of inflation are to be checked, and the chill of unemployment ended, our national resources must be redirected. We must significantly scale down our public investment in the implements of war and substantially escalate our spending on the tools of peace. A major shift in Federal spending from military programs to meeting human needs will, I believe, yield tremendous benefits for our economy as a whole.

But these benefits will not accrue to all sectors of the economy immediately, and in fact, in the short run some military contractors will suffer and some workers will lose their jobs. The Federal Government set the spending priorities which created the present surplus of defense jobs and made thousands of workers and their families dependent on Government military contracts for their livelihoods. In resetting those priorities, the Government must accept the responsibility for the welfare of those workers.

In recognition of this obligation, my bill would extend the benefits I have already outlined to workers who lose their jobs because of cutbacks in Government space and military programs. This would assure laid-off defense and aerospace workers real income security in the difficult interim period between the disappearance of their old jobs and the emergence of new job opportunities. And it would do more than that. It would also help stabilize the economies of the communities in which these workers live, where thousands more people are employed in service industries catering to their needs.

The act I am proposing also extends its coverage to another group of workers not

covered by the present adjustment assistance program. They are employees of the so-called multinational corporations. The existing program does not take into account the plight of workers who may have been laid off as a result of a decision by their employers to invest abroad. In most such cases the workers cannot qualify for benefits under the present law. Yet, when top management decides to invest overseas rather than produce at home—as, for example, Chrysler Corp. did when it decided to import Colts and Crickets from Japan—workers may lose their jobs, their families suffer, and local economies may be hurt. Workers dislocated by overseas investment are just as much victims of our open trade and investment policies as workers displaced by foreign imports.

The eligibility of defense and space industry workers and employees of multinational corporations for adjustment benefits under the new act would be determined on the basis of hard economic data—not subjective judgments. Dislocated workers would qualify for assistance upon demonstration that a decline in the domestic production of their firms is associated with either a cutback in U.S. space and defense contracts, or the firm's decision to invest abroad.

FINANCING

The question will no doubt be raised as to how the adjustment benefits I have just outlined are to be financed. The proposed act contains no special provision for financing the adjustment benefits that would be payable under the act. Obviously, the number of workers eligible for benefits and the amount of benefits could vary considerably from year to year. As the bill is written, funds to pay for adjustment benefits would have to come from the general revenues as needed.

However, alternative financing methods could be worked out by Congress after experience has been gained in the administration of the act. For example, it might be possible to give the Secretary of the Treasury power to impose a small, across-the-board tariff on imports at a rate that could be varied from year to year, as necessary, to pay for adjustment benefits resulting from foreign trade and investment. I intend to continue to explore possible methods of financing such benefits, and would expect to have some specific proposal to make by the time the bill is reached for consideration in committee. However, the question of financing is not essential to the enactment of the bill and should not delay consideration of this urgently needed protection for the working people of America.

FOREIGN TRADE AMENDMENTS ACT OF 1972

But we must do more than merely provide assistance to cushion the shock of unemployment. We can also act now to eliminate provisions in our tax laws and tariff laws that subsidize and encourage foreign investment, even though it may be at the expense of domestic investment. We must also have more effective legal tools for combating unfair competition by imported products. To this end, I am also introducing today the Foreign Trade Amendments Act of 1972.

The act would make the following changes in our tax structure and tariff laws:

It would end blanket tax deferral on unrepatriated, foreign-source income.

It would close, for the future, tariff loopholes for products assembled abroad from U.S.-made components, except where competitive necessity can be shown.

It would require the Overseas Private Investment Corp., to evaluate its decisions in the light of their impact on the domestic economy, and prohibit it from subsidizing or guaranteeing foreign investments which could have an adverse effect on the U.S. economy.

It would strengthen our antidumping and countervailing duty laws and make them easier to invoke against subsidized imports.

FOREIGN INVESTMENT TAX AND TARIFF REFORM

Mr. Speaker, some of our present tax laws and tariff rules still reflect the philosophy current in the days when it was our national policy to encourage U.S. foreign investment—in the aftermath of World War II, when the prostrate economies of Western Europe and Japan desperately needed massive infusions of American capital. Our national policymakers wisely recognized that rapid economic recovery was the key to political stability in these countries, and that in the longrun our own economic interests would be well served by the development of healthy, expanding foreign economies and the new markets for U.S. products which they could provide.

It is a testament to the success of those policies that today we are in a whole new ball game when it comes to international trade. The economies of Western Europe and Japan are thriving as never before. American capital is no longer an essential ingredient to their success, but the manner in which it may be used or abused in the world is vital to our continued success.

While once justified by world economic and political conditions, indiscriminate artificial incentives to foreign investment, such as those provided by our present tax rules, tariff preferences, and investment guarantees, no longer serve our economic interests.

Certainly the time has come to adopt a tax and tariff policy that is best for our own longrun economic interests. That is a policy of neutrality. Foreign investment decisions which are made in an atmosphere of complete tax and tariff neutrality are most likely to be made on the basis of the real economies underlying the proposed investment, such as the availability and cost of raw materials, and labor, capital, and transport costs. Such foreign investment, made by balancing the real economic advantages and disadvantages as compared with similar domestic investment, is most likely to bring the maximum benefits to all segments of our economy—the opening of new markets for American exports and the creation of more jobs for American workers.

Present laws deferring U.S. tax on income earned abroad by foreign subsidiaries of American companies, and tariff loopholes giving special preferences to products assembled abroad by U.S.-based corporations, are not conducive to the most economically sound investment. These tax and tariff preferences tend to encourage American firms to close down at home and set up abroad, depriving American workers of jobs and income for reasons which may have very little to do with sound business practice or the long-run interests of our own economy.

Their repeal would create a more intelligent tax and tariff policy, which would neither subsidize nor penalize U.S. foreign investment. We would have an economic environment in which there would be no U.S. tax benefit from sending investment capital overseas to take advantage of lower foreign tax rates, or tariff preferences for setting up final assembly plants abroad to take advantage of cheaper labor.

However, while complete U.S. tax and tariff neutrality toward U.S. foreign investment should be our guiding principle, we must recognize that there are likely to be times when theory, no matter how sound, will clash with other important considerations. We may adopt a neutral tax and tariff stance, but there is no guarantee that other countries will follow suit. American firms, seeking to invest abroad for the best of reasons, but carrying the full burden of U.S. taxes, could find themselves at a competitive disadvantage with foreign companies whose governments do not tax foreign source income.

For this reason, the tax and tariff provisions of this act would end the indiscriminate granting of such tax and tariff preferences but would not go the whole road to total repeal of the present tax deferral on foreign earnings or tariff preferences for goods assembled abroad from United States made components.

If a firm must invest overseas to remain competitive with foreign companies at home or abroad, or if it seeks to enter new markets which U.S. exports cannot reach, and if it can show that its investments would have no adverse effect on our trade and payments balances or on domestic employment, then, under the provisions of my bill, it could seek and obtain such tax deferral and tariff relief. In all other cases, the tax and tariff laws would be neutral, neither encouraging nor discouraging foreign investment by U.S. firms. Foreign source income would be taxed in the year it is earned, and products assembled abroad from U.S.-made components would face the same tariff obstacles encountered by 100 percent foreign-made goods.

Criteria similar to those I have just outlined would be applied by this bill to investment guarantees the Overseas Private Investment Corporation—OPIC. The Federal Government should not be in the business of subsidizing or guaranteeing foreign investments which are likely to deprive American workers of jobs, or are otherwise adverse to the American economy. There is presently no requirement in the law that OPIC evaluate its decisions in the light of their impact on the American worker or the domestic economy. This is a serious flaw, which this bill would remedy.

SIMPLIFIED ANTIDUMPING AND COUNTERVAILING DUTY PROCEDURES

The greater the freedom to trade, the more necessary it is to have effective means of insuring fair trade. There will always be some foreign firms which will try to gain a competitive advantage by dumping their products on the American market at artificially low prices. There will be some foreign governments which will seek to subsidize their export industries. We have antidumping and countervailing duty laws on the books now to cope with such unfair trade tactics, but in practice, administrative procedures have made them difficult to invoke.

The proposed act would simplify the procedures and set a time limit of 4 months for the Tariff Commission to complete its deliberations and come to a decision. These changes would assure U.S. manufacturers and U.S. workers of timely relief in the event of unfair foreign competition.

Mr. Speaker, the two bills I have introduced today represent an attempt to come to grips with at least some aspects of the highly complex and controversial question of how far the Government should inject itself into regulation of foreign trade and foreign investment. Those who would go farther and have the Government drastically restrict imports and curb and control U.S. foreign investment bear the burden of demonstrating that such controls would not become self-defeating, stagnating our economy and destroying more jobs than they save. Until full public hearings are held on their proposals and the pros and cons have been thoroughly and objectively debated, there is no way for the Congress to decide whether that burden has been met.

But to those who insist that there is no need for change, that we live in the best of all possible economic worlds, it is only necessary to point to the rising tide of imports and the huge gaps in our balance of trade and balance of payments to suggest that this just is not so. Likewise, the anguished cries of workers who feel their jobs are threatened by imports and by multinational corporations are eloquent testimony that our present trade and investment policies are not serving all sectors of our economy equally well.

Mr. Speaker, it is my hope that the Trade and Economic Conversion Adjustment Act and the Foreign Trade Amendments Act of 1972, which I have introduced today, will afford some meaningful progress toward a more workable and humane foreign trade and investment policy. I include a section-by-section analysis of the bills, along with the text of the bills, to be printed in the RECORD at this point:

SECTION-BY-SECTION ANALYSIS

"Trade and Economic Conversion Adjustment Act of 1972."

Section 3 establishes a separate Office of Adjustment Benefits in the Department of Labor to administer the Adjustment Benefits Program.

Section 4 establishes an advisory board composed of labor leaders and the chairmen and ranking minority members of the Joint Economic Committee, the Senate Labor and Public Welfare Committee, and the House Education and Labor Committee to review the administration of the Act and to make an annual report to the President and to Congress. Board members will have full access to all records, data, memoranda, and other documents of the Office. This section ensures that the administration of this Act will be conducted in a completely open manner.

Section 5 establishes the criteria for determining workers' eligibility for benefits under this Act. The criteria tie eligibility to easily obtained and readily correlated objective, economic data, assuring that eligibility determinations under this Act will be fair and equitable. This section also extends eligibility for Adjustment Benefits to employees of U.S. firms with foreign investments and firms with government defense and space contracts. The existing adjustment assistance Program, established under the Trade Expansion Act of 1962, covers only workers displaced by import competition.

Section 6 establishes the amount and duration of cash benefits under this Act. The benefit levels established are higher than those available under the present Adjustment Assistance Program. Unemployed workers would receive 80% of their own former weekly wages. Eligible workers taking new jobs at reduced wages would receive compensation to bring them up to 100% of their old earning levels, giving workers an incentive to seek new employment as quickly as possible. Workers deemed eligible for Adjustment Benefits would receive them for at least one year, and longer depending on their previous length of service with the firm which lays them off.

Section 7 provides for job retraining for workers deemed eligible for Adjustment Benefits.

Section 8 provides for assistance for eligible workers in relocating within the United States, if such relocation is necessary to obtain suitable employment.

Section 9 authorizes the Director of the Office of Adjustment Benefits to contract for health insurance coverage in behalf of workers deemed eligible for Adjustment Benefits.

Section 10 requires U.S. employers engaged in interstate and foreign commerce to give their employees at least three weeks advance notice of any impending lay-offs or reductions in working hours. Failure to give such notice under this section would be punishable by a $5,000 fine.

"Foreign Trade Amendments of 1972."

TITLE I—TAX LAW AMENDMENTS

Section 102 provides for the taxation of earnings and profits of controlled foreign corporations.

Section 991 requires that earnings and profits from foreign investment be reported with a breakdown as to the source of the income (i.e.—from each country) for the year in which profits were earned; and that reported earnings and profits follow generally the rules now applied to corporations within the U.S., with adjustments for prior year's deficits, and exemptions for reporting of income where foreign legal restrictions make such reporting unrealistic or U.S. laws make such reporting unfair.

Sec. 992 defines the U.S. corporation as one with 10% or more of the foreign company's stock and defines "control" as ownership of more than 50% of the stock. It defines the foreign corporation with provisions for assuring that indirect control shall be included.

Sec. 993 establishes the mechanism for determining what is considered stock ownership, either direct or indirect.

Sec. 994 provides against double taxation by exempting income that has already been reported for taxes in the U.S. or abroad through a chain of relationships which would be taxed anyway. Proof is required for this exemption, so that information on relationships will be available.

Sec. 995 makes provision so that the U.S. stock has a taxable value related to the new provisions. The basis or the taxable value of the corporate stock will be adjusted by whatever amount is included or excluded in the gross income of the U.S. corporation. This assures that U.S. income abroad does not escape proper capital gains or other revenue collection. The adjustment in the "basis" may be upward for inclusions or downward for exclusions.

Sec. 996 provides that the U.S. Tariff Commission may grant an exemption from the provisions of sections 991–995 to any U.S. firm with respect to its foreign-source earnings, if it finds that the firm's foreign investments and operations do not adversely affect the U.S. balances of trade and payments, or U.S. domestic employment, and that the firm could not domestically produce the articles it is producing in whole or in part abroad and market them competitively with like or similar articles produced by foreign-owned firms.

TITLE II—ANTIDUMPING ACT, COUNTERVAILING DUTY LAW, TARIFF SCHEDULES AMENDMENTS AND OTHER PROVISIONS

Sections 201 and 202 amend the Antidumping Act and countervailing duty statutes of the Tariff Act to expedite antidumping and countervailing duty procedures by placing their administration in one agency and setting a time limit of three months for the processing of a complaint.

Section 203 amends the U.S. Tariff Code to provide that those items permitting the importation of articles assembled abroad from U.S.-made components at reduced tariffs (items 806.30 and 807.00) shall apply only in cases where the U.S. Tariff Commission finds that the importation of such articles will not adversely affect U.S. exports, the U.S. balance of payments, or domestic employment, and that the importer could not produce the article domestically and market it competitively with like or similar articles produced by foreign-owned firms.

Section 204 stipulates that the Overseas Private Investment Corporation may not provide any insurance, guaranties, loans or any other assistance it is authorized to provide to U.S. firms seeking its assistance for purposes of overseas investment unless the U.S. Tariff Commission first finds that the overseas investments or operations of such firms will not adversely affect U.S. exports, the U.S. balance of payments, or domestic employment, and that firms applying for such assistance could not domestically produce the articles they intend to produce overseas and market them competitively with like or similar articles produced by foreign-owned firms.

CONGRATULATIONS TO THE WILKES-BARRE VETERANS' HOSPITAL DURING "AGNES"

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

Mr. SAYLOR. Mr. Speaker, the tragic devastation caused by the flooding of Agnes has, in some way, affected each of us. Despite the loss of homes, businesses, and communities there was a bright spot in all the destruction.

Faced with disaster, man showed his compassion for those unfortunate enough to have been stricken by the flood by contributing to countless assistance programs. I would praise specifically the efforts of the Veterans' Administration Hospital in Wilkes-Barre, Pa., and its director, Dr. Leon Ross. Superb staff efforts in this hospital coupled with the cooperation of responsible citizens enabled the hospital to function close to normal. In addition, the Wilkes-Barre facility received

patients from other hospitals who were forced into below normal operations because of the flooding conditions.

The Veterans' Administration also offered immediate assistance to veterans in securing and maintaining G.I. loans which would enable them to rebuild after the tremendous amount of destruction began to clear away.

As a longtime member of the House Veterans' Affairs Committee and one who considers himself a guardian of the Nation's programs for veterans, I am proud to be associated with the Veterans' Administration and I compliment them on their humane efforts in serving not only veterans during this recent disaster, but the entire citizenry.

The three articles which follow explain in more vivid detail the commendable actions of the Veterans' Administration during the devastation of Agnes:

FLOOD HELP

"The Wilkes-Barre VA Hospital brought its full operational force to bear to serve Wyoming Valley in its flood emergency," reported the Wilkes-Barre Independent, adding:

"The big hospital on the bill, despite its quiet appearance to those who visit there, was deeply involved in the medical program of the valley. As the waters of the Susquehanna rose, patients from Mercy and Nesbitt Memorial Hospitals were the first to be evacuated to the big facility. Advance emergency-type preparedness paid off, in that a smooth, well-functioning organization was put into operation.

"Lack of power for a time, lack of telephones at VA for over a week, and other inconveniences did not stop us from functioning well," said Dr. Leon Ross, hospital director.

"Amateur radio operators who came from all over Pennsylvania and New Jersey served as the only communications link. They were most effective," the story said.

Accident victims and seriously ill patients were transferred to the VA hospital by helicopter. Many landings were made in darkness. The baseball field behind the VA hospital was rimmed with parked automobiles. Their headlights were turned on when the helicopters approached to outline the field. Ambulances with blinking lights showed the emergency landing pad.

During the critical stages of the flood, the helicopter served as the most effective emergency vehicle and made landings to bring in 35 patients. After they landed the helicopters again took off carrying VA-supplied drugs, food and badly needed emergency medicines to flood relief headquarters center at Misericordia.

From Leader Nursing Home in Kingston, 35 patients were sent to the VA hospital. These were older women, the news story said and all required extensive nursing care. Not only were these people taken care of but their names were broadcast over the radio, so their families would not worry.

The president of the county medical society set up his emergency flood headquarters at the VA hospital. More than 150 homes and offices of physicians were washed away by the flood and their communications were handled at the VAH, added the Independent.

The Pennsylvania Department of Public Welfare was also given space at the VA hospital, as well as the Holy Savior Church and veterans organizations for their flood relief work.

Even though their own homes were lost and damaged, many VA hospital workers stayed at the hospital working around the clock during the emergency, the newspaper said.

LOANS TO FLOOD VICTIMS

Veterans in the flood area who suffered property loss or damage due to the storm were asked to contact their nearest VA office for help. Steps were taken to: reinstate, wherever possible GI loan benefits when properties were totally destroyed; extend reasonable leniency to veterans with VA loans in default due to the disaster; make supplemental loans to veterans, where economically feasible, for repairs on partially destroyed properties obtained by VA loans; and to provide counseling and assistance on obtaining repair or reconstruction loans from non-VA sources.

The VA also made available to the Office of Economic Preparedness VA-owned properties to house flood victims.

[From VAnguard, Aug. 1, 1972]

VA HOSPITALS HELP NEIGHBORS IN WAKE OF TROPICAL STORM "AGNES"

"Agnes" was a complex storm that started as a hurricane in the Caribbean. She was downgraded to a tropical storm as she moved inland only to gather new strength and to eventually cause more wide-spread flood damage than any other one storm in the nation's history. (The Johnstown flood had more casualties, but was limited in area.)

VA stations throughout the storm area, while suffering only minor damage themselves, did not hesitate to come to the aid of neighboring communities in any way they could.

VA HOSPITAL WILKES-BARRE

"The Veterans Administration Hospital, East End Boulevard, brought the full force of the U.S. Government and its facilities to bear on the flood disaster offering a haven to seriously ill from institutions all over Wyoming Valley . . ." praised the Wilkes-Barre Record in their report of the flood disaster.

Seriously ill persons, especially those needing surgery, were brought to the VA Hospital in Wilkes-Barre via ambulance and helicopter from nearby hospitals. Most of the helicopter landings were made after dark. "They landed on our baseball field," reported Dr. Charles Bishop, Chief of Staff, speaking of the airlifts. "The field was rimmed with automobiles with their headlights turned on and our ambulances used their blinking red lights."

Through advanced Civil Defense planning, a portable emergency hospital had been stored at College Misericordia. At the time of the storm it was stocked by the VA Hospital with supplies carried by helicopter. This portable hospital quickly became the only operative hospital on the west side of the flood swollen river.

Dr. Leon Ross, Hospital Director, had high praise fo his staff and for Irving Winkler, a Volunteer, who put himself into service as a "runner". He kept the VA in touch with the outside when other communications could not be used, and transported urgently needed employees to the hospital in his own car when they had no other way of getting there.

TO AMEND THE ALASKA NATIVE CLAIMS SETTLEMENT ACT

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

Mr. SAYLOR. Mr. Speaker, I am today introducing legislation to amend Public Law 92–203, the Alaska Native Claims Settlement Act. The purpose of my bill is to extend the time for the Secretary to review and select the lands withdrawn under section 17(d)(2) of that law.

If my colleagues will recall, the Alaska Native Claims Settlement Act as it passed the House on October 20, 1971, withdrew all unreserved public lands in Alaska for an indefinite period and permitted the Secretary of the Interior to classify the withdrawn areas or open the same to entry in the public interest. It was my amendment in committee which provided this authority in the Secretary. I proposed that amendment in committee because I and many others were concerned about the land rush that could occur in Alaska following the revocation of Public Land Order No. 4582, as amended, which froze all public lands in Alaska pending the settlement of the Alaska Native land claims.

In my judgment, the action of the House in retaining this language in the bill was responsible action in the public interest. It was good judgment because the law as we passed it retained in the Secretary of the Interior the existing authority to manage the public lands remaining from the land settlement provided in the bill. Without retaining this authority in the Secretary, the remaining public lands in Alaska were left up for one of the greatest public land grabs in the history of this country.

The conference committee, however, changed this language to require the Secretary of the Interior to withdraw up to 80 million acres of unreserved public lands for the purpose of recommending to the Congress areas suitable for additions to or creation of new units of the national park system, national forests, wildlife refuges, or the wild and scenic rivers system. The conference committee further required that the lands so withdrawn had to be withdrawn within 9 months of the date of enactment.

During the conference on this act, I opposed the stringent time limit imposed upon the Secretary to review these 80 million acres and make recommendations to the Congress. At that time, I was unable to subdue the zeal of some of my colleagues to carve up and give away the public lands in Alaska.

Now we have a request for more time from the Federal State Land Use Planning Commission for Alaska, created by this law, to review and make recommendations to the Congress on the 80 million acres withdrawn in accordance with existing authority. I am pleased to advise my colleagues that the request of the Commission has the support and concurrence of the Secretary of the Interior.

For the purpose of fully informing my colleagues of this request, I incorporate as part of my remarks a copy of the letter directed to the chairman of the Committee on Interior and Insular Affairs which is as follows:

FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA,
Anchorage, Alaska, August 1, 1972.

Representative WAYNE ASPINALL,
Chairman, House Committee on Interior and Insular Affairs, Washington, D.C.

DEAR CONGRESSMAN ASPINALL: We urgently request the support of the House Committee on Interior and Insular Affairs for an amendment to Section 17(d)(2)(B) which would provide for an additional six months for the Secretary of the Interior to withdraw lands

in Alaska for recommendation to the Congress for inclusion in National Park, Forest, Wildlife Refuge and Wild and Scenic Rivers Systems.

This request is made with the unanimous concurrence of the Federal-State Land Use Planning Commission created under the Act. It also has the full support and concurrence of the Secretary of the Interior who met with the Commission at its first meeting in Anchorage yesterday.

The need for the State of Alaska to adopt conforming amendments in its companion legislation and to appropriate funds for the Federal-State Land Use Planning Commission necessarily delayed organization of the Commission. State legislation became effective July 6; Commission appointments were made shortly thereafter; and Commission members were sworn in and began work July 31, 1972.

The critical importance of this withdrawal to the State of Alaska and the Nation cannot be over estimated. Eighty million acres represent one-quarter of Alaska, an area twenty-five per cent larger than the State of Colorado. Areas being studied for this withdrawal contain among the highest scenic, mineral, wildlife and recreational values in the American Arctic and sub-Arctic. Given the magnitude of the withdrawal and the value of its resources, it is obviously of paramount importance that sufficient study time be allowed to insure that National, State and local interests are most optimally realized.

If the Commission is to make meaningful recommendations, to the Secretary of the Interior so that he, in turn, may make the best recommendations to the Congress, an extension beyond the present deadline of September 17, 1972, is imperative.

We propose that the words "within nine months of the date of enactment of this Act" be stricken from Section 17(d)(2)(B) of the Alaska Native Claims Settlement Act and the following words substituted: "by March 17, 1973."

We make this proposal with full recognition of the difficult time constraints upon the Congress, if action is to be taken prior to September 17, 1972.

Sincerely,

WILLIAM A. EGAN,
State Cochairman.
JACK HORTON,
Federal Cochairman.

Mr. Speaker, the introduction of this bill once again places me in that enviable position which I continually find myself in of being able to say to my colleagues "I told you so."

DOMESTIC VERSUS FOREIGN COMPETITION

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

Mr. SAYLOR. Mr. Speaker, those who are not exposed to import competition and know little or nothing about it are prone to say that competition from imports is the same as every company experiences on the home front in its regular order of business. Competition, they say, is the same regardless of its sources, foreign or domestic.

It is also said that the disruption that may be caused by foreign competition is no greater than the upset caused from time to time by a new product coming on the market or some modification of an existing one. In either case the domestic manufacturers must adjust and get on with their business or suffer the consequences.

It is refreshing to have an analysis of the differences between competition of the domestic variety compared with the foreign. In a paper on this subject, Mr. O. R. Strackbein, Nationwide Committee on Import-Export Policy, who is known to many of us for his analytical approach to the import problem, discusses the difference in the effects of import competition from the domestic variety.

I offer these remarks for the RECORD at this point and hope that all will read it who are interested in the subject:

DOMESTIC VERSUS FOREIGN COMPETITION

(By O. R. Strackbein)

The virtues of foreign competition are often equated with those of the domestic variety. If competition on the domestic scene is good, for whatever reason, the same value, it is held, must apply to competition from sources beyond our borders.

In order to test this effort to equalize the benefits of competition regardless of its source, it is desirable to ascertain what the virtues of competition are in the first place and to ask whether the circumstances under which competition is carried on may alter the judgment.

We look to competition in the market place to produce utmost exertion among producers or manufacturers, no less than distributors, who compete with each other to gain their objective, which is maximum sales and profits. However, of itself such exertion is not necessarily directed to ends that are desirable. Plunderers may rival one another to gain their ends, but their competition would not be looked upon with favor.

Competition in the market place may therefore not always necessarily be directed toward desirable ends. In this country we outlawed child labor because of its encouragement of a form of competition that came to be abhorred. We also came to look upon some forms of competition as being wasteful. Duplicate services such as parallel railroad lines could lead to excessive capital investment in relation to the total service to be performed.

We long ago permitted monopoly in public utilities, such as power and gas companies and telephone service, power and pipe lines, etc, thus avoiding uneconomic duplication of facilities. In place of competition we instituted governmental rate regulation.

To say that domestic competition is good per se, is therefore a generalization that does not bear analysis.

MONOPOLY VERSUS COMPETITION

Mistrust of monopoly power was a natural reaction in a democracy that was born of rebellion against the exercise of autocratic power. As a people who held that government received its own power from the consent of the governed and wrote into their organic law the principle of checks and balances in a triune form of public authority (legislative, executive and judicial) we looked upon monopoly as a breeder of economic evil. Its thrust was the opposite of that generated by competition. It meant special privilege and unresponsiveness to the needs and welfare of the people. The question of monopoly, however, did not become acute until the post-Civil War period when capital formation gravitated toward concentration in the form of "trusts" and combinations whose very purpose was broad economic control centered in unregulated private enterprise.

The first concrete national response in the Congress resulted in the Sherman Anti-Trust Act of 1890. In its combinations in restraint of trade were condemned. The law was made more explicit in the second decade of the twentieth century in the form of the Clayton Act and the Federal Trade Commission statute, followed yet later by the Robinson-Patman Act. These enactments did indeed attest to our faith in competition, so long as it was fair and not unduly wasteful.

As it turned out this anti-monopoly stance became a vital supporting pillar of the economic system that was taking shape in this country at the turn of the century, marking a sharp departure from the system we inherited from Europe, most notably England.

Our inventive genius led to a technological approach to production and other forms of economic activity. We glimpsed the possibilities of mass production as opening an era of economic plenty in the form of an increasing variety of consumer goods produced in such great quantities that they could be sold at prices low enough to reach the masses of people whose income was not of the highest level. Even workmen could aspire to enjoyment of goods to which they were not accustomed if more goods could be made available at lower prices.

Monopoly power in the hands of mill and factory owners and financiers could withhold or hinder the flow of these benefits to the millions of potential consumers. Mass production would thus have been stifled. Competition, meaning fair competition, alone would open the way, but would not reach all the way because it would not of itself assure the higher consumer income needed to absorb ever larger outpourings of goods from mass-production lines.

What indeed does constitute the market for goods that might be produced in rising quantities was not self-evident. As a practical matter the connection between such goods and the market had to be probed empirically by those who were committing their capital to new or old ventures that could soon turn out veritable torrents of goods.

If ten million marbles could be produced while only a million were made before, by invention and development of machinery that turned out marbles like a rain of hailstones, the entrepreneur might be buried in marbles if he gave his machinery full rein. Merely being able to turn out torrents of goods was clearly not enough. Who would buy all those marbles? What, again, constitutes the potential market for goods?

Is it merely human desire? If so, why is window-shopping such a prevalent pastime? If every window-shopper should immediately go into the shop and buy to his heart's desire, the whole stock would soon be sold. Rather, the potential market is measurable principally by the amount of money at the disposal of the potential consumer.

The immediate question then is whence arises purchasing power, and how gauge its magnitude? Is it measured by population-count? If so, China and India should be the greatest markets in the world!

What was it then in the United States that was to separate us radically not only from India and China, but also from Europe? Evidently someone who pondered the meaning of the developing mass production also pondered the question of avoiding hopeless surplus accumulations. Who would take the goods off the retailers' hands? *Surely not people without money!* Yet if only those who had disposable income beyond that needed for the necessities, such as bread and potatoes or beans, could be counted as potential consumers, how many of them might become buyers of the goods the entrepreneur was now coming into a position to supply in large quantities?

The question was a puzzle since no one had been up that road before. An entrepreneur such as Henry Ford lived and breathed questions such as these. The evidence is that he and possibly he alone saw clearly what lay before him. He had received sufficient backing to feel assured that he could sell many more "tin lizzies" if he could bring down the price radically. Nevertheless there was a risk. Mass production would indeed reduce the cost but in order to accomplish that feat he

must raise his production schedule very sharply. If the product did not sell as he hoped it would he would find himself in bankruptcy for his pains.

He did take the risk and sold enough cars to remain solvent. As an act of faith and enlightenment he raised the wages of his workers to $5 per day. That was a high level for the times but his action proves that he had indeed come to see what is the principal constituent of a market: *Consumer purchasing power in the form of employee compensation.*

Yet, had Mr. Ford been a wheat farmer, his enterprise would not have prospered as he did in the automotive world unless, of course, he had driven many other farmers out of business.

Why? How does wheat differ from the automobile in terms other than molecular composition, which is to say in terms of a saleable product on the market?

Probably the first looming fact differentiating the two products is that human beings have only one stomach. They can eat only so much per day. Therefore the market for wheat is quite strictly limited by the population count. As a result, the demand for the product is quite *inelastic*. Reducing the cost from $2 per bushel to $1 will not lure many more people to eat more wheat if that is already their diet. Even if they should all eat wheat or feed it to meat- or dairy-producing animals, the limitation would still stand.

Had Henry Ford cornered the wheat market and then increased his production several-fold, he would have learned a stern lesson while contemplating his accumulating surplus of grain. Yet, once established in his own industry he increased his production of automobiles far beyond the increase in population; and he was not buried alive or dead in surplus automobiles. Of course, even the automobile now verges on a saturated market, but for different reasons.

People did not need automobiles but could use them in ever rising numbers if the machines performed their function and (1) if potential buyers came to have more money, or (2) if the price of the machine came to low enough a level, or both. Demand for the product was *elastic*. More money hand in hand with lower price spelled increasing consumption not limited by physiological capacity as is food consumption.

THE FUNCTION OF COMPETITION IN THE PUBLIC INTEREST

The function of competition under these circumstances is obvious. It is to induce the manufacturer of consumer goods to exert himself to the utmost to reduce costs to accomplish two objectives, namely, to satisfy the needs of more people and at the same time to increase his own profits. It is, of course, the latter objective that motivates the producer. Competition lends a hand by promising that if one producer does not exert himself effectively to these ends one or more of his competitors will do so and leave him behind.

Once more, however, we early recognized the need for an initial restraint of competition lest the inventor-developer-entrepreneur be left under-motivated as he comtemplated the risk of others immediately taking advantage of his invention and going into production simultaneously with him, thus depriving him of the fruits of his labor.

In order to avoid such impairment of incentive the patent system was provided for in our Constitution. The protection it provided gave the patent-holder time to establish himself and thus to reap his reward before the doors of competition were thrown open. In other words, competition was treated as an instrument and not a supreme good in and of itself.

Once the vision of a mass-market in response to invention, development and radical cost reduction had proved itself American enterprise was indeed set on a new road. The driving incentive was the comprise of a mass market if acceptable and desirable but nonessential goods were offered to the public at prices within the reach of the mass pocketbook. In time veritably thousands of products qualified. The mass market itself had been enriched by progressive increase in wages as productivity increased hand-in-hand with technological advancement. Per capita income in this country left comparable incomes in other countries far behind (Canada excepted). The production and consumption of goods surpassed all historical precedents. Instead of one pair of shoes or one television set or radio multiple units could be and were used.

Why was this development left to the United States?

The factory system was not originated in this country. England, in particular, moved ahead in this field before American industry was well-established. While no incontestable answer is perhaps available, it seems safe to say that the persistence of the attitude of British factory owners and economists, such as Ricardo, toward wages, which was unfriendly and negative, blinded the manufacturers and merchandisers to the market-potential that lay fallow in the uncultivated field of workers' wages.

Also it may be observed that the population of the individual European countries was not large enough to assure a mass market such as lay before manufacturers in this country. In 1910 we already had a population of 91 million. Moreover our Constitution lay the basis for a truly national market by prohibiting the establishment of duties on trade among the States.

Had Europe and other countries indeed come with us in recognition of the market-function of rising employee compensation the gap that developed between us need not have developed—at least not in the dimensions it reached after World War II.

It is doubtful that the Europeans could have followed our example with full success because of their relatively lower population levels; but they might have moved ahead more rapidly than they did. After World War II they did indeed elect to adopt our mass-production system and undertook to widen their markets by customs unions. However, they did not follow through on the vital mass-consumption part of the formula. They are now coming into a position to rival us in breadth of market (population), but not yet in the absorption of goods at home. Hence their thirst for foreign markets for manufactured goods.

For this reason a wide gap developed between our system and that of other industrial countries, including Japan. They achieved a great productivity leap but not so great a leap in employee compensation.

NEW COMPETITIVE DIMENSION

The classical function of competition assumed a new dimension as the other industrial countries adopted our system. They did not make their way by self-development and competition with us but by dint of heavy subsidy from us. Rising productivity shot ahead of their low wage levels and soon widened existing foreign competitive advantages that had already been sharpened by our tariff dismantlement since 1934.

To understand the effect of the new competition it is necessary to address ourselves further to the uniqueness of the productive system we had built.

The effect of import competition is not effectively measured by the direct displacement of workers, such as the job loss incurred if 10 million tons of steel that previously was manufactured here, are imported. That is only part of the measure. Jobs that do not open because of a discouraging outlook create unemployment as surely as job displacement.

Ours is an economy not only of essentials for subsistence; it goes very far beyond that level—so much so that the exhaustibility of essential resources already looms high in some very bothersome sectors.

Because ours is indeed an economy based at least 90% on products that, strictly speaking, are not essential, as a glance at some other countries verifies, it is also a sensitive economy. In the countries of subsistence level of existence, consumption is reduced only by famines, floods, etc., which is to say by privation, disease or starvation. Here, in this country, consumers may curtail their purchases for a variety of reasons, some of them psychological. Uncertainty, a psychological factor, or visible adversity may produce both consumer hesitancy to buy and investor hesitancy to expand plant capacity and other financial commitments. Thus may employment opportunities vanish while the labor supply, arising from population growth, still expands.

The sensitivity of our system should be no cause of surprise. In a state of euphoria and optimism such as we experience from time to time the consumer loosens his purse strings. When all about him are employed and no dark clouds, threatening storm or woe tower on the horizon, the consumer demonstrates in his airy way the indefinite expansibility of human wants. He even buys ahead on such occasions—so fast do his or her desires for material, comfort, plenty and luxury burst into bloom in the sunshine. Taking note of this euphoria, business men, producers of consumer goods of all varieties, builders, merchants, purveyors of services, insurance houses, bankers, dealers, advertisers—the whole spectrum of the commercial world imbibes the wine of optimism and soon feels the inebriation. Expansion is seen all about. Credit is stretched in all directions. A new economic era is proclaimed and the voice of the ancient watchman in the night echoes from the past that all is well.

Unknown unseen, unheard, untoward events, here or abroad, may be gathering in the twilight. Then one detonation or two may be heard, followed by distant rumblings. A slight sobering, a passing shadow of hesitancy steals over the scene. Next day and the next, the bright hues on the blossoms, not yet stolen away by the chilling shadow of doubt, nevertheless register incipient misgivings. A few more untoward events, such as inability to meet the demands of creditors who have become infected with doubts, and confidence may ebb seriously.

THE ROLE OF CONFIDENCE

Our system was built, so far as it was differentiated from its forerunners, on confidence and a strong faith in handsome rewards if the ritual was adhered to (invention, development, market acceptance, expansion). The formula was sustained by accumulating evidence that he who learned the combination and followed it would "arrive", to reap rich fruits from the market place in the future as in the past. The system became strong despite its persistent sensitivity, by proving its resiliency over and over again, and also because it developed discipline, learned from the past, and mapped its way with some care into futurity, as bonanzas continued to beckon. To be sure, its dynamic and promethean spirit needed and begot public regulation and restraint. It was not wholly conscious that it did not exist for itself and did not derive many of its potentials from itself but from those it served—those who indeed gave it its scope and reason for being. As the rewards were high, the setbacks were painful too.

Growth became essential for the continued bouyancy of the spirit. This was and is a weakness not yet overcome. If the outlook for growth was gloomy no great pulse-lifting plans could be laid, or if laid, carried out. Uncertainty, whenever it appeared from whatever source, suggested and sometimes forced a check rein on activity. The racing horses must be tethered.

In the early sixties our industry began to feel the chill of import competition. With

the exception of the Communist world, this came from our erstwhile allies and enemies as well—those who, having become so impressed with our productive power, adopted it in part for themselves.

IMPORT COMPETITION

In terms of economic-adjustment-time we were confronted almost overnight with a phenomenon we had not once faced since the birth, development and operation of our unique system.

To be sure, we had become accustomed to new developments and radical departures in technological innovations. These were our very life blood—indeed the characteristic that set us apart from Europe. The automobile displaced the horse and buggy. However, because the new apparatus could save us time, bear greater burdens and incidentally confer prestige on ownership, it not only displaced the horse and carriage in time but gave rise to a much more intensive industry than the one it rendered obsolete. Employment was increased many-fold.

There followed innumerable other innovations that upset existing industries, such as electricity replacing the oil lamp, the telephone, the telegraph (in part), the radio and television trenching on the motion pictures, etc. All led to rising employment in time. In many instances the existing industries had time for adjustment just as it took time (years) to develop new products and bring down the price to levels where the mass consumers dwelt. In other instances new products created new industries: motion pictures, air conditioners, biologicals, recorders, etc.

It is because our economy did indeed thrive on innovations and not only survived disruptions but was little shaken by them, that it has become fashionable to say that import competition is of the same species as domestic competition. It is said to provide the same stimulus as the inventions, innovations and migrations that characterized the domestic scene in the past few generations.

The analogy between the benefits of domestic competition and the type of foreign competition we face today, whatever the justification for such an analogy in the past, is now deceptive and misleading.

We were able to overcome the disruptions and uncertainties caused by new inventions and radical improvements in productivity on the domestic scene, as described above, because these were homegrown, so to speak. The challenges were rooted in native soil. The dimensions of the upsets were neither as deep nor as abrupt as those we face today. They were not beyond our powers to absorb.

First, to repeat, there was time for adjustment. The automobile was a generation or more in displacing the horse. The migration of the textile industry to the South, a matter of regional competition based on a low-wage advantage, much as the low-wage foreign lure of today, was spread over more than fifty years. Even so it brought great distress to New England.

On the domestic scene the wage gap is not so broad even between North and South, as we face in the Orient and elsewhere. Tax burdens and interest rates are more homogeneous within this country. The uncertainty is not so great because information is more readily obtained on the new developments, their magnitude, progress and prospects.

The post-World War II competitive challenge from abroad was of a different species. The challenge developed in a very short period, leaving virtually no time for adjustment. To bridge the gulf that separates the domestic competitive base from the foreign needs a generation of time, or more, not merely a decade.

The wide competitive differential gave rise to the stream of direct private foreign investment that today has reached an accumulated level of some $80 billion. This was a wholly natural response, but it did lead to a highly distorted and over-concentrated form of export trade from this country. In 1971 our exports of machinery, and transport equipment (mostly automotive products and aircraft) accounted for 45% of our total exports. Such a development could never be attributed to normal competitive processes. In the exports of all other manufactured products of all varieties, we suffered a deficit of some $7 or $8 billion. This unwholesome condition was concealed by the surplus in the machinery category.

This broad-fronted deficit sheds light on the blighting effect of import competition such as is now poised offshore ready to contest our own market with any and all industries, old or new, that come out with new products or radically redesigned established products, aimed at a rewarding mass market.

When the latter is no longer to be had because imports generated by low wages combined with modern technology, can beat us to the consumers with lower prices, domestic investment with its job-creating capacity is dampened if not halted. Growth industries that in the past had a free run for the market are now side-lined. The growth and higher employment takes place abroad more readily than here.

Whereas total employment in this country has indeed grown since 1965 by over 7 million, employment in manufacturing, agriculture and mining has lagged seriously, actually losing 200,000.

OTHER ASPECTS OF THE COMPETITIVE FUNCTION

Having reviewed briefly the principal functions of competition there remain two aspects that should be mentioned. One is the notion that without competition incentive would die. Complacency and indolence would destroy initiative. Efficiency in general would suffer greatly, to the detriment of consumers. This view assumes that competition is the only source of incentive.

Import quotas are condemned for this reason, and also for their supposed price-raising effects because of lessened competition from abroad.

While fair competition does indeed stimulate effort and promote efficiency, and indeed underlies the American economic system, the source of incentive is not limited to competition, nor do import quotas and other import restrictions necessarily reduce incentive, or lead to higher prices, as is so often alleged. Except where our anti-trust laws and the laws aimed at restraint of trade are failures, we have abundant competition within this country.

We have the example of our agricultural program, providing a full generation of experience. The parity price principle, guaranteeing a minimum return to the farmer and highly restrictive import quotas on cotton, wheat, dairy products and basic commodities, far from producing complacency and inefficiency, led to increases in productivity per man-hour well beyond the increase in the industrial world that did not come under such restrictions.

Yet the incentive was not provided by competition, which was limited. However, the incentive did not lie wholly in the guaranteed price either but unquestionably in a combination of such a guarantee and the possibility of higher total payments if the output per acre or man-hour or both were increased. This was indeed what happened. As more was produced per acre the total return could be increased. But for this possibility the price support system might indeed have deadened incentive. In other words, there was a substitute for competition as an incentive, in the form of a return above the guarantee if productivity were increased.

The other allegation, namely that import quotas lead to price increases also is not supported by the facts. One of the principal purposes of import quotas is to prevent prices from falling to intolerably low levels but not necessarily to raise them. Import quotas that are in effect today, namely on raw cotton, wheat, wheat flour, peanuts, cotton textiles and petroleum, have not led to price increases beyond the general wholesale price level. The prices on these products have lagged well behind the general level as well as behind the prices on related products.

Beef prices have indeed accelerated in recent times but not more so than pork prices; and pork imports have no quota. Coal prices have far outstripped petroleum prices. Yet petroleum is under an import quota while coal is not.

Steel, which has been under a restrictive agreement on imports, has witnessed a price increase somewhat above the general price level but is behind the price increases on nonferrous metals on which no import quota restrictions exist.

In other words, two widely and stubbornly held views on the effect of restraint of competition, do not withstand the light of factual analysis.

CONCLUSION

Present-day import competition faced by this country is not of the kind contemplated by Adam Smith or other free-trade theorists. Adam Smith had in mind a laissez-faire economy in which the law of supply and demand, freely interacting in the market place, would determine the success or failure of rivals for the consumer's favor. Prices would go up or down in keeping with the changes in supply and demand. Wide wage disparities linked with varying levels of productivity, such as are common today among the nations of the world, did not enter into his calculations and conclusions.

During the decade after World War II (1945–55) manufacturing wages in this country in current dollars rose 72%. Even during the war years from 1940–45 weekly earnings in manufacturing industries had already risen 72% despite wage controls. This 5-year rise was indeed as high as the one during the ten-year period from 1945–55. The rise during the 15-year period from 1940 in gross weekly earnings ($25.20 per week) to 1955 ($76.52 per week) was 203%. (Statistical Abstract of the United States, 1960, Table 285, p. 223).

Thus we were already well launched on the wage escalator before the war torn countries, allies and enemies alike, were fully rehabilitated. At that time, however, we were far in the forefront in productivity per man-hour and could better bear the wage discrepancy. Foreign wages also rose, to be sure, and in some instances more sharply in proportion than our wages; but in dollars and cents our increases were much larger because of our much higher base (Canada excepted). From 1955–71 manufacturing wages in this country rose another 85%, or to $120 per week, i.e., 380% since 1940. (Ibid., 1971 Table 352, p. 225).

As a result of the great technological gains of the other industrial countries after their rebuilding, again starting from a much lower level than ours, the wage-productivity or cost gap widened rather than narrowing.

We have indeed witnessed the narrowing of the productivity gap while the wage gap has remained very wide in dollars and cents. Therefore the competition between the two worlds became, not a rivalry between two sets of aggregates of equal cost levels but between upper and nether levels with the advantages weighted heavily in favor of the latter. Moreover, the widening cost-gap developed very rapidly in terms of needed economic-adjustment time.

This split-level condition was accentuated by the sharp reduction in our tariffs from an average of a little over 50% in 1933 to about 10% today on dutiable items. In the past few years the effects have surfaced alarmingly for many industries.

Thus have the possibilities of free trade between us and our principal foreign competitors drifted far afield from the conditions

of trade assumed by Adam Smith. Today we live in a world of controlled economies, each regulated according to the political philosophy in the ascendancy within the various islands of power known as nations. The market place no longer expresses the free play of competitive forces.

In this country production costs are determined principally (to the extent of some 80%) by level of employee compensation in combination with productivity. These rates of pay today are rigid so far as any notion of reductions are concerned, unlike the flexibility contemplated by the free market. The average hourly pay in manufacturing in this country was $3.70 early in 1972, or 2½ to 6 times as high as the wages of our foreign competitors. There is an effective floor under nearly all wages in this country, guaranteed against reduction by minimum wage laws and union power. This rigidity against reduction makes for competitive helplessness except in one direction.

Taking wages out of competition has indeed been a conscious and specific objective of our national legislation, and is hardly to be condemned as such. Cost reduction therefore lies almost exclusively in worker displacement and not in wage-reduction or even in a wage standstill. (What is said here is not intended as a commentary on the wisdom of the conditions described, but as an assessment of competitive and political realities.)

The trend, moreover, is not away from controls and regulation that interfere with choice of competitive weapons, such as wages, but rather toward more state controls and interferences, both here and abroad. What is left of competition is confined to advertising, salesmanship, servicing and quality. This perhaps explains the excess eagerness of the advertisers. Technological innovations, of course, are the sole remaining weapon, usually aimed at payroll reduction through worker disemployment.

To speak of free trade or reduction of trade barriers in this context, as rendering a service to our consumers is obviously to dream in a Never-Never Land, with never a bother from the countervailing thought of full employment.

However, faced with costs that can be reduced appreciably only by drastic displacement of workers through improved technology the employer's option inevitably runs squarely against the public policy of full employment.

To understand this it is necessary only to reflect that we no longer have a monopoly on advanced technology and its market-building wonders. Therefore, our worker displacement efforts only succeed in evicting workers without leading to an enlarged demand for goods produced in this country. These workers cannot achieve reemployment unless they displace yet other workers simply because the increased demand usually generated by lower costs is filled by the foreign goods becoming newly available at lower prices. Moreover, the outward flow of our investment is thus stimulated for the simple reason that returns abroad look better and more assured than at home. Thus much of the increased employment that in the past would have taken place here and thus nurtured our economy takes place abroad.

Theoretically a realignment of currencies to appropriate degrees could overcome the competitive discrepancy but the history of devaluations, a game that can be played at will by all parties, is not reassuring.

To treat the present form of import competition as if it were not only of the same species as that contemplated by Adam Smith but also of a kind with fair domestic competition represents a tragic misapplication of a sound theory. It is not that the theory is wrong but that it has not been honored and under present circumstances of deranged national economies which are trussed in controls and regulations, cannot and will not be honored.

We do have some weapons against unfair import competition in our tariff laws, notably the Anti-Dumping Act of 1921, Section 337 of the Tariff Act of 1930 and the Countervailing Duty provision of the same Act (Sec. 303).

However, these provisions refer to particular shipments of particular articles. They may be likened to efforts aimed at correcting weather conditions rather than changing the climate. These laws are not addressed to underlying competitive disparities but to individual cases of deviation from adopted rules.

Import competition cannot and should not be looked to as a substitute for or even a crutch for our anti-trust laws and our laws against restraint of trade. Such is not the purpose or function of imports. If our laws and regulations that are designed to assure fair and effective competition do not function as they should we should address ourselves to their effective enforcement rather than seeking a substitute instrument that has an unrelated purpose.

PENSION REINSURANCE AND PROTECTION

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

Mr. VANIK. Mr. Speaker, today I am introducing legislation to strengthen and improve the protection and interests of participants and beneficiaries of employee pension plans. This bill, if passed, would remedy the many problems now existing in the private pension system, a system that covers nearly 30 million employees and has assets of $130 billion—assets predicted to grow to $200 billion by 1980.

I am sure that every Member of Congress has received letters from constituents describing these problems. Certainly my office has received dozens of complaints in recent years revealing the many inadequacies that exist in some of the private pension plans.

The key fact, Mr. Speaker, is that many of our Nation's pension plans are operated on the basis of several questionable assumptions: first, the assumption that an employee is going to work for one company all or most of his career, and second, that a company will stay in business forever in the same or expanded condition as it was when it installed its pension plan.

We must realize, as the American worker has realized, that we are in a mobile job market economy, where men and women frequently change their jobs. We must realize too that our economy is going through constant overhauling, which affects the security and stability of the Nation's workers. With such mobility and such change in our economic policies, we must improve the system of private pension plans. We need to give to the American worker the security he is entitled to, so that when he retires he will be able to support himself adequately.

Recently the Senate Labor Subcommittee released a preliminary report on the private pension plan system. The study reviewed 51 plants having a total of $10 billion in assets. The private pension plans at these plants provided for no vesting or 11 or more years of employment before vesting. Over a 20-year period, only 5 percent of all participants who left their jobs between 1950 and 1970 received benefits from their pension plan. In contrast, in 36 plants with assets of $6 billion with 10 years of vesting or less, 16 percent of all participants who left since 1950 have received benefits. Workers who have participated in pension plans have seen their retirement income go down the drain due to either layoffs, job switches, early retirement, or faulty employer practices.

The bill I am introducing today would help to remedy this problem. It would give the participant a vesting right after 8 years of service at 30 percent, with a yearly increase of 10 percent thereafter. Thus a participant in any private pension program would receive some money from the pension fund after his 8th year, and would have 100-percent vestment after 15 years of service.

Many private pension plans lack adequate funding. Some companies put less money in the fund than they are required to do by the pension agreement. Others switch the money to different accounts for their own purposes. Consequently, at times of financial crisis, a company may not be able to meet its obligation to pay the participant the money he is owed. If a company goes bankrupt, pension plans are at the bottom of the list of debts to be paid off. It is in the interest of employers to provide adequate financing of pension plans. A 65-year-old retiree with 35 years of work credit, on a pension plan of $300 a month will, on the average, receive $51,840 during the remainder of his life. If the company, in order to insure this payment, puts away the money at the time of his retirement and not before, the total amount required to pay this employee this money would be $38,675. But if the company put the money into a fund in each of the 35 years this person is employed, it would cost the firm only $16,640 or $475.44 a year. In other words, the funded cost is only 32 percent of the pay-as-you-go or unfunded cost.

The assets of private pension plans are larger than the assets of the federally run social security program, yet no Federal insurance is available for these plans. We insure the banks of this country, and require their proper management, why not the pension plans which cover millions of workers and contain billions of dollars? The bill I am proposing will require sound management and Federal reinsurance of these pension plans.

Finally we come to one of the most important aspects of this bill—portability. Many a worker has three, four, five, or more jobs during his lifetime due to the mobility of this country's job market. Often a person will join a pension plan each time he is employed and then forfeits that money when he moves to a new place of employment. Consequently, when he retires, all that money is lost. This is obviously unfair. Thus, this bill creates a fund where deposits will be made by a member plan upon request of the participant, equal to the current discounted value of the partici-

pant's vested right under the plan. I cannot stress strongly enough the importance of this type of program. If such a program is not passed with the other proposals in this bill, the problems that now confront us in the pension plan system will remain unsolved. A worker may have all the vesting rights he deserves, the adequate funding necessary to meet the requirements of his pension agreement, a federally backed guarantee, but still not receive one penny of pension money because during his lifetime he has a number of different jobs.

Our end goal—the spirit of this bill—is to provide the needed security the retired worker is entitled to have. The recent social security benefit increases were in this spirit. But more must be done. We must protect the worker from the policies of some employers who do not adequately fund pension plans. We must provide the American worker with the right to receive these payments if he desires to retire before the age of 65 or is laid off prematurely. A few years ago Congress passed the Securities Investor Protection Act establishing a Federal insurance corporation to guarantee stock market investors and market speculators against losses due to financial difficulties in brokerage firms. It is time we pass a Pension Protection Act that will protect the millions of American workers from inadeqaute pension funding and give to these many million people the security they are entitled to.

FOREIGN ECONOMIC POLICY IN THE SEVENTIES

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

Mr. FRELINGHUYSEN. Mr. Speaker, on Wednesday, June 21, the House Republican Task Force on International Economic Policy sponsored a seminar entitled, "Foreign Economic Policy in the 70's." I would like to share the proceedings of the seminar with my colleagues as they proved to be most interesting and informative.

It has been the view of the task force that the United States is currently at a crossroad with regard to international trade and investment policy. Therefore, the purpose of the seminar was educative. It was to bring together the views of the administration, Congress, and private interest groups, and identify and discuss the major international economic issues that need to be considered in formulating legislation for 1973 and beyond.

The participants in the seminar, which included representatives from the administration and a number of key interest groups, were selected to provide a variety of viewpoints in order to enhance congressional understanding of the problems and issues that might arise in the formulation of international economic policy and related legislation. The material follows:

PARTICIPANTS

William Eberle, Special Representative for Trade Negotiations.

Paul Volcker, Under Secretary of Treasury for Monetary Affairs.

Professor Robert Stobaugh, Harvard Business School.

Harry Heltzer, Chairman of the Board, 3M Company.

Jacob Clayman, Administrative Director, Industrial Unions Department, AFL–CIO.

Dr. Robert Hampton, Director of Marketing and International Trade, National Council of Farmer Cooperatives.

Mrs. Gail Bradley, Vice President, League of Women Voters.

TASK FORCE ON INTERNATIONAL ECONOMIC POLICY

Peter H. B. Frelinghuysen, N.J., Chairman, Mark Andrews, N. Dak., James T. Broyhill, N.C., John Buchanan, Ala., Charles Chamberlain, Mich., James C. Cleveland, N.H., Philip M. Crane, Ill., Edward J. Derwinski, Ill.

Bill Frenzel, Minn., Robert C. McEwen, N.Y., William S. Mailliard, Calif., Philip E. Ruppe, Mich., J. William Stanton, Ohio, Charles W. Whalen, Jr., Ohio, John M. Zwach, Minn., Tom Railsback, Ill., Guy Vander Jagt, Mich.

PROCEEDINGS

Congressman FRELINGHUYSEN. I'll introduce myself. I'm Congressman Peter Frelinghuysen of New Jersey. I'm happy to serve as Chairman of the Republican Task Force on International Economic Policy.

I'd like to make a few remarks and then introduce our panelists and let them make their presentations.

The year 1971 marked the beginning of a new era in postwar international trade and finance. President Nixon's decision on August 15 with regard to the dollar devaluation and to impose a 10 percent surcharge on imports represented a clear break from previous U.S. foreign economic policy and pointed to a new course for the future.

The Republican Task Force on International Economic Policy, several of whose members are sitting in the front here, was formed shortly thereafter for the purpose of keeping abreast of rapidly occurring events and to give special attention to the international impact and the aftermath of the New Economic Policy.

As you all know, much has happened in the interim. Specifically, the surcharge has been removed. And the Smithsonian agreement signed last December was an accord that was reached regarding the alignment of international exchange rates. The next major step presumably will be formulating comprehensive trade legislation which will give the President negotiating power for monetary trade reform. This legislation must serve our domestic economic interests as well as continuing our traditional expansionary policy abroad.

The Task Force has organized this seminar today in an attempt to bring together the views of the Administration, Congress, and private interest groups, to identify and discuss the major issues that need to be considered in formulating legislation for 1973 and beyond. Hopefully, the experience and expertise of our distinguished guests will provide us with a more thorough understanding of the problems and issues before us.

At this table are the panelists, whom I will identify, beginning at my left.

On the extreme left, your right, is Dr. Robert Hampton. Dr. Hampton is Director of Marketing and International Trade for the National Council of Farmers Cooperatives. He has been with the National Council for the past eight years. He was formerly on the faculty of Cornell University and has had extensive experience in the business field.

Next to Dr. Hampton is Professor Robert Stobaugh, Professor of Business Administration at the Harvard Business School. Professor Stobaugh holds a BS in Chemical Engineering from Louisiana State University and a BDA from Harvard. He has been teaching international business and manufacturing policy in the NBA program and serves on the editorial board of the New York Journal of International Business Studies. He recently headed a Department of Commerce study on the impact of foreign overseas investments.

On my immediate left is Mr. William Eberle who is the President's Special Representative for Trade Negotiations.

On my immediate right is Mr. Paul Volcker who is Under Secretary of Treasury for Monetary Affairs.

Next to Mr. Volcker is Mr. Harry Heltzer who is Chairman of the Board and Chief Executive Officer of the 3M Company. Mr. Heltzer began his career in the 3M Company in 1933 and was elected to the Board of Directors of that company in 1965 and in 1966 became President. He, in October 1970, was elected to his present position as Chairman of the Board. Mr. Heltzer is also a Trustee of the U.S. Council of the International Chamber of Commerce and a Director of the International Economic Policy Association.

And I should say because it was announced, that Mr. Peter Flanigan, who has some job at the White House, announced several days ago that he was going to be unable to participate. We're disappointed, needless to say, and he expressed his regrets also.

And last but not least on our panel is Mrs. Gail Bradley who is Vice President of the League of Women Voters. Mrs. Bradley is First Vice President of the League. Until 1970 she served as their National Foreign Policy Chairman. She has testified before various committees of Congress on foreign trade and aid policies.

I think, Ambassador Eberle, if you would like to begin.

Ambassador Eberle is presenting the Administration's viewpoint on this overall question of foreign economic policy. The question is of considerable current interest, I might add. In a discussion with the Foreign Affairs Committee only yesterday the Secretary of State gave us some of his views on the problems within the government and what the State Department specifically is planning to do to cope with the problems that lie ahead.

Mr. EBERLE. Thank you, Congressman.

Ladies and gentlemen, as you can tell by the distinguished associates up here, the issue of foreign economic policy is a very complicated and interrelated one. And just to put the record straight, I think we have to look at the entire range of interrelationships—monetary investment policies, taxes, trade, East-West trade relations, and assistance to developing countries. Although these are economic matters, as a very practical matter they are basically more political in all of their contexts and relationships as economic, because in each of these cases they do affect domestic policies of soverign countries.

Now, I expect to concentrate on trade and its relationship within a total context, and I will leave these other relationships to my associates up here.

In giving a quick look to this, I must add before we get into the specifics on the trade problem, as we look at the 70's, the United States is going to have to trade a great deal more effectively than it has in the last ten years.

I think this means that we have to build on a broader and fairer basis in the trading systems and trading practices that will fit into this whole interrelationship that I talked about. And at the same time that we do this, and expand East-West trade in one instance, we can't jeopardize our relationships with our Atlantic trading partners or our trading partners in the Pacific.

As we look at this overall area of trade—it's a broad subject and I'm going to cover it

rather quickly and then hopefully we'll have questions and answers—the interrelationship is the very key to this whole issue. I want to cover that first.

My good friend Paul Volcker has said many times that money is the handmaiden of investment and trade; it oils the machinery of the commercial transaction.

When you have a balance of payments problem, the question is: in the adjustment process are you going to use exchange rates or are you going to use trade rate? The IMF and GATT (General Agreement on Tariffs and Trade) have a specific relationship, that they have in balance, that you can go to GATT and that you can use quotas, if you get a ruling from the IMF. The problem with this is that nobody's ever used quotas. Five or six other countries ahead of the United States used surtaxes at various times. A clear interrelationship.

And in the case of exchange rate, if you say we should use exchange rate, that's fine to make an adjustment; but keep in mind that great segments of trade are insulated in the market, such as the common agricultural policy, when the exchange rate is made. No other country gets the advantage of that because the common agricultural policy's variable levy fills in and takes up the difference so that instead of being able to sell more at lower prices those prices are picked up by the variable levy.

In the case of investment, where trade barriers are created, this causes a distortion as to where business makes its decision—either because they want to put their investment behind the trade barriers to develop a market, or they will take advantage of subsidies in order to build plants.

This in turn moves to exports. You have taxes and subsidies and these affect trade. At the end you have the case of industrial export subsidies by many countries, and you have agricultural subsidies which distort trade in third markets.

Paul Volcker has said that on the monetary side many times that we're looking at asymmetry that broke down a monetary system; we're looking at the same pressures on surplus spending and deficit spending. The same thing has been happening in the last five years in the trade area. People have been able to disregard rules; they've been able to make their own unilateral decisions. We've reached the point where we're seeing the same kind of breakdown in the trading system that you have on the monetary side.

As Congressman Frelinghuysen has indicated, we have made great gains in the economic world in the last twenty-five years. We want to take nothing away from that. But, prior to the August 15 steps, we had questioned the system and focused on the problems of where we have to go in the future. These problems were not solved on that date. They are not going to be solved until we focus on the kind of policies and get going with discussions in all of these fields that are totally interrelated. That will bring about the progress that we need.

When this breakdown started in the 70's as far as trade was concerned, there was a breakdown in questioning the very principles that the whole trading system was based on. And this was the question of the most-favored-nation's system within a multilateral context. Its counterpart on the monetary side was the nondiscriminatory payment settlement program of Bretton Woods and the IMF.

The rules had broken down as we looked at them in a number of key areas. The key issues that are involved in trade today I think are the following.

First, what is the future of the most-favored-nation principle? Is it going to be a conditional one? Are we going to eliminate it and go to a regional block? The big challenge today is preference, i.e., preferences where developed countries give other developed countries special breaks as opposed to giving all countries a break; giving underdeveloped countries special preferences and extracting reverse preferences, and justifying this on the basis of traditional theory. All I can suggest to you is that the figures show there is some impact. But what about the potential? Is the potential of countries such as Spain, somewhere between a developing country and a developed country? Do we lose out in the future because of prior preferential treatment? How do we phase these out?

But more importantly, it breaks the system down. As an example, we have roughly 90 countries in GATT. Today 52 of those countries have association or preference agreements with the European community. How do you expect those 52 people will give their opinion when asked within GATT? Can we expect the kind of treatment in GATT today that we would have expected fifteen years ago?

What about regional groupings—free trade areas and customs unions? The GATT never anticipated the size and extent of these units today although the imbalances have created bigger markets for everyone. It has been very interesting to note that trade for the world has gone up at a good rate. Internal trade has gone up almost twice as fast.

We have no objection to these. In fact we think they ought to be encouraged. But at the same time we must also think in the future if they're going to grow. They must continue to change their policies to recognize that these units distort trade. They distort trade because today we have enlargement and we are moving further in that direction. There is some $4–$5 billion of trade that will move from the African countries into the European Community which will be on a duty free basis; and 85 percent of that trade is competitive with the United States.

We don't ask that they not do it. What we ask is that the arrangements take into consideration the trade distortion. We have to face that problem in GATT.

We have the question of the non-tariff barriers. This whole issue, consisting of over 800 of these has been filed in GATT as proper. How do we negotiate? Are we going to allow the non-tariff barriers to replace the tariffs? We have today questioned these non-tariff barriers which affect domestic policies in every country—in the agricultural field, government procurement, standards.

In past trade negotiations we have had problems of reciprocity. I call your attention to the commitments made in February to the United States by Japan and the European Community. We got away from the old principle of sole reciprocity in specific agreements of overall reciprocity and mutual commitment. The reason for that is simply that when we're talking about standards, we're talking about mutual commitment. But, we can find ways of having common standards around the world. One country, one plant, can produce a product of sale around the world. It will reduce the cost, but it doesn't remove the trade barrier. There's a mutual commitment not to create a trade barrier. This must be faced. We must find a way to negotiate these to maintain the economy of the national government intact and yet within some framework that will open up markets in countries around the world.

We still have the question of tariff reduction. Are we going to go ahead on a zero base? Are we going to be in a community that says to us, "we don't want to do that because we have an Atlantic free trade balance and that will break down the precedent that we built up in the community?

We have people on this side who say, don't go all the way; it's so important; we need it. We must face these kinds of issues.

In the agricultural area, the neglected area, almost every country distorts trade. We must increase trade in that area. Today we hear from our friends in Europe, your trade has gone up, even though we have put on tariffs with a variable levy that runs 60 to 100 percent of the world's price.

The answer to that is in the Community that put that program on, our trade in the variable levy limit has gone down; but our trade in the non-variable area has gone up substantially more than to offset it, which proves the very point we made, and that is, give our agriculture an opportunity in a freer market and we will increase our trade substantially. This must be opened up.

We have the whole area of the GATT rules. We are trading partners with Japan and France who still maintain illegal quotas. There hasn't been a decision in many areas of GATT for five years. We've got a shelf-load of complaints against each other, and we're asking that those come off the shelf and be solved.

This is not a challenge to each other. It's a question of business decisions being made to dispose of these complaints we have against each other and hopefully on a basis of reducing barriers.

How do we negotiate? Here's the question of where do we get the authority.

We believe on our side that some form of approach to this will be presented to Congress early next year. The issues that have to be faced are not simply authority to negotiate tariffs. They are going to be entire issues that relate to the specific issues I mentioned for non-tariff barriers. And here we need the kind of authority that will probably be based on principles, but give us the kind of approach that is mutually acceptable to the Administration, our trading partners, and Congress and let the negotiators work it out. We need the kind of contact with Congress to come up with these kinds of programs.

These are the issues. How do we get at them?

We're at them right today in discussion. We're assuming that EEC enlargement will be negotiated this fall or early next year. The EFTA treaties will be signed in August and those will come up. In the GATT and select committees of the Agriculture Committee, we are already discussing what are the modalities and techniques. We're preparing for an approach to these problems in 1973. The high level trade report of the OECD should be available this fall and it will point out many of the ways in which we can approach these.

This fall I see that we will be, in the United States, forced to focus very concretely on what we want, how we want to approach it, and what kind of a trading system. Because of our external security threat having eased, this whole economic area becomes the area in which, if we're going to have a kind of peaceful coexistence, we must have a common ground to work with internationally. I hope this focus on the trade area can be an important one, first of all to open up markets around the world on a basis that will give us more exports, which will increase our standard of living, recognizing that we have to bring imports in which keep our costs under control. Within this system I hope it will remain a multilateral system, a multilateral system that recognizes comparative costs, most-favored-nations, payment settlements, etc., and at the same time recognizing that no country can allow itself to have sudden market disruptions. We need safeguards too; again on a multilateral basis where countries can act within those safeguards, within parameters, and phase out temporary bases; and at the same time have an adjustment procedure which will work.

If this system will work, everybody can win; because trade will increase, we will have more jobs, we will have comparative advantage in principle. And then we have to recognize that we have to give some additional help in the way of financial assistance to the developing countries; to give

them some preferences which will be phased out as they develop in the trading area.

On the other hand, if this system is not negotiable and if we find that we are going to be faced with regional blocks or if we're going to find that we can't negotiate this kind of a system with a fair basis for trading in the United States, then we have to decide how do we best operate in a regional system, what will be our regions? Or if we don't want to go that way, how are we going to work it out on a tit-for-tat basis; we'll treat you as you treat us?

I only suggest that these two systems do not give us the same advantage, but if we can't negotiate the first, we may find ourselves in the latter.

I've suggested recently in a number of talks especially with our trading partners that this is the direction we ought to go. I'm hopeful that by this we can create discussion with Congress, with business, the academic community, to explore how we can put this together. What are the new ideas? How do we put the meat on the bones for having a sound trading system, and how does it fit in? And I think if we can make the right decisions and recognize that those decisions must be made positively rather than backing into them, that we'll have a better trading system.

But it depends not alone on trade but on my associates here, on Congress, and on the interrelation of all of them.

Peter, I'll yield to my associate.

Congressman FRELINGHUYSEN. Thank you very much, Mr. Eberle.

I think next we should hear from Mr. Volcker about the broad question of monetary reform.

Mr. VOLCKER. Let me start off with a rather general point and I think a rather obvious point in one way, but I'm not sure it has really penetrated everyone's consciousness yet because you get used to thinking in other channels. And it's a very simple point to which you yourself alluded, that I think we are adjusting to some very basic changes in the economic circumstances of the world.

And it is very obvious when you compare the present position of the United States, for instance, with the late 1940's or immediately after World War II when our preexisting monetary arrangements and trading system were largely formed.

The United States was the strong economy in the world, by any measure. Europe was prostrate. Japan was prostrate. We were the only source of production. In my area more directly, the financial area, we held three-quarters of the world's gold; we had very few liabilities, a lot of assets, and these were fundamentally in everybody's thinking when the system was established: the dominance of the United States politically as well as economically.

In a sense the IMF was our baby and GATT was partly our baby at least, and we provided both economic and political, I think, muscle to make those institutions work and make the system work.

What we are saying now quite simply is, that was the world of the 1940's and the world of the 1950's, to some extent the world of the 1960's, but gradually over this period the circumstances have very basically changed. The institutions and arrangements didn't change with the same rate of speed. And what President Nixon essentially did on August 15 was recognize that these underlying changes in the economy, in the basic economy of the world, had built up to the point where we needed to rethink the institutional structure, the monetary structure, the trading order as well, and take a new look at where we are and where we are headed and bring our institutions into conformity with the realities of the world.

It all looked very sudden because it was a distinct break in terms of policy action but this was a break that reflected a much more gradual but profound process of change underneath.

I think it's implicit in this that while we look for changes in the system and fundamental change, doesn't mean the old system was bad under the circumstances. It worked very well for many years in the circumstances that existed. You can see it in the generally high level of world prosperity during these years, expanding trade, generally friendly economic relations—these were major accomplishments and nobody is denegating those accomplishments; and saying that the circumstances have changed to the point where you need new institutions, new systems, so that that kind of accomplishment can continue in the future. The premises of the old system are no longer valid. We need a new system to advance those objectives, as Bill Eberle was just suggesting.

Now against that kind of background and the suddenness of the recognition, at least that was forced by our actions last summer, we have been through a period of considerable strain, confusion, turmoil. Last fall and winter we were under real economic pressures, and in some respects and particularly in the monetary area, I think, also a good deal of confusion over motivations, objectives on our part and on the part of others; confusion over, for instance, whether the United States was turning inwards deliberately and protectionist and all the rest.

I think out of this process of turmoil and confusion we have succeeded now, nine months, ten months afterwards in achieving a considerable degree of understanding about what the process is all about—certainly not perfect—ending some confusion about our own motivations, and in fact accomplishing some very substantial changes in the monetary environment and to some extent in the trading environment. We have had a realignment of currency values of an unprecedented character. We have introduced some other changes on at least a temporary basis in the monetary system like wider bands of fluctuations and the established exchange rates. We have made some progress in specific trade areas. We have also commitments to broader trade negotiations and broader monetary negotiations.

And as understanding has increased and as some measures were taken, I think we have had a measure of calm, so far as the dollar is concerned at least, returning to the exchange market. It has been reasonably quiet for some months. The problems are not solved but against this background of understanding and of some concrete accomplishment I think an atmosphere of greater order has certainly returned.

Now in saying that I think we have to recognize that this is an interim period and that we haven't solved the problem. We have not done the fundamental job of really reconstructing in some sense a permanent monetary system. We have many trade issues that are related. We haven't certainly fully accomplished the job of assuring a strong balance of payments position for the United States and that, in turn, implies a better competitive position for American industry; and we're working hard on that, but I wouldn't want to say that that is assured. This is a continuing challenge and until it is assured it is a source of potential weakness in the system.

Progress is proceeding on that basis and I think progress is beginning—has begun for some time—on the negotiations that lay the groundwork for the fundamental permanent system, so to speak. Now, those negotiations are not always terribly visible, terribly clear. They take place in a variety of forums and discussions and a variety of manners, and amid still some confusion, but I think I can describe to some degree how they are going on and what the problems are.

Now, one of the problems is certainly that there is still, despite what I have said, some difference—in some cases fairly profound differences—in appreciation as to what the problems are. And this becomes more apparent as you get toward the specifics. People can sometimes agree on such a nice glittering generality as I gave you, that the world is changed; but when you get into what that means specifically in terms of policies, practices, and institutions there's lots of room for controversy. And I think there is quite a lot of nostalgia still that somehow if we could only put back that old system again—it wasn't so bad; we had all these accomplishments to which I referred, and now we've had a little exchange rate realignment, let's just go back to the old system and proceed on that basis; and we feel comfortable in that system.

Our response to that kind of view is, well, we understand that some people feel comfortable in that system, but one of the problems of that system is that everybody else was running the surpluses and we were running the deficits. And precisely after a period of this happening for twenty years, it was one of the premises of the system that broke down. We are no longer in a position to run deficits, consistent with the stability of the dollar. And if the dollar isn't stable you're not going to have a stable international monetary system. I think that's the hard rock of reality in our position, if you're going to have international financial stability, which everybody wants in general.

More important than any particular institutional arrangement, more important than any particular policy is the strength of the external position of the United States, which is in turn related to the stability of the dollar. The dollar is the world's reserve currency, the world's trading currency; if it is not stable, you're not going to have stability in the system generally.

So, one of the points that we are trying to make repeatedly in every form we can—it is first priority for us—and it should be for other countries in a sense—is restoring the external financial and economic strength of the United States. And this is partly where the problems begin, because again people can say, yes, of course I agree with that, as a general proposition; but then you begin discussing what it takes to do that and here you run into a little difficult arithmetic that one country's surplus is another country's deficit. And most countries would rather have a surplus than a deficit and they'd rather have a strong trade position than a weak trade position.

As our position strengthens, other people's, at least in common perception, have to weaken. And they don't like that. Well, they recognize maybe the necessity in principle; when it comes to specific actions, whether it's an exchange rate action, whether it's a trade action, whether it's a sharing of the military burdens, whether it's a sharing of the aid burdens: all of these cost money, cost competitive position in some sense, and there's resistance. And how is that problem worked out?

Now, we often meet the kind of response, "Yes, we understand this is an important problem and this will be worked out." Meanwhile you have become convertible, you adopt some other financial responsibilities, adopt some other obligations. And we made clear, and I think this is quite understood by other governments now, we are not in a position to accept those obligations until we see some assurance that our position can become stronger and can maintain itself in a stronger position. And again at the level of principle you get some understanding, but when it comes to the hard negotiations of the various ways and means of accomplishing that purpose, it's not easy.

This leads me to another kind of submerged—and not all that submerged—issue that keeps appearing in these discussions.

Those that agree with what I am just saying in general terms among some of our foreign friends in particular may say, "Yes, we agree in general with the arithmetic of what you're saying, but you've got to do it some way that's palatable to us in effect; and that way, and perhaps the only way, is getting rid of what we see as the source of your problem and that's these capital outflows that you have. We don't want your capital and you keep exporting capital, and if you only control that capital outflow, that's the way to achieve balance in your payments; and let's proceed on that basis."

Now, we don't think that's possible for a number of practical reasons, and we also have some philosophical problems with it. Given our present trade position we have to have some improvement no matter what controls you had on capital. But we have not looked forward to an international financial system that rested for its very stability on a very strongy panoply of controls. Our objective is to get rid of controls, that controls are a sign of breakdown of the system, an inhibition on the kind of world you want to see. We want to move in the direction of freeing us from controls. Others want to move in the direction of saying, "Well, controls at least on your capital. It should be a permanent part of the system." So we have another basic issue that keeps reappearing in one guise or another in these discussions.

There is another kind of issue that isn't a particular bone of contention between the United States and others, but it's of concern to all countries and raises very difficult problems. I think all countries, all advanced industrialized countries recognize—I don't know if they're limited to advanced industrialized countries—all countries want freedom of action for domestic policy. They all recognize in general terms you live in an interdependent world, you can't be entirely isolated, your policies have to reflect external circumstances; but on the other hand you can't expect perfection in fine tuning every domestic policy to meet external circumstances. It's not that easy to bounce around monetary policy and fiscal policy and wage price policy and all the rest in the extreme manner that would be required to achieve a very high degree of international coordination.

Once you accept that premise—and it's a matter of degree—then you have to find a set of international financial arrangements that will tolerate a degree of lack of coordination. This raises difficult issues of exchange rates and other policies that certainly have not been resolved, and there's all sorts of room for argument for the degree to which one should allow for independence of national action, force coordination of domestic policies, or adopt a different kind of international financial system that allows a greater scope for independence.

And different countries and different positions will see this differently. If you're a very small country that's very heavily dependent upon trade, you are likely to be frightened by the prospect of exchange rate changes for instance, and frequent exchange rate changes with your trading partners. You are willing to sacrifice quite a lot in terms of domestic economic policy to achieve the exchange rate stability. If you are a country with a relatively small external sector, you may approach this problem from a different direction. And to generalize, the Europeans may approach it from a different direction than the Americans or the Canadians or the Japanese, because they're in a somewhat different situation—another one of these issues that underlies the discussion.

This is not unrelated to an issue to which Bill Eberle devoted some attention, the question of the Common Market itself. This has a large trade component. It is at this stage largely a customs union. It has an increasing monetary component. And part of the drive for monetary unity in Europe is what I just suggested. They feel a more urgent need to have exchange rate stability among themselves than perhaps with other countries or perhaps than other countries want among themselves. So you have a phenomenon here of Europe, pretty much regardless of what the rest of the world wants, moving in the direction within Europe of a particular type of financial system. And that has to be taken into account.

Our effort has been to focus attention on these kinds of problems because we think they need airing and they need discussion. Maybe you'd never get a consensus on issues this broad, but they certainly have to be brought out in the open and treated openly, because any of the kind of mechanics of the system, the kind of things that receive so much attention—convertibility, funding of dollars, the role of the dollar, crawling pegs frequent changes in exchange rate, all this kind of mechanical device—and what judgments are made about those devices in the end come back to these kinds of questions. And a lot of the discussion, in our opinion, of the mechanical devices just kind of skims over the surface and kind of wishes these issues away, because they're difficult. But to construct the system right we want to focus some attention on these issues.

Now this is already apparent in the kind of negotiations that we see for instance in the forum. We've been trying to devise the right atmosphere, the right setting to carry on the discussions because in the end the setting is important in the outcome; it's important in what issues get treated and how they get treated. We are making a fair amount of progress in that direction and it is interesting in this process to see what issues arise and why the question hasn't been resolved already. I thought it was going to be resolved a month ago and it hasn't been.

Well, what kind of issue holds it up?

We have insisted that the monetary issues are related to trading issues, and are related to investment issues. The LDC's insist, I think equally properly, they are related to aid issues.

Those that don't want to face some of these other issues say, Oh, no, let's just treat this as a very narrow monetary question; all we want to talk about is convertibility and funding and the price of gold and exchange rates. So in the argument over the forum and the mandate for the forum you are arguing over how wide the scope of the negotiations should be and what is relevant in treating the financial system. We have met a lot of resistance on this point from a limited number of quarters, I should say, but very strong resistance. I think that question will be resolved in a satisfactory way, but in a sense part of the substantive negotiations are proceeding in this light.

A similar problem arose just in terms of the number of countries involved. Are the LDC's relevant to this process or not? Again there will be progress, I think, in terms of the LDC's participating.

There's a question whether it should be entirely a matter for IMF discussion or whether the IMF discussions don't have to be related to the OECD, to GATT, and others outside. This views, another source of controversy, which reflects on how narrowly monetarily the problems can be isolated.

I suspect that we will reach some agreement on a so-called committee or group of twenty as the main negotiating forum fairly soon, with an adequately broad mandate, with adequately broad membership—with, I hope, adequate recourse to talents outside the IMF. We hope that the OECD will make a parallel contribution. We can use the talents of other organizations. All of this is cumbersome and difficult. It's going to take some time to have these formal bodies, particularly the group of twenty operating. But I don't think that should obscure the fact that whether or not the formal body is operating; there's a lot of discussion—in a sense, pre-negotiation—going on fairly continuously during this period.

Congressman FRELINGHUYSEN. Thank you very much, Mr. Volcker.

And now I think to educate us on perhaps what is—I hate to say what's least understood on the Hill; much is really not understood on the Hill, but on one of those areas where we need enlightenment—we'll have Professor Stobaugh talk on Foreign Investment Policy and the Multinational Corporation.

REMARKS OF PROFESSOR STOBAUGH

There are two types of foreign investments—portfolio and direct. In a portfolio investment the investor owns shares in a company but does not control its operations. In direct investment the investor not only owns part or all of the company but also controls its operations. Our discussion this morning deals only with foreign direct investment, since by definition a firm must control its foreign affiliates to be called a multinational enterprise.

Other criteria used to define multinational enterprises, such as size of sales or spread of foreign operations, are quite arbitrary. In order to obtain a list of firms to study, we at Harvard Business School arbitrarily took *Fortune* magazine's annual list of the 500 largest U.S. firms and their annual list of the 200 largest foreign firms and selected those companies manufacturing in six or more foreign countries. These firms account for a substantial part of all foreign direct investment; for example, the 187 U.S. firms that met our criteria account for three-fourths of all U.S. foreign direct investment in manufacturing.[1]

Foreign direct investment, and this is largely investment by multinational enterprises, has been growing faster than either world production or world trade. From 1950 to 1970, the output from facilities owned by foreign direct investors grew at an annual rate of 10 per cent, compared with annual growth rates of slightly less than 8 per cent for the non-communist world's Gross National Product and slightly more than 8 per cent for the non-communist world's trade. As a result, by 1970 the output from the facilities owned by foreign direct investors was 6 per cent of the non-communist world's GNP and about the same size as the non-communist world's trade.[2]

About 60 per cent of all foreign direct investment is owned by American companies, and another 10 per cent is invested in the United States by foreign companies. Thus, the United States is involved in 70 per cent of all foreign direct investment.[3]

By the end of this year the book value of U.S. foreign direct investment will approximate $100 billion. About 90 per cent of this investment is equally distributed among three major geographical areas: Europe, Canada, and the less developed countries as a group. Manufacturing is the largest industrial sector, followed by petroleum.

This prelude, I hope, has sketched the outlines of the subject. For those of you interested in more data, I recommend Part III of a recent Department of Commerce publication entitled "The Multinational Corporation."[4]

Even though these figures are impressive, they still understate the importance of multinational enterprises, for these enterprises dominate many of the advanced-technology industries, such as computers, pharmaceuticals, and chemicals, as well as certain other important manufacturing industries, such as petroleum products, automobiles, and farm machinery. To an important extent, the economic health of the

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United States depends upon the economic health of its multinational enterprises. They account for one-third of total sales of U.S. manufacturing firms.[5] They do two-thirds of the nation's privately funded industrial research and development.[6]

I am sure that you are aware of some of the criticisms aimed at multinational enterprises, especially the charge of exporting jobs. However, a number of studies, including one recently completed under my direction, have concluded that foreign investments by U.S. enterprises have a positive effect on both U.S. employment and the U.S. balance of payments. We estimate that if there were no U.S. foreign direct investment, some 600,000 jobs in the United States would be lost; and continuing research indicates that the 600,000 is a very conservative figure.

The reason why U.S. foreign direct investment creates rather than destroys American jobs is that such investment is primarily defensive, in the sense that the investor is trying to maintain his place in the world market.[7] Over 90 per cent of the output of the foreign plants of American firms is sold abroad. The amount imported into the United States is less than one-quarter of our total imports of manufactured goods, and a substantial portion of this quarter is a result of one special arrangement: the U.S.–Candian Automobile Agreement.

Given a choice, the U.S. enterprise had rather produce in the United States than go abroad. But in most cases it does not have this alternative—if it does not expand abroad, it would lose its market to foreign companies, usually large ones from Europe or Japan. This applies to its U.S. markets that it serves from its foreign plants as well as to its foreign markets. The retention of these markets by U.S. enterprises provides U.S. jobs in the home office and in research and development laboratories. Further, it provides U.S. jobs for production workers manufacturing components, finished products, and capital equipment for export to the foreign operations.

These exports of goods, of course, not only have a favorable effect on employment, but also on the U.S. balance of payments. In addition to these exports, multinational enterprises have another favorable effect on the U.S. balance of payments; they are major exporters of services. In fact, one way to view the multinational enterprise is that it is an exporter of management and technology rather than primarily an exporter of capital. Indeed, most of the funds invested abroad by U.S. firms are obtained abroad through depreciation allowances, retained earnings, and borrowings. This point is underscored by the relatively small impact that the U.S. capital export control program has had on total U.S. foreign direct investment. The health of the U.S. balance of payments depends now to an important extent, and will depend even more in the future, on the dividends, management fees, and royalties received by its multinational enterprises.

Against this background of information, let us consider what arrangements exist to facilitate international trade in goods and services.

To facilitate the flow of goods, we have the General Agreement on Tariffs and Trade (GATT), to which most of the trading nations of the world subscribe. This agreement lays down rules of the game aimed at four goals: (1) a reduction in import restrictions; (2) non-discrimination among countries; (3) the settlement of trade disputes; and (4) the grant of waivers from any GATT commitment upon the basis of an international consensus. GATT has been an important vehicle in increasing world trade.

In stark contrast to GATT, there is a vacuum on the international scene when we consider trade in services. There is no international agreement to facilitate the flow of services, such as management and technology. Foreign countries are taking a variety of actions to reduce U.S. income received from the export of such services. In some cases after an indigenous firm has reached agreement with an American firm on the size of a royalty fee, a foreign government has intervened to reduce the royalty below the agreed fee. And, of course, a number of countries restrict the amount of dividends, management fees and royalties that can be paid by a subsidiary to its parent; and in some cases the payment of management fees is not allowed at all. Furthermore, the restrictions on ownership of local subsidiaries at times have the effect of reducing exports of American management. Finally, in some countries there is the ultimate threat—that of nationalization.

A new international agreement is becoming necessary to facilitate continued increases of trade in services. It could be part of GATT, or perhaps a separate organization, one we might call a General Agreement on Foreign Direct Investment. Whatever route is taken, the establishment of such an agreement should be a major goal of U.S. foreign economic policy.

Now I have put forward this suggestion from the viewpoint of the United States, yet I think that it also would be welcomed by foreign countries. Most nations welcome foreign direct investment because it brings benefits, such as know-how, increased competition, and access to export markets. Indeed, the goals of multinational enterprises typically are similar to the goals of nations, such as increased output, greater efficiency, and greater exports. But government officials tend to be frightened of multinational enterprises because these firms are so big. Although the size of any one enterprise's operations might be quite small in relation to the nation's revenues, the governmental official knows that he is dealing with an enterprise which in many cases is more powerful economically than his nation.

Although multinational enterprises are willing to abide by the laws of a nation, the governmental official cannot predict an enterprise's behavior, since this behavior in any one country is dependent on the firm's worldwide situation. Sometimes this behavior helps a nation and sometimes hurts it. For any given nation, the enterprise's behavior at times can help it and at other times hurt it. Governments naturally do not like the randomness of the outcome. For example, they would prefer a less favorable, but relatively stable, balance of payments rather than a more favorable balance with large random swings. The situation is much like that of the elephant keeper and the elephant. The keeper likes the benefits of having an elephant, but he doesn't want to get squashed inadvertently when the elephant rolls over in his sleep.

A reduction of the uncertainty surrounding the operations of the multinational enterprise will surely reduce tensions and increase the receptivity of host nations to foreign direct investment. Most of these tensions have been discussed by others, but several deserve special highlighting now.

Perhaps the most pressing problem is that of short-term capital flows. Because multinational enterprises and the amount of trade controlled by them have grown much more rapidly than the currency reserves of nations, it is now possible for relatively routine short-term capital movements by multinational enterprises to cause severe balance-of-payments problems to a nation. It is only good business for a firm to borrow in countries with low rather than high interest rates and conversely to invest any "excess" funds in countries with high rather than low interest rates. Further, it is only good business to delay sending funds into, and to move funds out of, nations whose currency is expected to be devalued; a multinational enterprise can accomplish this quite easily by delaying or speeding up the payments of intercompany accounts.

To determine the effect of such actions on both the firms and the governments, we developed a computer model of a simple multinational enterprise system.[8] When our model was programmed to operate as a series of independent units dealing with one another on an arm's-length basis, the countries in our model experienced little variation in their balances of payments. In contrast, when the model was programmed for the enterprise to adopt a financial policy to maximize its profits, all countries in all years experienced widely varying balance-of-payment positions. In some countries the span of oscillations was over 40 times that experienced under the arm's length policy. Of course, the massive changes in the balances of payments of the countries in our model may exaggerate the result that would occur in the real world. Nevertheless, the model results are likenesses of reality and there is evidence to believe that the policies of multinational enterprises have a potential of bringing about major adjustments in currency relationships.

The importance in the real world of the multinational enterprises' financial policies to the balances of payments may be seen in several ways: One is the size of the enterprises' holdings of liquid assets relative to the currency reserves of central banks. We estimate that the amount of cash and marketable securities held by the 100 largest U.S. multinational enterprises exceeds the central reserves of any nation in the world. Furthermore, the size of the intercompany accounts are substantial. For example, if all debts owed the U.S. parents by foreign affiliates were paid immediately, the currency reserves of the United States would triple; such flows would deplete a considerable portion of the currency reserves of many countries.

For another example, we take the case of Britain and make reasonable assumptions about the size of imports and exports of multinational enterprises. We estimate that a three-month change in credit terms on both imports and exports of all multinational enterprises, both U.S. and foreign, could wipe out all of Britain's reserves. Although it is unlikely that all multinational enterprises would act in concert, it is equally clear that their potential actions can have a real effect on a nation's currency reserves. This is an area that is ripe for international agreement.

Governmental revenues are another point of tension between enterprises and nations. The pricing of goods and services sold from one unit in a corporate network to another affect governmental revenues by locating profits in one tax jurisdiction rather than another; also, of course, customs are determined by these prices. Some national tax collectors, such as the U.S. Internal Revenue Service, have been aggressive in collecting taxes on the basis of arm's-length prices for goods and services sold between units of a system. The problem is that most goods and services sold between units of a system do not have a true arm's-length price, because they are never sold to the public in the quantity or quality sold within the system. For example, when Ford imported hundreds of thousands of parts from abroad to put into the Ford Pinto, there was no comparable sale of goods anywhere in the world and hence no perfect method of obtaining a "true" arm's-length price.

Multinational enterprises have at times paid taxes to two national governments on the same profits. This has occurred when the IRS increased the enterprises' taxes by adjusting intercompany transfer prices to show a greater U.S. profit and a lower foreign profit on sales that took place several years prior to the adjustment. In many cases, the companies were not able to obtain a tax rebate

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from the foreign government for taxes already paid. As more governments become sensitive to the question of intercompany transfer prices—partially because of training received from our Treasury Department—multinational enterprises are likely to be caught between two national governments, each demanding a tax on the same profit. The U.S. Revenue Act of 1971 was a major advance in solving this problem, for the law allows a U.S. company to choose one of several standard methods in determining the price of goods sold to an affiliated export corporation. A major tension point would be removed if an agreement on allowing standard methods of pricing intercompany accounts could be reached among a number of nations. Of course, it is possible to reach such agreements bilaterally, but the multilateral approach would be much more efficient.

Other points of tension are differing antitrust standards in different countries, the attempt by the U.S. government to force foreign corporations controlled by American firms to adhere to American laws in shipping to Communist countries, the allocation of export markets by an enterprise among various of its affiliates, and inadequate reporting by enterprises to governments.

In addition to these oft-mentioned tensions, new problems will emerge and the multinational enterprise when properly guided can be an important instrument in solving them. Take pollution, for example, the adoption and maintenance of worldwide pollution standards by multinational enterprises would be an important contributor to clean air and water.

What would be the view of the multinational enterprises to a General Agreement on Foreign Direct Investment? I believe that as long as they are treated equally with their competitors, they would welcome such an agreement. It would reduce their uncertainty. Over the long run most of these enterprises foresee a chaotic growth of national controls, some of which would place them at a disadvantage with their competitors. For example, current proposals in the United States to tax the earnings of American-controlled subsidiaries abroad as soon as they earn a profit rather than when they remit dividends to the United States would place the Americans at a serious disadvantage vis-a-vis some of their foreign competitors.

Another advantage to the enterprises of such an agreement is that management would be spared from worrying over many tension-laden points and could then concentrate on their special expertise of developing, producing, and distributing a wide range of new products in a highly efficient manner.

Regardless of any action taken to facilitate trade in services, there is another problem crying for immediate action. Adequate assistance should be provided to U.S. workers who lose their jobs because of imports. Although most U.S. imports are not by multinational enterprises, such enterprises will be affected by any legislation passed to protect workers. There is little doubt that U.S. efforts under the 1962 Trade Expansion Act to aid worker adjustment have not been sufficient, although such efforts have been increased substantially in recent years. Sufficient research has not been performed to indicate the amount of funds needed to facilitate worker adjustment nor the methods most appropriate, but successful efforts in Europe have involved the expenditure of several billions of dollars. Any such program should aim at moving workers out of the mature industries that are not competitive internationally into the newer high-technology industries in which the U.S. has a comparative advantage; these industries, of course, generate larger exports of goods and services, are more profitable, and pay higher wages than the more mature industries. Such an adjustment assistance program, perhaps with the advice of labor leaders, would be more appropriate than proposals aiming at isolation of the United States from the rest of the world.

A SUMMARY

The United States Government should encourage the continued growth in the number and size of the U.S. multinational enterprises for the economic health of the United States depends to an important extent on the economic health of these enterprises. Especially the balance-of-payments position of the United States is becoming increasingly dependent on these enterprises' exports of services in the form of management and technology. GATT [9] exists to facilitate a continuing increase in world trade in goods, whereas no comparable organization exists to facilitate a continuing increase in world trade in services.

Two major steps are needed in U.S. foreign investment policy: first, we should begin negotiation of an international agreement to increase trade in services and to remove the tensions until now associated with the activities of multinational enterprises. Such an agreement would not only serve the interests of the U.S. Government, but also the interests of foreign governments as well as multinational enterprises.

The second major step needed is an adequate program to retrain workers who lose their jobs because of imports. The program should emphasize the retraining for jobs in industries in which the U.S. is competitive internationally, for these industries are faster growing, more profitable, and higher paying than the more mature industries that suffer from import competition.

Thank you for inviting me to present this statement. I will be happy to answer any questions.

FOOTNOTES

[1] See Raymond Vernon, *Sovereignty at Bay: The Multinational Spread of U.S. Enterprises* (New York: Basic Books, 1971), Chapter 1.

[2] In this calculation the output of the enterprises was placed on a "value added" basis for comparison with GNP. The total output was used for comparison with trade flows.

[3] See Christopher Tugendhat, *The Multinationals* (New York: Random House, 1972), pp. 1–6; and Bureau of International Commerce, U.S. Department of Commerce, *The Multinational Corporation* (Washington: Superintendent of Documents, 1972), Part III.

[4] Bureau of International Commerce, *op. cit.*

[5] Vernon, *op. cit.*

[6] Vernon, *op. cit.*, and National Science Foundation, *Research and Development in Industry* (Washington, D.C.), various issues.

[7] Robert B. Stobaugh and Associates, "U.S. Multinational Enterprises and the U.S. Economy," in Bureau of International Commerce, *op. cit.*

[8] Sidney M. Robbins and Robert B. Stobaugh, *Money in the Multinational Enterprise: A Study of Financial Policy* (New York: Basic Books, forthcoming).

[9] General Agreement on Tariffs and Trade.

(Presentation of paper.)

PROCEEDINGS—CONTINUED

Congressman FRELINGHUYSEN. Thank you very much, Professor Stobaugh. Yours was an interesting presentation also.

I'm sure that members of the panel, if not others, would be only too glad to start the discussion period.

I'd like to point out that Mr. Jacob Clayman has joined our group. Mr. Clayman is Administrative Director of the Industrial Unions Department of the AFL–CIO. Mr. Clayman is a former member of the Ohio State Legislature, and has been in his present position for about ten years. He was formerly Assistant to the President of the Amalgamated Clothing Workers.

Mr. Clayman, it's a pleasure to have you here.

The three presentations that we have heard have given us all food for thought and plenty of room for questions. I wonder if we might open up this pre-lunch phase of our discussion with a question and answer period.

I would guess that some of the panel would like an opportunity either to comment or to ask questions about what has been suggested by those who have given the opening remarks.

Would any of you like to ask some questions?

Dr. HAMPTON. I would like to have a little elaboration of a comment here this morning that talks about foreign nations' interest in having American direct investment.

I think we have a little bit of a dichotomy here as to whether they really want it or they are more concerned about the problems it creates. I'd like to hear just a little elaboration of that.

Professor STOBAUGH. I think foreign nations would like the benefits of foreign direct investment and that's one of the reasons that they have kept it, and also many of them even encourage it.

The problem is the problem of control in that they perceive that their own economy is less under their control when they are dependent on foreign direct investment for a good percentage of industrial output.

It's kind of liking the fruits of it but wanting to minimize the parts that are not so desirable. And the more the economy grows the problems probably increase because of interdependency of one nation on another, yet everybody likes to keep control of their own economy.

Mr. EBERLE. I'd like to second that and add one item to it, and that is what we tried to have discussions on the subject, the code of good conduct, or whatever you want to call the services approach.

The thing that came out very clearly was the fact that not only did all of these countries, developed and developing, want the investment—they're very happy with the investment—but they're worried about some vague, you can call it control, you can call it abuse that they worry about. But when they had to define it, there was nobody that could define what it was that they were really worried about, and they ended up by asking the OECD to make a study to see if there was a problem. I think it's more concern about this than anything else.

The other thing I want to add is that this investment as such is something that the developing countries are focusing on right now very strongly. And I know of no American industry or multinational company that ever won a power struggle with the smallest country in the world.

Mr. VOLCKER. I think there's another aspect of this investment that in effect they pretty unanimously don't like—I haven't got any addition to what's been said in terms of looking at investment itself; they have mixed feelings about it. Basically I think in specific cases most of them like it. But where it appears in a more general form in terms of the balance of payment adjustment process, in terms of the monetary system, then they are faced with a certain consequence of this investment, and that is that money coming in in investment is like money coming in from exports so far as their total balance of payments position is concerned. And when they're faced with the choice of whether they would rather export or import capital, I think fairly unanimously they'd say, we'd rather export. And they want to maintain exchange rates and other arrangements that give them a strong export position. And while they are ambivalent about it at best, in the end they say, faced with a choice between having an exchange rate that gives us a weaker export position and accommodates the inward flow of investment, we'd rather have the lower exchange rate that improves the export position. And at this level they generally say they don't want the investment.

Now, of course, where they're schizophrenic

is that in particular cases they do want the investment, and this leads to steady tension. You see it very apparently, most obviously in the case of Canada, but it's not alone in the case of Canada.

Mr. CLAYMAN. Professor, on page 3 of your statement the general tone is that the imports from American corporations, of subsidiaries abroad, is relatively modest.

Given that tone, I read back to you one of your observations: "The amount imported into the United States is less than one-quarter of" all of the manufactured goods that come into our country from abroad. And while we have a dearth of statistics, real statistics, hard statistics on this issue, your observation that roughly a quarter of our imports from American corporations abroad implies to me a very serious problem of American capital and American technology abroad, coming into our country and competing in the American marketplace with American workers, with American technology, with American capital that chooses to remain home.

I see this as a serious problem and would dispute essentially the tone of your observation.

Professor STOBAUGH. I think it's kind of interesting that while the multinational enterprises of foreign direct investors only account for a quarter of the imports of manufactured goods, they account for half of the exports of manufactured goods; so that their net trade balance is really quite positive. And I think the import of manufactured goods from abroad from multinational enterprises does not primarily compete with American industry in this country, but primarily competes with the German, the Japanese, the British, the French, the other European firms who are exporting from either their home country or from their bases in Taiwan, for example, into this country.

So the multinational enterprises and the individual cases that we have studied indicate that these imports by U.S. multinational enterprises are primarily competing with foreign firms and not our own.

Mr. CLAYMAN. Well foreign firms—in a sense we've simply gone out of business in many areas of our industry. Electronics, for example—we compete now, you're right, with foreign firms, because we have no industry of our own, absolutely none.

Mr. EBERLE. Mr. Clayman, I wonder if you could clarify my thinking: with 80 percent of this one-quarter being under the automobile agreement, is this something that you would like to see disposed of or changed?

Mr. CLAYMAN. With regard to the Canadians—I must say that we consider the Canadians in a different category in the labor movement than the rest of the world, simply because there's a kind of fraternal association with the Canadian workers that's unusual, of course.

Mr. EBERLE. Then most of this you would acccept because it's under a special agreement?

Mr. CLAYMAN. Well, I'm not certain of the statistics, frankly, as you talk of 80 percent of our imports coming from Canada in relation to this specific problem. I think quickly of the Mexican border and I think quickly of a study that one union made, just counting it up, going from shop to shop—116,000 jobs. And these obviously are all owned by American multinational corporations. And these are all jobs that were American jobs just a few years ago.

And so when I look at the statistics, which seem massive and yet I'm not sure of their verity, I think of these personalized situations, 116,000 jobs on the border, the Mexican border. And you can multiply this place by place, community by community, in all the United States.

Mrs. BRADLEY. But you don't regard the Mexicans in the same fraternal way you regard the Canadians?

Mr. CLAYMAN. I must say the relationship between the trade union movement with the Mexican workers is not on the same level and basis as that of the Canadian workers. It may well be that our relationship with Canada generally may be somewhat different than with the rest of the world. But this is not the heart of what we're talking about.

Professor STOBAUGH. I'd like to mention three statements of fact: number one, all the jobs on the Mexican border would not be in the U.S. if they were not performed in Mexico; they might very well be done in Taiwan, not the U.S. Secondly, U.S. imports of manufactured goods made in American plants abroad for this last year for which we have statistics was less than $1 billion if you exclude the Canadian situation. That less than $1 billion is far less than 1 percent of the output of U.S. manufacturers. Therefore, there is no way that one can arrive at the conclusion looking at official government statistics that the imports of manufactured goods by American multinational enterprises is a serious problem in terms of causing jobs to be lost.

Thirdly, I'd like to say I am certainly sympathetic with those who do lose jobs because of changes in trade patterns. But overall, the multinational enterprises are creating far more jobs than they lose, and the problem is not to keep people working at jobs that people abroad can do and do just as well as our workers and do for 20 cents an hour; the problem is to move them into jobs where they can earn $3–$4 an hour, and those are the jobs that we have a comparative advantage in in this country anyway.

Mr. CLAYMAN. The likelihood is, if this pattern continues—and I'd like to say something about it later when I make my more general remarks—if this progress of the multinational continues, there won't be in my judgment, at least the judgment of workers, any safe haven for American workers.

Now, if we're prepared to completely change our total society, if we're prepared to cut our standard of living completely so that we can match Mexican wages, then of course that's another question, and that question will have to be answered essentially by the American people.

Congressman FRELINGHUYSEN. I'd like to ask a question; and I think this is a very sensitive area we're talking about now because there does seem to be a lack of understanding about what the multinational corporation really does mean both for us and for other countries.

I'd like to ask first of all, in whose lap would a proposal for a general agreement on foreign direct investments fall, and what would be the likelihood that the result would be a happy one if an attempt were made to develop rules of the game along these lines?

Certainly in this country, so far as there is an expression of legislative concern, there is a feeling that the multinational concern is somehow an outlaw; it's causing our troubles. That if, as Mr. Clayman just said, if the movement is allowed to continue there will be no safe haven for American workers. I would assume that's an extreme statement, but I think it's reflected at least on the Hill. What justification would there be for it, and if that were the case, would now be an opportune time for an international agreement to be sought? Have we thought it out in our own minds sufficiently to be able to come out with a happy result, a definition as to what makes a multinational corporation good or what makes it evil, both for ourselves and for others?

Professor STOBAUGH. I'm not sure that we could reach an agreement that the multinational enterprises or foreign nations would call a perfect agreement. But I think we could move in that direction and it would be better than what we have now, which is, in effect, a one-to-one operation of the negotiations of the firm with individual nations on a variety of things.

And we are building up a kind of a chaotic situation in terms of restrictions to trade and services and such. I mentioned management fees, royalties, exports, and so on.

I'm not sure how such an agreement would be reached or who in our government—whether it would be under the Office of Special Trade Representative because of trade and services or whether it would be in Treasury, or whether it would be separate, or what. I have no idea.

Mr. EBERLE. Mr. Chairman, I think it's not as simple a problem as identifying a multinational corporation. First of all, there is an area of harmonization of tax policy around the world. That's a separate issue, but it affects the whole area of who's going to tax who, by what country. And that can be handled in one area, the OECD or GATT or IMF. It really isn't very important to me.

There's another area and that's one that affects labor, and I'll call it fair labor standards for lack of a better term, but what we would look at is treatment of labor in various parts of the world and a code of good conduct. This is in the international labor organizations and could be part of the group of meetings in the GATT area.

It is also the code of good conduct for the service area as the Professor mentions, and I think when it comes to how you treat transfer prices, which is part of the tax matter, and part of the trade matter, there could be a code of good conduct.

But there's a fourth area and that's the code of good conduct on the part of the host country. In other words, what kind of conduct do you expect from the host country—exappropriation, anti-trust—and these can all be handled by separate codes. There's no way of tying one, I think, together or if we do, we won't get the job done because it involves conflicting interests. But I think there is reason to think in terms of proceeding in all four or five of these areas through separate approaches.

Congressman FRELINGHUYSEN. I wonder, Mr. Clayman, whether in view of the fact that we have gotten off on an area where you have strong views that you would like to make your presentation now.

Mr. CLAYMAN. I'm happy to do it.

And my case is not just based on the multinational situation. It's across the board.

It will be reasonably spontaneous. I trust it won't be too emotional before I'm through. If it's emotional, one thing I can assure you, it will reflect the attitudes of ordinary workers in the country.

Congressman FRELINGHUYSEN. We politicians like emotions.

Mr. CLAYMAN. This issue has come on the top level of ordinary worker and trade union reactions. And it's amazing because the leadership in the main of the labor movement in America comes from a background of free trade.

Go back twenty years ago, after the war, before the war, the American labor union leadership believed in the so-called system of free trade; and in the last few years there has been an upside down reaction to the contrary.

I think you have to ask the question, Why? Why is it that people who spent their youth in the concept that so many of us pay lip service to as free traders have suddenly turned and now are charged with the protectionist point of view that the old Republican Party had many years ago.

Congressman FRELINGHUYSEN. Is this a comment or a crack?

Mr. CLAYMAN. It's a wisecrack.

It's historically true. We all use these labels and we kick them around. It may be the label attached at that time to the Republican Party was undesirable and inappropriate. I do know it's inappropriate to talk about the labor movement being protectionist now; because the point has been made here that what we want is fair trade.

I don't know whether we give lip service to this notion but this point is made over and

over again. And this is the trade union point of view.

Now, then, let's take a quick look at the period after the last world war. Japan was shattered. Western Europe was finished. The question was whether it would go communist, whether Japan would go communist. And so we stepped in with massive assistance—and quite properly, at least in my judgment—and we rebuilt the Japanese economy. We rebuilt the Western European economy. And those fellows are not stupid on their own and they learned all the tricks with our help in terms of production and manufacturing and marketing.

The fact is that they are now big boys, no longer the orphans of the war that we conceived them to be years ago quite properly. They're big boys. They have viable economies. They can compete with us. And yet the fact remains that we still in essence treat them in many many ways as still the orphans of the last war.

We permit them, as it has been said here, we permit them to engage in discriminatory practices against our exports to their countries, which we do not engage in ourselves.

I must read you an interesting comment by Wilbur Mills who is a man of no small consequence in this field. He made a speech a short time ago before the Council of Investment Communities and this is what Congressman Mills had to say:

"I have said that the U.S. is the most open market in the world. There is a question, however, of how long it can remain so in the absence of greater access to the other countries of our products."

And essentially this is our beef. We want fair trade. We want more trade. We want to trade with the producing countries, the industrial countries of the world, on the same basis that we permit them to deal with us.

All right, now, a few very specific, distressing facts. There may be all kinds of answers to these facts, but here they are.

The plain bitter fact is that in 1971 for the first time since 1888—fantastic, isn't it, eighty three years or something like that—we had a trade deficit—for the first time. And that trade deficit was somewhat over $2 billion.

Another fact. Maybe the multinationals somehow will resolve this for us. For the first four months of 1972—a trade deficit of over $2 billion. If the trend continues through the year—there's nothing, in my ignorance at least, that I see changing that trend—we're going to have a trade deficit in excess of $6 billion.

So beside all the theory—God knows I don't want to make noises as an economist; I'm not—beside all the theories here are the physical, painful, distressing facts; and to ordinary workers this means jobs or unemployment. Where are we then?

Well, the only statistics that I'm aware of, the only statistics I've been told of, and our economists have looked at this—I hope they're right; you can't find them in the Department of Commerce, I'm told—the only meaningful figures are in the Bureau of Labor Statistics. And those figures, 1966 through 1971, jobs created by exports remained stationary, zero. We haven't lost there. We haven't gained there. Jobs lost to imports: those figures say, those statistics say 900,000.

And if it's meaningful, and if you wanted it, I would like to ask our economists to substantiate those figures; because if these figures are true—and our fellows believe they're true—somebody's getting hell knocked out of them and obviously it isn't the multinational corporations. It's the ordinary American worker.

I don't want to bring in the wailing wall bit. Here are a few statistics. It so happens that my union is the Steelworkers Union, my union affiliation. Last year over 18 million tons of steel were imported. Incidentally, this was above and beyond the limit established in the voluntary steel import quota agreement between our country and Japan and the Common Market agreement. We have made these voluntary agreements before, you know, and they have been dishonored as much as honored. This is one of the facts of life.

If I may digress, one of our problems is that since the war we have treated these matters in terms of diplomacy rather than in terms of hard, honest, effective bargaining. We've been concerned with the political consequences rather than the economic consequences.

Now I don't want to depreciate the political significance, and I think it was enormously important in the early years after the last war. But I think the time has come when we've got to have a hardheaded view of trade, and bargain as labor and management bargain in this country in a hardheaded, practical—both cases self-serving, we hope ultimately public-serving—fashion.

Well, do you know what the steelworkers estimate this 18 million tons means? It's 18 percent of domestic consumption. They figure that it means job loss of 108,000 steelworkers. That's what it takes in the U.S. to produce that kind of steel.

Shall I continue?

For example, 9 out of 10 radios made abroad; 1 out of every 6 new cars made abroad; 7 out of 10 sweaters; 19 out of 20 motorcycles; 9 out of 10 baseball gloves—this is the great American sport. You have to look hard to find a baseball glove. Gosh, what's happening! Even baseball, you know. I don't know about bats, but I've been told recently that bats have fallen into the same chasm.

We import 100 percent of our 35 mm. cameras, all of them. We import 96 percent of our magnetic tape recorders. We import 70 percent of our portable typewriters and more than 50 percent of our black and white television sets.

A short time ago a leading Brazilian shoe exporter predicted that the United States will soon be out of the shoe producing business entirely.

Now I haven't ranged through the whole litany or the whole laundry list, but there are more by the scores.

Now then. As I read these it sounds kind of monotonous, and who gives a hoot about how many television sets we make and all the rest of it. But unless we think of these imports in terms of jobs and people and families and communities, we're going to miss the essential fact and the essential reality of the problem of imports in our country.

Now I come to that interesting issue of—incidentally my terminal facilities are very poor. You tell me when you want me to quit.

Congressman FRELINGHUYSEN. We'll get Mr. Heltzer to do that.

Mr. HELTZER. Up to the moment he hasn't given me anything to argue about.

Mr. CLAYMAN. All right. I hope we agree at the end. That will be terribly important if you and I agree. Because between the two of us I think we can have a little impact on the problem.

Now, then, I want to talk about multinational corporations. Professor Stobaugh's paper obviously is a brilliant one, but I don't want to associate myself with it.

This has become a real bête noire among workers. You talk about American multinational corporations and there is a rising gorge, a tension, growing but worrisome. It ought to be worrisome to politicians; it ought to be worrisome to our corporate structure; it ought to be worrisome to our government as has been said here—it is the fastest developing institution in our American society. And it has all happened in what? Fifteen years, thereabouts, no more.

It has been said—and incidentally this figure of $100 billion that we talk about, just a year or two ago this was being very seriously disputed by many people in government and business. I'm glad an authority of your standing has made the observation.

Now, $100 billion—someone has said that it's the third productive force in the world. I don't know if that's so, but I've heard it said by people who seem to know their business. Imagine, American capital invested abroad has become the third productive force in the world. There are 8,000 subsidiaries of American corporations all around the world.

I'll give you a couple of examples. This isn't for rhetorical purposes. I think it makes a point. Take ITT—I don't want to talk about it in its political ramifications; that's not our problem here. But it's a typical multinational. It manufactures goods abroad, over $2.5 billion a year. It has 104,000 employees and 250 plants in America. Great! it has 191,000 employees abroad. And since the agreed antitrust solution with the Department of Justice, it has acquired—and this is several months old, and has probably changed—it has acquired 16 additional firms, 6 of them in the U.S. and 10 abroad.

Let's take a look quickly at Chrysler. And I tell this story because it has meaning. It may strike you as a bit amusing but it's more than that.

Chrysler acquired 35 percent of the Mitsubishi Motors in Japan. It had a heck of a time getting it. They wouldn't let them buy more than 35 percent. The government of Japan wouldn't permit them to do that. Then the Japanese government "suggested" that in exchange for permitting this investment, Chrysler would agree to import into the U.S. the Dodge Colt manufactured in Japan—Colt sounds so America, doesn't it—36,000 in '71, 60,000 in '72, and 175,000 in 1975. But the Chrysler Corporation being vigorous, hard bargaining, said, "Well, in turn, Japan, you've got to take some of our Plymouth Valiants." The Japanese finally acceded and said, "Yes, we'll take some of your Plymouth Valiants." They did. And the Plymouth Valiant was manufactured in Australia.

This is the nature of the new messiah on the American and international scene, namely, the multinational corporation, whose primary concern—and I say this without malice for I don't think the ordinary worker would feel this way—is for a dollar wherever it can be earned, and what follows thereafter with obligation to the American community, to the American people, to the American government is incidental.

U.S. Steel. They made $154 million, an item that's been kicked around a lot, $154 million in 1971. Some investigators have said they didn't pay a penny in U.S. federal taxes. I don't know if that's so or not, because I have seen another item by another investigator who said $10 million in U.S. taxes. So whether it's nothing or $10 million, the fact is that we let this multinational in a sense legally get away with what? No tax or $10 million tax; while the little government of Venezuela where they have operations insisted they pay $45 million in taxes. Venezuela made it absolutely sure that they paid their fair share of taxes. But we've treated the multinational—for that matter it need not be multinational—in a somewhat different fashion.

Shall I tell you how deep the feeling is in the worker community, and I suspect and assume in the total community?

One of our fellows just the other day in a speech went back to Thomas Jefferson. Tom Jefferson made an observation 150 years ago—you'll forgive me for saying it; it was Tom Jefferson who said it, you see, and I quote him:

"Merchants have no country. The mere spot they stand on doesn't constitute so

great an attachment as that from which they draw their gains."

Now if that sounds lurid in 1972, I make another observation. This is a quotation from Robert Stevenson, Executive Vice President of the Ford Motor Company for International Operations. I quote him:

"It is our goal to be in every single country there is—Iron Curtain Countries, Russia, China. We of Ford Motor Company look at a world map without any boundaries. We don't consider ourselves basically an American corporation. We are a multinational company."

I don't know whether this is the face of the future. But there it is. And maybe this is a picture of the brave, bold, new world.

Well, in conclusion. We have got to develop—to come back to my original thesis—we have got to develop fair trade. We have got to deal with the industrial nations of the world—I'm not talking about the developing nations. We have got to deal with the developed nations of the world on the same basis as equals. And we're not. Those of you who know much more about this field than do I, the gentlemen from government, they know that the Japanese have a dozen restraints and restrictions on our shipments to their country to every one we have. David Rockefeller, I just noticed in last night's paper, complained to the Japanese—he's over there now making speeches—he complained, and he told the Japanese—I won't take the time to cite it—he told the Japanese you're altogether too restrictive and you've got to permit a freer flow of trade.

The Common Market countries. Not quite the same, but in the same general area. Here they are having all kinds of preferential treatment for their own countries. We're out of that swim. If we grant a particular favor—if that's the word—or if we grant a special concession to one country, we give it to all countries. We abide by GATT. We're the only country that apparently does. And until we get this kind of trade—I don't know when it will come; it's in the future now of course, some time in the future—we've got to build protective devices. And I think you know that the protective devices we suggest are those in the Burke-Harke bill.

Thank you, Mr. Chairman. I know I talked too long. But I used great restraint. I quit an hour before I wanted to.

Congressman FRELINGHUYSEN. I don't think you talked long enough, Mr. Clayman; because I do think in some respects the shift of the labor movement is one of the major developments, but still to me one of the most unexplained decisions that I know of.

You say there has been an about-face, but I'm not quite sure why, in spite of your eloquence. You say there must be fair trade but your proposal for fair trade would almost surely kick off a destructive trade war. And you say the labor movement is not protectionist. If the legislative ends that it seeks are protectionist and admittedly so, how can you say that you are not protectionist?

Again, I think what we're talking about—and I'm sure one of the representatives of the multinational corporations will comment on this, too—is a very fundamental point, and it's one that obviously strikes some sparks here on the Hill. But Wilbur Mills—again he was the sponsor of the Mills bill last year which caused apprehension in other parts of the world, and which I thought was very unwise—doesn't say much except to say we need greater access to markets, as I understand the quote that you gave. And who would argue with that? Who would argue with the necessity of getting freer trade or the value of getting freer trade or fairer trade? But to say we're not going to play the game; we wish we were back in the 19th century; we wish Coca Cola weren't being sold in Japan; we wish Chrysler wasn't dealing with Mitsubishi doesn't strike me as something we're going to be able to change in any event.

And again the feelings of the labor organization run deep because perhaps they are not well informed about the relationship of what goes on with multinational corporations overseas and this effect. Of course, if they are misled and their emotions are aroused and in some way they associated the activities of an American company abroad with a loss of jobs here, they can tend to be antagonistic. And so can members of Congress.

Congressman ZWACH. I think in America we have been muddle-headed in our trade agreements with foreign countries. I think we've been tough businessmen in America. I think we've been Santa Clauses in our dealings in foreign areas. I think Mr. Clayman has made a fundamental point that we've got to begin to get tough if we're going to live.

Mr. HELTZER. Could I make just a few comments—I'll give you the prepared talk, if you prefer.

Congressman FRELINGHUYSEN. Why don't you comment on what's been said thus far.

Mr. HELTZER. I want to make just a few comments. One is that really there are a great many of the points that Mr. Clayman made which really are related. The matter of getting freer and fairer trade around the world is of common interest. The multinational company and labor don't have a difference of opinion.

I suspect that he feels as I do that looking back at the record of negotiations—I don't want our government people to feel that we're too critical, but we do recognize this is very complex, and certainly aside from the economic issues the political issues are of great consideration. I don't want to oversimplify it at all.

I think I do get concerned with what appears to me the sense of urgency, and maybe there's more of a sense of urgency there than is likely to appear externally anyway. I think this is probably the case.

We got into this position as so aptly described by all of the gentleman preceding me over a period of a good many years. Virtually we could see what was happening to us during the 60's. We knew what was happening to us, and conceivably hindsight of course was great. We all have 20/20 vision when it comes to hindsight. Looking back at it, maybe if we had taken somewhat more drastic measures earlier we could have avoided some of the crisis that appears to be there and actually is here right today.

I guess I feel that during the great share of our negotiations in the past, it looks to me, a layman who certainly doesn't have all the input that you gentleman have, we really haven't been very successful in fighting the battle on economic issues.

We have more often conceded to political considerations—and as I say, I recognize all kinds of input that put us into that spot. But today we represent the largest market for all the people outside of the United States as well. And if we are going to succeed in negotiations, we have to make the progress when we have that particular position; because as our market becomes less and less dominant in the affairs of, say, Japan and the European market, we have less of a negotiating position. As Mr. Volcker certainly pointed out, the kinds of things we wish to accomplish with them really depend upon their recognizing that they have got to do something for us, and what they do is necessarily not in their own interest, as they fear.

I believe that the only strength we have in trying to encourage them to make the necessary changes that are in our interest vis-a-vis the dollar is when there is at least an implied threat that our market can become more difficult for them to reach. And, believe me, I don't want that to become the case. But as I say, you negotiate from strength when your market is that significant to them; you negotiate from weakness as that gets less and less important for the foreign producer.

Mr. Chairman, I'd just as soon end for now on those comments.

Congressman FRELINGHUYSEN. Before the luncheon break, Mr. Volcker wants to add something.

Mr. VOLCKER. I'm provoked into a couple of small points here.

I was struck like Mr. Heltzer by how much I would agree with in the preliminary parts of the labor position. I was also struck with—I'm not quite sure how they get to the results, as you suggested.

But in listening to both of these gentlemen, I think we have the same premise to start with. I think particularly I appreciate the political dimension of what I was saying in this kind of balance-of-payments terms, that nobody understands the political dimension is parallel, and people understand it better; and I think that corresponds to what I was trying to say.

When it comes to fighting the battle, as one of those who has been trying, I think, there's a certain amount of criticism in the process; I'd just like to ask a few questions of both of these gentlemen, because perceptions do differ.

I look at labor and I say, yes, what we want to do is open up foreign markets, and we want fairness around the world and we want equal treatment.

We have some proposals, some effective, some not yet effective to that end. We had one, the Federal DISC arrangement, to promote our exports, and what do we find? Labor is the principal opposition, to something that we thought was necessary to promote fair trade and jobs for Americans and penetration of foreign markets. And I wonder why labor was on the other side of that issue.

Reference was made to Canada earlier, where we think there are certain arrangements that are palpably unfair, that are palpably one-sided, that are characteristic of what we had permitted to develop over the years. But as I understand your position, that's a special fraternal arrangement that we're not too concerned with. And part of our difficulty is as we look around the world we have special fraternal relationships that we have permitted to develop in a number of cases, and our position is simply that fraternity cannot be at the exclusion of equality at some point if we're going to achieve the very objectives that you're talking about.

Now just to make this a little even-handed, I can't certainly speak of Mr. Heltzer's personal position or his company's, but I had somewhat the impression, I must say, last fall and beyond last fall when we were in a bit of turmoil on these issues, that multinational companies were not our strongest supporters; that they were rather sensitive to the concerns of the foreign countries that had to do just what you said, and were rather bashful about supporting what we thought was the legitimate American position and were rather forthcoming about saying, don't press on all these things. After all our foreign partners have problems and we must recognize the political sensitivities, the economic sensitivities, the difficulties, and don't push.

Now this may be a misimpression, but this is an impression I had from at least some multinational companies.

Mr. HELTZER. I'd like to answer that particular point, if I may.

One of the great hazards in any of this kind of discussion is the very broad brush that says multinational companies per se.

Mr. VOLCKER. I agree with that.

Mr. HELTZER. Within the industry as such there is a substantial number of variables that exist—within our own company, if you

will, we have a variety of differences of opinion. You're going to have them.

Obviously a good share of the multinational companies were scared to death of the retaliatory measures that could very well be taken by those overseas. So there was this fear of overdoing it, getting a reaction—and so this becomes a matter of judgment and sensitivity—to know how far you can go before that happens.

Mr. VOLCKER. May I just make a one-sentence comment on this.

I agree it's a matter of judgment, but your last comment I don't think is consistent with the argument that we have not been battling.

Mr. CLAYMAN. May I say just one quick word in response to Mr. Volcker's observation.

I think what you said demonstrates that a loose lip can be a very dangerous weapon. I quite glibly and loosely talked about the fraternal association with the Canadian labor movement and you're taking me literally, as you have a right to. But let me point out factually.

The labor movement is in full and hearty support of the Burke-Hartke bill. And the Burke-Hartke bill does not make any differentiation between various countries and it includes Canada. So you have taught me a lesson that I shouldn't be too glib on occasions.

But I want the record to be clear. And that is the clear, plain fact.

Mr. EBERLE. My comment will be brief, Congressman.

We couldn't help but recognize today the importance that there is a common interest in the problem that we have; and that is that everybody at this table recognizes the importance of both imports and exports in the creation of jobs, the control of inflation, the standard of living, and particularly the adjustment of systems talked of here.

And the interesting sideline is that the result that my good friend from labor suggests, which is the Hartke-Burke bill, putting quotas on and a great deal of restrictions on, is opposed to a strong effort to go out and develop, opening up markets for the American export with safeguard provisions. And I would only point out that there are two sides to this story. It's interesting because when my labor friend says this is the bill they support, I would point out that its supporter, Senator Hartke, on June 12 put in the Congressional Record my speech which outlines a different result from what he's talking about, but based upon the same basic premises. And I think we'll get a better result in the long run by having an open system, by getting treatment around the world, the kind of tough negotiations my friend from business talks about.

I'd only close by saying that having been a former state legislator, been elected to the House—Speaker—and a former businessman running a multinational company, I understand both points of view because the very unions represented by my friend used to support me.

Thank you.

Congressman FRELINGHUYSEN. I think we're all very pleased with the contributions that have been made so far by the panelists.

I regret that Secretary Volcker and Ambassador Eberle will not be with us after lunch. But Mr. Cross will represent Treasury and Mr. Pearce will take Mr. Eberle's place on the panel.

We'll meet again at a quarter of 2:00.

AFTERNOON SESSION—2:00 P.M.

Congressman FRELINGHUYSEN. If we may come to order. I have asked Congressman Zwach to chair the afternoon session for me.

I promised before lunch that Mr. Heltzer would be the next witness, so if you're in readiness, Mr. Heltzer, we'll be glad to get your views on this subject.

Mr. HELTZER. Thank you, Mr. Chairman.

I am Harry Heltzer. I am chairman of the board and chief executive officer of the 3M Company as well as a member of the Emergency Committee for American Trade.

ECAT was formed nearly five years ago by a small group of United States business leaders to express their opposition to protectionist bills that were then before the Congress. Today, these businessmen and many others who have joined them are more concerned than ever that, if major restrictive trade measures are passed, this country will find itself embroiled in a trade war in which no nation or people can be winners but in which all of us will be losers.

For, in addition to the threat of additional import quotas and the retaliation that would result against U.S. exports, we are now faced with a variety of other protectionist measures. These would severely damage our economy, result in increased unemployment, raise consumer prices on many products, and make it difficult for U.S. business to compete abroad.

Proponents as well as opponents of such legislation as the Hartke-Burke Bill, can agree on at least one fact—the international economic policy of our country is now at a crossroads.

Will our country travel down a protectionist road, one which we abandoned almost four decades ago when the high protective tariffs of the Smoot-Hawley Act helped bring about a world-wide depression? If this is the choice, we will build a wall against imports. We will tax the earnings of the foreign subsidiaries of U.S.-based multinational corporations to such a high degree that they will be unable to compete in overseas markets. We will hamper the export of capital and technology from this country. We will become economic isolationists, excluding from our shores much of the competition that motivates greater efficiency in our domestic economy.

Or will our country continue on its path toward freer trade? If this is the choice, we will strive with renewed vigor to make American industry more competitive in world markets. We will persevere in our negotiations with other countries to achieve monetary reform and a lowering of tariff and nontariff barriers to trade. We will provide adjustment assistance for those isolated firms and groups of workers in segments of industry which no longer are competitive. We will continue to encourage the flow of capital and technology out of and into the United States, realizing that it is in our national interest not only to elevate our domestic economy but also to raise the living standards of a growing world population.

You will note that I have stated the protectionist versus free trade choice as an either-or proposition. I have stated it this way because the two trade philosophies are largely incompatible. The United States cannot lock out imports without expecting retaliation against American exports.

The United States cannot restrict the flow of patents to other countries without expecting them to respond in kind. The United States cannot encourage the export of high technology goods and import only raw materials; this would relegate other people to the role of our economic servants, a political impossibility in the world today.

In making our choice between these two largely exclusive international trade philosophies—protectionism or freer trade—we should add up the stakes.

Protectionism would significantly limit the American worker to participation in domestic markets which serve only 6% of the world's population. Freer trade would permit the American worker to participate more fully in markets which serve the other 94% of the world's population.

Additionally, no nation has a larger stake in world trade than the United States. Consider just four statistics:

First, the annual exports of the U.S. are nearly five per cent of the nation's Gross National Product, but those exports alone are more than the total GNP of all but nine of the world's nations.

Second, the overseas operations of U.S. firms account for fully one-eighth of all the goods and services produced outside the United States.

Third, U.S. direct foreign investment totals nearly $80 billion. It is four times that of Great Britain, the next largest foreign investor, and 60% of all world-wide direct foreign investment.

Fourth, and finally, the income from U.S. direct investment abroad is the largest favorable factor in the nation's balance of payments. In fact, the income from our investments abroad together with the income derived from royalties and licensing fees is more than double the amount of money that is leaving the country in the form of foreign investments. So direct investment abroad and the participation of American firms in global markets are good for our country and we ought to be encouraging more of it.

Yet the protectionist measures now before the Congress would restrict U.S. investments abroad, inhibit the use of U.S. patents abroad, and impose quotas that would bring retaliation against U.S. exports which in the last five years have been growing at an average rate of 7.8 per cent per year.

All of this is aimed at multinational corporations in shot-gun fashion—as if legislative broadsides can be based on generalizations about business organizations which are almost as individualized as people.

Not only do the multinational corporations differ in the products that they make and sell, they differ in their sources of raw materials, their labor requirements, their capital and labor needs, and a host of policies and practices which affect internal as well as external operations ranging from retirement plans to cleaning up the environment on a world-wide basis.

The restrictive trade legislation is aimed broadly at manufacturing and extractive companies, makes no distinction between the labor-intensive and capital-intensive operations, does not take into consideration the constructive contribution that companies or whole industries make toward exports, balance of payments, or the U.S. jobs which are derived from imports.

What prompts the indiscriminate firing of the protectionist artillery?

Proponents of restrictive trade legislation say that they are trying to save jobs of workers in the United States. They argue that runaway multinational corporations invest money in low-wage countries in order to make goods abroad and that higher-paid workers in the United States suffer because of this activity. They say that multinational corporations, in effect, export jobs.

I am sure that you are familiar with the studies which refute those arguments—studies not only by ECAT, but also Business International, the National Foreign Trade Council, the Chamber of Commerce, the U.S. Department of Commerce, and others, including Andrew Brimmer of the Federal Reserve System who estimates—and I quote—the foreign trade sector of the United States economy may be generating more than 750,000 jobs, even after allowing for the number of jobs that might be displaced by competitive imports—unquote.

At a time of relatively high unemployment, the appeal of the "job export" argument cannot be denied. What can be denied, however, are the premises on which such an argument are based, in the hope that logic will prevail and that the great good sense of the American people will not be swayed by an unjustified appeal to their emotions.

U.S.-based multinational corporations, for example, are not running away to low-wage countries to manufacture goods and import

them into the United States. The recent ECAT study of 74 large multinational corporations showed that, excluding Canada, less than two per cent of the output of U.S. subsidiaries abroad is exported to the United States. Seventy-five per cent of all U.S. investment abroad is in Europe or Canada where wages are relatively high.

U.S.-based multinational corporations also are not taking the capital required for producing new jobs in the U.S. and investing it abroad. In 1971, only 18 per cent of total plant and equipment investment by U.S. companies was made abroad.

Additionally, U.S. multinational corporations are not exporting technology to the detriment of the U.S. economy. The fact is that these corporations are helping facilitate the importation of patents from other countries. In fact, roughly half of the applications for U.S. patents last year came from outside the United States.

What is not widely perceived by the American people is that they benefit greatly from the importation of technology from other countries. Eight of the last 10 major breakthroughs in steel technology, for example, have come from abroad. The U.S. textile industry has benefited from inventions in West Germany, England, and Italy. The Germans invented the Wankel engine, while the French invented the radial tire. As another example, the Japanese were responsible for developing the helical scan recorders for video tape recordings.

Another misconception inherent in the restrictive trade measures now before Congress is based on the premise that, if U.S. subsidiaries were forced to close down abroad, this production could then be conducted in the U.S. The fact is that the non-U.S. competitors of American firms would move into the vacated markets, and, because of their proximity to customers and market needs, they would be strengthened in their competition with U.S. exports.

The favorable impact of multinational corporations on the economy and employment is illustrated by the company I represent, the 3M Company.

Back in 1951, 3M founded its international division and established its first overseas company. At first, only a handful of the 12,000 3M jobs in the United States were related to the company's international activity. By last year, 3M's employment in this country had grown to 37,900 and, by then, nearly 5,000 jobs—or one in eight in the U.S. company—were related to 3M's overseas operations. In addition, many other jobs in the United States have been created, because we and other multinational corporations are, in a sense, the export arms of our suppliers.

I can state categorically that not once in those 20 years has a decision to expand abroad been made because of low wages in other countries. We, like most multinational corporations, invested abroad because the only way we could participate in growing overseas markets was to set up shop near our customers. In this way, we could not only be more responsive to our customer's needs, but we could also hurdle the tariff and non-tariff barriers to trade that kept out U.S. exports.

At the same time, however, we pushed our exports as vigorously as we could and we saw them rise significantly. In 1951, our exports were only 3.8 million dollars; in 1971, they were more than 100 million dollars. And where do our exports go? Ninety percent of them go to those 37 countries where 3M has subsidiary operations engaged in sales and/or manufacturing.

An important reason for this is that none of our international companies make a full-line of 3M products. In addition to the semi-finished goods they require from our U.S. company for their manufacturing operations, they also need finished goods to fill out their product lines.

In our experience, participation in international trade creates a situation in which everyone can win. We make a contribution to our own and the economies of other countries abroad. In return, more jobs related to our international operations are created in the U.S. and earnings are returned from abroad not only for 110,000 shareholders, but for investment in new plant and equipment and for the support of such activities as research. Indeed, during the last five years, 3M's international operations have returned more than $500 million net to this country, thereby contributing favorably to the U.S. balance of payments and to our ability to grow in the United States.

Despite this contribution from our multinational operations—and similar contributions by other multinational corporations to our economy—we now find a number of measures, including tax measures, before the Congress that would restrict U.S. investment abroad.

Some of these are aimed point-blank at restricting trade. Some are masquerading under the banner of tax reform.

The effect of some would be to hamper U.S. investment in other countries. Some others would effectively kill U.S. participation in world markets.

In the latter category are two provisions of the Hartke-Burke Bill. One would repeal the credit presently allowed U.S. corporations for the payment of taxes to foreign governments; the other would subject the foreign subsidiaries of U.S. companies to U.S. income tax on a current basis.

Let me put it bluntly: In the short range, these two provisions would make it difficult for the 3M Company and many other multinational corporations to conduct operations abroad. In the long range, these provisions would cause our company and many others to withdraw completely from many overseas markets while maintaining only a fraction of their former activity in others.

The provision which would wipe out the credit presently allowed U.S. corporations for the payment of taxes to foreign governments is nothing less than double taxation. Here is how it would work:

France has a 50 per cent tax rate on income. For the sake of illustration, let us assume that total profit from the French subsidiary of an American company is 100 units.

Under the French tax rate, the French government gets 50 units of the 100. Then because Hartke-Burke disallows this as a credit against U.S. taxes, the United States government taxes the remaining 50 units at the U.S. rate of 48 per cent. Thus, the U.S. government gets 24 units.

Altogether, taking into account the payments to both governments, 74 units of taxes have been paid out of 100 units of profit. In other words, the U.S. subsidiary would be paying taxes at the rate of 74 per cent, while their competitors in the French market would still be paying taxes at the 50 per cent level. Quite obviously, the subsidiary of the U.S. company would not be able to compete under such circumstances and would be forced to withdraw from France.

The other tax provision of Hartke-Burke—the one which would tax earnings in the year in which they are earned—is somewhat less harsh but more insidious.

At the present time, almost all countries levy withholding taxes on profits when they are remitted. These are called remittance taxes and commonly average between 25 and 30 per cent.

Individual nations, however, through tax treaties commonly bring this rate down considerably. In fact, the United States now has treaties with 27 countries that brings the rate down to a much lower level.

However, the Hartke-Burke provision which would tax earnings in the year in which they are earned would violate those treaties and the other countries would be free to raise the remittance rate back to its original level.

So, using our previous example involving 100 units of profit, 50 units of this already have been paid in taxes to France. The other 50 units, however, is subject to France's remittance tax. Under treaty, the remittance tax in France is five per cent. But since the U. S. has violated the treaty, the rate snaps back to its original 25%. So a remittance tax of this amount—12.5 units—is paid to France. The remaining 37.5 units then is taxed by the U. S. government at the usual corporate rate of 48 per cent. This amounts to another 18 units. So, altogether 80.5 out of 100 units of profit have been paid in taxes, leaving only 19.5 units for shareholders and reinvestment in the business.

Proponents of these confiscatory tax measures say that they are trying to remove the incentives which encourage capital to leave this country and be invested abroad. However, I fail to recognize any tax incentive that exists for the flow of capital to the industrialized nations of the world, where most of our investment is, if those countries have a tax rate which approximates ours. And most of them certainly do have tax rates which very closely match our tax rates.

As for those countries where the tax rate is significantly lower than the U. S. rate, this also proves to be no advantage since the U. S. requires corporations to pay the highest of two rates on foreign source income.

The stated purpose of the protectionists in proposing such harsh tax measures is to save jobs in the United States by keeping our capital at home and establishing quotas against imports.

In the emotional climate that now surrounds the unemployment problem, I agree that it is not sufficient for us to point out that the importation of goods, whether by U. S. or non-U. S. companies, causes only a small portion of the nation's total unemployment problem. It is not enough for us to point out that only a few segments of industry, a few isolated cities and towns, or only a relatively small number of people are affected by such temporary dislocations within the economy.

A problem *does* exist—a problem *does* affect people. Those who propose restrictive trade legislation purport to recognize the problem, but their solutions, which would shoot the horse in order to kill the flea, are poorly aimed and self-defeating.

What then are the desirable alternatives? Must the whole economic system be destroyed to cure the ailments of one of its parts? Are the strengths of our competitors outside the United States so great that the American people must change their whole society in order to counter them?

I do not think so. The U. S. is a very strong and vigorous competitor around the world, as is evidenced by our strong position in so many categories of trade.

At the present time, it seems to be the vogue for the American people to dwell on their infirmities, some of which are real and some of which are imagined. As time goes on, I would hope that we would once again dwell on our strengths and build on them.

Most of all, we should welcome competition. This, instead of prompting us to protect our inefficiency, will spur us on to greater efficiency and give us a chance to participate in those markets that serve most of the world's population.

At the same time, however, we should recognize that increased competition on a world-wide basis will give us problems. There will be job dislocations. The advance of technology will continue to create new jobs, usually of a higher skill level, while making others, usually of a lower skill level, obsolete.

Our objective should not be to save dead-end jobs in inefficient industries, but to save workers and create new, higher-paying jobs. We need to retrain workers, and, if necessary, help them relocate so that those who are unemployed can once again make a constructive contribution to our economy.

I am gratified to see a number of proposals now before the Congress which would enlarge upon and improve adjustment assistance so that it will be timely and effective.

When considering these and other proposals, I think, though, that we should recognize that it will be difficult to formulate a single government program to solve the problem. The plight of the worker over 50 years of age who has become unemployed because his plant is no longer competitive is not the same as that of the unemployed Ph. D., or the man or woman in their thirties who can be retrained for a new career.

I believe that we should begin our efforts to solve the adjustment assistance problem by taking an inventory of the existing government programs which may be modified or strengthened. Then, we should devise not only the appropriate legislation to launch governmental programs but we should also turn to the private sector for ways in which it can help. Certainly private industry has demonstrated its capabilities in the fields of industrial training and education.

It is time that we broke our nation's unemployment problem down into its component parts and achieved solutions.

This would be the most effective answer to the protectionist who, under the guise of saving jobs, would have the United States embark on a course that would, in the end, wreck the domestic economy and exclude its citizens from participation in growing global markets.

Congressman ZWACH. Thank you very much, Mr. Heltzer.

I was intrigued by what I heard of the challenge that you threw out and your reiteration of faith in our system to do the job, in our starting to try and starting to move forward.

Now I have the fortune of introducing the next member on the panel, a lady, Mrs. Bradley, who represents the League of Women Voters.

It has been my privilege to be in legislative work for 38 years. I have known the League over all of those years and have always been impressed with their study and development of issues and their grave concern. So it gives me a great deal of pleasure to introduce Mrs. Bradley who is the National Vice President of the League of Women Voters of America.

Mrs. Bradley.

Mrs. BRADLEY. Thank you very much.

I was invited to appear here today as a representative of that vague class called the consumer, and so while, of course, I draw on my work in the League of Women Voters, what I say is essentially my own and may not in all instances represent an official position in the League of Women Voters.

Consumer needs, I think, should be defined in terms much broader than just the dollars and cents of the marketplace, although that is important.

Recently I spent two weeks in Japan as a member of the delegation from the League of Women Voters. We were there on an economic fact-finding tour. The trip was very valuable in terms of giving me a fresh perspective on mutual trade problems and policies, and also a fascinating glimpse of the way the Japanese economic system works.

One of the things which struck me was the high prices in the domestic market, a phenomenon which cannot be understood in terms of the domestic economy alone, or even in connection with Japan's need for foreign exchange to pay for her raw materials. Japan is now a mature economy. I will take time to make only one comment.

One of the reasons for the higher prices was the lack of competition from foreign imports—a situation which those who propose protective tariffs or quotas should take to heart.

In Japan, foreign and domestic economic policies are determined by a consensus arrived at by the governmental and industrial sectors, on the basis of national interest, and are part and parcel of the same package. Each special interest recognizes and accepts that fact and adapts to the demands thus imposed.

This phenomenon seemed new and different because in the United States, government and industry are not so closely related. But on further thought I realized that in this country too the welfare of the ordinary citizen is dependent on the nation's policies, on the interrelated political and economic goals we set for ourselves.

Just as the consumer has an ultimate share in the costs of environmental control policies, he also has a similar stake in policies determined in industry and governmental offices, the halls of Congress, Ministries of State, and even in the cubbyholes of the gnomes of Zurich.

American consumers pay a high dollars and cents price for trade restrictions—whether legislated or voluntary quotas, tariff or nontariff barriers. For instance, about 15 to 20 percent of the items covered in the Consumer Price Index are affected by trade restraints—probably adding about $200 to $300 a year to the average family's budget. Restrictions on gasoline and oil, sugar, dairy products, steel, and clothing, add greatly to the monthly bill for simple staple items alone. And the plethora of trade legislation sitting in various Congressional Committees could more than double these dollar costs. And much too little has been made of the fact that it is the poor and low income family who must bear a disproportionate share of the costs of protectionist policies.

The consumer is all of us—the blue collar worker, the corporate executive, the banker, the domestic worker, the farmer, professor, student, secretary, government official. Today technological, social, and political change has radically altered cultural and economic life styles. The issues of today are not necessarily those of yesterday, and we need to find solutions to our trade problems suitable to the current situation. Why pay lip service to old myths? Can we afford to have them govern us in our policy? Can we afford to lock out imports through mandatory quotas, to limit the development of multinational corporations in the name of stimulating domestic employment, to apply the provisions of the anti-dumping law in order to benefit specific business interests? We must balance the interests of the soybean farmer and the industrial exporter.

I'm going to depart here and say I come from the State of North Carolina where restrictionist policies of the textile industry do rather govern the approach to trade problems in North Carolina, and yet this is directly in opposition to the interests of our soybean farmers, our tobacco farmers, even our export hosiery industry.

We must balance the interests of the soybean farmer and the industrial exporter. We must allow the low-income mother access to low priced shoes for her children. We must not forget the wretched life of the average man in the less developed countries as we protect our American workers, for in the end all stand or fall together.

It is important that the United States should now exercise great patience in international negotiations and not rush headlong into legislation such as that contained in the Burke-Hartke bill—and I'd like to say here that it really pains me greatly when I have to part company with labor.

The growing economic power of both Japan and the Common Market calls for negotiation and not with a big stick. A trade war is the last thing the world needs. Our short-range goals and immediate and special needs have to be weighed in the light of long-range goals and overall social and economic benefits. Basic to this, I think, is Congressional authorization of broad negotiating authority for the President, of some kind, and I'm not going at this point to make specific recommendations, although I would be glad to discuss it.

I would prefer to talk about some specific trade areas.

One of the issues which seems to assume great importance in this country and which we have certainly devoted a lot of attention to here today is that of the multinational corporation. Their overseas facilities, I am told, now turn out 75 percent more manufactured goods than the United States exports. Countries such as Canada are concerned about the penetration of their market and industry. Labor unions in the United States are concerned about American jobs.

On the other hand, multinationals have beneficial effects on our economy. They create jobs, even though those may be white collar rather than in the blue collar category. Internationally the multinationals create greater interdependence among the nations of the world, and in some respects tie us all closer together, although there are rare instances of course when this is not the case.

The facts are not all in, nor have we sorted out the long range from the short term effects of this development. And I hope that Congress will take its time and give this subject a very careful appraisal. What is called for are public hearings combined with serious and objective study. I sincerely urge that Congress not rush into legislation on this subject.

We also need some careful evaluation of the Adjustment Assistance provisions of the Trade Expansion Act of 1962. It is true that the program has not been very successful, but the number of cases is small. Perhaps—I shouldn't even say perhaps—I think we need to liberalize the requirements. We also need to examine whether this kind of a program can work in a period of high unemployment when job training does not necessarily mean that jobs are available.

I'd like to say here also that I think we might consider the extension of this policy to something we could call Adaptive Assistance that would be of assistance to industry, other than those injured by imports and other than those directly related to our international trade policy.

Closely associated also with this is the problem of injury to workers and firms and communities which arises from the conversion problem as priorities change in the United States.

I was at a conference on military spending last spring in Seattle, Washington, which took place one day after the SST was defeated. That was some conference. It represented a broad section of the community, including officials from Boeing Aircraft, young people, members of the League, of course—a wide variety. And the problems of conversion in this country are something that really need direct attention and I think are not unrelated to our international trade policy.

Congress should seek solutions to these problems, solutions which would prevent the full burden of economic dislocation from falling on the workers especially, solutions which do not at the same time exacerbate international relations.

Since President Nixon's August 15 bombshell economic message, monetary policies, and hence trade policies, have undergone a gigantic upheaval and the dust has not yet settled. We talked about this considerably this morning. The Smithsonian agreement provided the United States with a mechanism for devaluation and added flexibility to the relative market price of currency, but it has not by any means provided us with a permanent solution to major monetary problems, and the barriers which stand in the way of a resolution remain formidable. But we must not allow special domestic interests to dominate national economic life; we must not allow interests of economic nationalism to vie with the broader interests of global prosperity. International good will is basic to international trade and to the jobs and goods which such trade brings to all who engage in it, Americans included. I think

our monetary policies should be conducted in this context.

Finally, I think we should take a long hard look at the health of our own industrial complex. We need to establish clear policies with regard to our willingness and ability to subsidize obsolescence in certain manufacturing areas; to cope with the discrepancy between a trillion dollar GNP and a 6 percent unemployment; to consider just how long we can accept one of the lowest productivity rates of any major industrial nation; to examine the implications of the service economy we have become; to decide whether tariffs and quotas are acceptable substitutes for modernized plants and greater efficiency.

In short, we must stop plugging the holes in a leaking trade policy and begin to construct a cohesive new policy built on the present day interests of the nation as a whole. Only such a policy will serve the overriding self-interest of the consumer—his interest in economic stability, prosperity, and world peace.

I would like to add that I know this sounds like the same old free trade speech that has been made hundreds of thousands of times. I don't think it necessarily is. I don't think we need to throw out the baby with the bath. And I believe that within the confines of a rational, liberal, open trade policy we can if we are creative and take the time to take a careful look find solutions to the new problems which face us today which did not exist in the early 60's, the 50's, and before that.

Congressman ZWACH. Thank you very much, Mrs. Bradley. Your suggestions are very challenging, and we're going to have them in the record and are going to make them available to all of our membership and I hope to everyone else that is interested, because we appreciate the input.

Now, we have next Mr. Bob Hampton, who has a long-time history with the National Council of Farm Cooperatives.

Coming from the Mid-West, a real agricultural area, it's my impression as I study this more and more that it is agriculture that has been sold down the river in all of the trade negotiations through the past thirty years. Finally we think we're back on the front burner a little bit, but I would like to hear what Mr. Hampton has to say.

Bob.

Mr. HAMPTON. Thank you, Mr. Congressman, for those introductory remarks.

Speaking for membership of the National Council which in turn represents farmer members of a large majority of the nation's farmers, I would certainly endorse your comment that agriculture is being recognized as one of the most difficult and most complex and most important issues in international trade.

AGRICULTURE AND U.S. FOREIGN ECONOMIC POLICY

Farmers, and U.S. agriculture in total, are keenly aware of the vital importance of our foreign economic policy to their welfare and to that of our nation in the 70's. It is widely known that the output from one of every four U.S. acres in production goes into export markets. This has been of great direct benefit to farmers, and our 1971 agricultural exports of about $8 billion have been a bright spot in our international payments position.

Our increasing recognition that economic policy should be at the center of a soundly conceived foreign policy position is long overdue. Trade and development are gaining new stature as the avenues to a more rational intercourse between nations, and means of improving international communications in the interest of a more stable and peaceful world order.

Our first concern, then, is to reaffirm and continue the recognition of high priority now being given to international trade, monetary and other economic issues by the Administration and the Congress. Such emphasis is vital to the establishment of international institutions and a more effective framework of trading and financial rules which encourage our opportunities for national and world economic progress.

A stable international economic order must be achieved through broad-ranging and intensive negotiations which should begin as an exercise in reciprocal removal of trade barriers and revision of international monetary, tax and investment arrangements. Other internal national policies should then be the subject for consultation and eventual negotiation.

Domestic farm policies are a prime example of internal issues which require international harmonization in order to achieve a more efficient and open world economic order. The principle of nations not exporting costs of their own social or economic programs, so ably enunciated by Ambassador William Eberle in recent weeks, is indeed a first prerequisite to fair and meaningful international negotiations. This problem has been exemplified by policies such as those of the EEC which through a variable levy—export subsidy technique transfer costs of restructuring European agriculture to outside agricultural suppliers.

The key to successful international negotiations for U.S. agriculture is to conduct them simultaneously with industrial negotiations, so that reciprocity can be achieved on a broad overall national basis. It is also important for U.S. trade spokesmen, both official and private, to establish a more effective dialogue with special interests in other countries who can be helpful in breaking down unfair or oppressive trade barriers. In Europe, for example, the business and financial community as well as the general public have a strong interest in modifying the Common Agricultural Policy of the EEC so that it is less costly internally, as well as less harmful to opportunities for expanded trade.

Another requirement for successful trade negotiation is a strong sense of commitment to the idea of expanded trade. U.S. agriculture is committed to that goal, and will work with executive and congressional leaders to counteract trade restrictionism and oppose dangerous legislative proposals such as the current sweeping Burke-Hartke bill's import quota proposals which, we believe, are likely to face us again in 1973. Leading U.S. farm and agricultural trade interests will support a strong legislative measure to give the President a broad mandate for negotiating away trade barriers and for establishing other important international trade, financial and investment arrangements. Such legislation should include improved means and programs for adjustment assistance to trade-damaged sectors of our economy. Programs for retraining and relocating workers should be stressed, and should be incorporated as part of a broader national effort to protect workers against disruptive industrial adjustments, domestic as well as international, which are inevitable in a progressive, innovative, advancing economy.

An effective international forum for negotiations and for other discussions of international economic issues is more urgently needed than ever before. Whether this takes the form of a strengthened GATT or a new approach has been a topic for considerable recent discussion. The imperfections and limitations of GATT, as for any international forum which has no ultimate authority for enforcement of agreements made under its auspices, should not blind us to the fact that we need stronger, not fewer, international trading rules.

Trading blocs and trade preferences are another issue of great significance, and deserve most careful attention in the years ahead. Exceptions to the "most favored nation" principle of trade, which is fundamental to the General Agreement on Tariffs and Trade, should be consistent with GATT rules and should not go beyond the intent of giving trade preferences only when further steps toward economic union or close coordination are in prospect. Unfair and undesirable EEC tariff preferences against U.S. citrus exports in recent years are a recent example of abuse of the GATT's general prohibition of trade preferences.

We strongly endorse the following recommendation of the recent Presidential Commission on International Trade and Investment Policy:

"The nations of the world must recognize their increasing economic interdependence and must try to achieve better coordination of their economic policies. The first step in this process is a willingness to submit national economic policies, domestic and foreign, to international scrutiny and mutual accommodation . . . The major economic powers will have to work together continuously to coordinate their monetary policies if the world is to avoid the deleterious effects of exchange controls or large destabilizing movements of capital such as those of the past three years. . . . The major economic powers will also have to coordinate better their foreign aid policies. If economic aid is to be untied, so that its benefits to the developing countries can be more fully realized, major donor countries should untie their aid simultaneously, thus limiting the adverse balance-of-payments impact on any one donor."

We call attention, too, to the following Trade Commission recommendation:

"The Commission believes that the time has come to begin immediately a major series of international negotiations: 1. to cope effectively with urgent international economic problems; 2. to prepare the way for the elimination of all barriers to international trade and capital movements within 25 years.

"The negotiations should be launched at the highest political level through a joint initiative by the United States, Western Europe, and Japan. A high-level international steering committee should provide direction and thrust to the negotiations and monitor their progress.

"We welcome the recent agreement to establish a high-level study group on trade problems in OECD as a step in this direction. We would hope that this initiative would be broadened to include investment and payments matters as well . . .

"First priority should be given to those critical issues which now threaten to undermine the gains of past negotiations and block progress toward our long-term goal. These include: (1) The world payments problem. In addition to greater efforts on our part to stabilize U.S. prices, the solution of this problem requires better coordination of monetary policy among major countries and more equitable sharing of the costs of the common defense. It may also require, on the part of surplus countries, a further realignment of exchange rates along with removal of remaining quotas on imports and restrictions on capital exports. . . . (2). The adverse effects on U.S. exports of the European Community's Common Agricultural Policy and preferential trade arrangements. We should seek a commitment to the elimination of illegal preferences, assurances that no further impairment of our agricultural trade interests will occur in the enlargement negotiations, and a commitment on liberalization of the Common Agricultural Policy as part of the negotiations on longer-term issues.

"Concurrently with the negotiations on the immediate problems listed above, longer-term negotiations, looking toward the progressive reduction and eventual elimination of barriers to trade and investment, should be initiated. These negotiations should be different in several respects from those of the past:

(1) They should be comprehensive in scope. Unlike past negotiations, they should not be confined to tariffs, or even to trade problems. . . . (2) Reciprocity should be conceived in terms of the whole set of negotiations rather than as an objective to be achieved within self-contained compartments of trade investment, or finance. In some cases, of course, it may be possible to arrive at mutually advantageous solutions within specific industrial sectors, and efforts should be made to find such solutions. On the other hand, in many cases a country will have to give more than it gets in one sector or functional area, and recoup by securing an equivalent advantage in another.

"The principal areas for negotiations should include the following: (1) Reform of the international monetary system. . . . (2) Agriculture. High priority should be given to the serious problems of agricultural trade, which have not been resolved in past trade negotiations. We believe the time is ripe for a concerted international effort to deal with all aspects of the problem including, in particular, the levels and techniques of agricultural support. Our main objective should be a substantial reduction in the high levels of support and protection of the European Community. The United States should be prepared, in turn, to improve the terms of access to its markets for imports of agricultural products in which other countries have a comparative advantage. (3) Preferential trade arrangements between the European Community and nonmember countries. The United States should oppose arrangements inconsistent with the requirements of GATT. . . . (4) Nontariff distortions. Despite the tariff reductions of the last two decades, U.S. industries continue to meet difficulties at home and abroad as a result of foreign policies, practices, and institutional arrangements which distort competitive conditions to our disadvantage. Among these problems are technical, health and safety standards; subsidies and tax exemptions for domestic industries; tax incentives and special credit facilities to promote exports; and remaining quantitative restrictions. We should recognize, on the other hand that a number of U.S. trade barriers are of concern to our trading partners. International agreements to reduce such barriers and distortions to trade are both necessary and feasible. . . . (5) Export subsidies. A pressing need exists for international action to discourage the subsidization of exports through the credit and tax systems. Rules should be developed, in particular, to limit competition in government-supported export credits. At the same time, the United States should take more vigorous action to enforce its countervailing duty and antidumping laws. . . ."

Congressman ZWACH. Thank you very much, Bob Hampton, National Council of Farmer Cooperatives.

This concludes our prepared testimony. We have several members of the Task Force here who perhaps have some questions.

In brief, these are some of the major elements needed for an effective and forward-looking economic policy stance for the 1970's. U.S. agriculture's interests are completely in harmony with our national welfare objectives: (1) A commitment to world trade expansion for economic benefits to all nations and a more stable world order; (2) improved forums and techniques for continual consultations and negotiations to deal with international economic problems; (3) legislative action to initiate major negotiations, to provide for improved programs of adjustment assistance, and to avoid damaging restrictionist action such as unilateral and sweeping import quota imposition; and (4) continued recognition of the central role of economic issues in our foreign relations, and of the close interrelationship of trade, aid, monetary, tax, agricultural and other issues.

It is gratifying that recent Administration actions, following the Trade Commission recommendations, have moved firmly in the direction of a constructive trade expansionist stance. In spite of vigorous efforts by some, Congress has also resisted the threats of restrictionist legislation such as the Burke-Hartke and the Dent bills.

The establishment of a White House Office for International Economic Affairs promises to go far toward coordinating trade interests within the Departments of Agriculture, Commerce, Labor, State and Treasury, the Office of the Special Trade Representative and other governmental agencies. Private groups have also developed constructive coalitions, including farm and agricultural organizations, to work for expanded markets abroad and for sound trade, monetary, and investment policies.

There are very substantial threats to the U.S. trade position in the 1970's growing out of trade barriers, an outmoded world monetary system, inflation, declining productivity, rapid technical innovation and economic growth abroad, heavy overseas military spending and other factors. However, this can be a decade of opportunity if we can regain our superiority in productive efficiency, check inflation and develop more vigorous programs for negotiating away other barriers to international commerce. While many of the major problems are economic, our ability to take advantage of this opportunity depends on the political will of the U.S. and other major trading nations to work together in the future for our mutual benefit.

Let's start with you, Tom Railsback.

Congressman RAILSBACK. I wish that I had a lot of background, but let me just propose this to Harry Heltzer and to the other free traders. I would direct a question to all of the representatives on the panel whom I will lump together as the free trade advocates. And lest I be accused of being biased, let me say that I also am inclined because of the nature of my constituency—I represent Deere and Company, International Harvester, a farm area that's very big in corn production as well as soybean production, so I'm kind of a free trade advocate. But, I noticed at this meeting and reading the statements very hurriedly that all of you seem to recognize that there is a need for improving, at least modifying and improving the existing laws relating to adjustment assistance.

All of your statements appear to be very, very general, and I wonder if we can get a little bit more specific and say exactly what kind of a commitment has to be made to demonstrate any kind of a meaningful awareness of the job displacement and problems that are created by lowering the barriers and having more imports, especially in the area of textiles and steel and so forth.

So I want to direct it to all of you who may have any specific examples.

Congresman ZWACH. Would you like to start, Mrs. Bradley?

Mrs. BRADLEY. I'd be glad to comment on that in much more specific terms than I did in my talk.

I think that the criteria for finding injury in the '62 law are much too strict. It's almost as if the law had sought to prevent people from getting help rather than to enable them to. I think that you're going to have to tone down the requirement that increased imports must be shown to result from prior trade concessions, and make it more general than that; and also that imports have to be a major factor in the injury.

In other words, it's very difficult to sort out the exact effect of the import program on the industry or on the workers. I'm more interested in workers than I am the industry, but I'm also interested in the industry.

I also think that there need to be some changes in the investigatory process. It takes at least a year for a case to go through, and it needs to be speeded up. What good is it to a man if he loses his job and it takes a whole year before he gets any help? I mean he has either starved to death or drifted into some other job or given up or something else by the time it affects him

Furthermore, I think we need a really good employment training program. And this of course goes far beyond trade policies. I think we have been messing around with job training for a long time. We've tried this and that, and it has been sort of a scattered effort without major commitment, I think, on the part of the government to see that something does work. I think Congress really needs to turn its attention to finding a really satisfactory job training program.

I also think that we might consider some kind of incentives to relocation for workers whose industries have been injured.

And I guess the final point I want to make on this is the compensation provided in the '62 law is really ridiculous after all these years of inflation, and Congress needs to take another look at the formula for determining compensation in the law.

Congressman RAILSBACK. I just wonder if anybody else would like to comment.

Mr. HELTZER. I'd like to add one comment. I think Mrs. Bradley was far more knowledgeable of the law than I was, and I think her points are very well taken.

I guess one of the things that appears in the evidence, when you try to think about it in a practical manner, is that you don't solve all of the problems with one kind of a package. You may have a steel plant that goes down in a given community and you can't convert that to making scotch tape the next afternoon. It isn't gong to happen. You can't retrain people to that extent, nor can you attract the industry in there soon enough to do that kind of a job.

I am inclined to believe that you may have to devote more monies to the spending on public works in given areas when this situation exists in the community. Because in many cases this is going to occur to relatively small numbers of people—a single industry that might be involved, becomes obsolete.

Incidentally, it's not necessarily a result of imports. This could be the case whatever it might be. It's a problem of what to do when you have an unemployment situation arise.

Now I think the government ought to be an employer—I don't think we should ignore the fact that under some conditions you need a bridge and maybe public spending for the public good at that time in that given location, in order to help build that bridge until you can do something about employing people.

Mr. CLAYMAN. Mr. Chairman, the Congressman did not direct his question to me because apparently I'm the only "protectionist" in the crowd.

I can't refrain from making some observations.

I didn't comment on this issue at all. Why? Because our approach has been so piddling over the years, with not much voice raised to Congress.

What's happened is we've given relief, aid, to workers by the hundreds, literally by the hundreds, rather than by the tens of thousands, indeed, the hundreds of thousands.

Heretofore, the Federal Tariff Commission has been terribly niggardly and almost without fail—it would be interesting for you chaps to take a look at the record—almost without fail would deny just a host of cases, one after another.

In the last two years or thereabouts there has been a slight change for the better, slight. And as you have suggested, we give them a few more dollars for a few more months and we give them an opportunity for some kind of cursory training, and you're on your own.

Number one, we've got to come to recognize that you can't uproot thousands of fami-

lies, often many of them in industries where their ages are in the 50's, some in the 60's, the late 40's—you just can't uproot them and say blandly, look, we're going to ship them off a thousand miles into a strange new world.

So, number one, we have got to drastically increase the kind of aid we give them for longer than we give them. We've got to make their livelihood resemble somewhat the kind of livelihood they were used to rather than really welfare client livelihoods.

Number two, beside the matter of training, which I know is important in the abstract, but what's happened is we've trained and we've trained and we've trained and we've spent billions of dollars and we've sent people to no jobs at all—a few jobs. Somehow we've got to develop what some will consider some strange form of socialistic control—we've got to consider government assuming some responsibility for shipping into these communities that are devastated other kinds of plants, even establishing the priorities.

Incidentally, the Scandinavian countries do this as a matter of course. But we're afraid to tackle it for somehow we conceive this to be somewhat unAmerican. Now if you ask me why I won't be able to give you the reason, but that's the fact. So we need a basic and a drastic overhauling on this subject. And I haven't touched it even though I represent the workers in a sense. I haven't touched it because we have been so disheartened and frustrated by its operation heretofore.

Congressman ZWACH. Thank you very much.

Any other comments on this question?

Mr. PEARCE. I was very glad to hear Mr. Clayman's statement of strong support for this program because it's one of several keys to solving the problems that we have all centered on in this discussion today.

I think to put it in perspective, however, it is necessary to point out that the problem is not with the lack of willingness on the part of the Tariff Commission to deal fairly with people who submit applications. The problem lies in the fact that the program was a tentative program to begin with. It represented a compromise between people who felt this was an important adjunct of any sort of effort to liberalize trade on the one hand, and other people were very concerned about what the costs of it might be. One of the basic problems, as Mrs. Bradley suggested, is the required link to an earlier trade concession.

Now when this bill was passed in 1962 we hadn't had any major series of trade concessions for nearly fifteen years. Therefore, applications that were submitted in the period following 1962—well, people who submitted applications found it very difficult to relate the deterioration of their business to trade concessions that had been made that long ago.

One of the costs of the basic disagreement which has developed between labor and much of the rest of the community on what trade policy should be, falls in this area. It is the case that labor has not gotten behind the improvement of this program in any serious way. I hope it isn't a result of their disillusionment. I suspect it is the result that these kinds of efforts compete with other solutions that labor deems to be preferred solutions right now.

But my own view, and this stems from my participation in the Williams Commission and much briefer experience in government, is that any further progress in dealing with the problems that we have been concerned with here today absolutely hinges on our willingness to treat fairly and adequately the problems of people who are injured by import competition.

This is not a problem which will be resolved by improvement in the economy. It is not a problem which will be resolved by restoring conditions that most of us would regard as fairer. In part the need to do something here stems from a different structure of world trade.

Patterns of world trade are going to change very quickly. The multinational corporation is involved in this, whatever your view of its role. It has made possible much more rapid changes in the composition of our imports. And the mechanisms we have developed to cope with adjustments to those changes are simply not adequate. And this is the area where they need attention.

Congressman ZWACH. Thank you, Mr. Pearce.

Professor Stobaugh?

Professor STOBAUGH. I want to put on my special interest hat now, since we have some other special interest groups, and say that one of the things we need on this question is much more research than we have done to date, much more study. Because there really hasn't been a large scale systematic study of what constitutes effective adjustment assistance programs.

I say special interest because that's what we specialize in, the academic world of research.

Congressman ZWACH. Thank you very much.

Would you like to make a comment, Bob?

Mr. HAMPTON. Nothing further than to reinforce, I think, the general sympathy of the agricultural community for the problems of these workers, as I expressed rather strongly in my statement.

We don't propose to have all the solutions for how this adjustment assistance program should be carried out, but we would certainly like to support the expression of desire for what the workers themselves feel that they need in the way of these programs.

We agree with Mr. Clayman that these have been very niggardly, and regardless of whether these come because of legislative limitations, which they probably do primarily, or from administrative action, it's a very inadequate program which needs a great deal of strengthening.

Congressman ZWACH. Thank you, Congressman Railsback.

Congressman RUPPE. Thank you, Mr. Chairman.

Rather than perhaps just discuss the remedial responses to the onslaught of imports into the United States, I might start out by direcing a question to Mr. Heltzer since I know he's well able to defend himself if need be.

On page 2 of your statement you indicate that we will, and I'm sure we must, strive with renewed vigor to make American industry more competitive in world markets. And you do refer to the fact that it's going to cut competitive profits of certain isolated firms in the United States who will need assistance.

But I was wondering if this panel and perhaps we in government are doing all we can to make American industry more competitive here at home. What are we doing to preserve American preeminence, if you will, in our own domestic markets?

It just seems to me that we don't look at the tariff or non-tariff barriers to our exports nor I think at times do we look to a balancing of the competitive factors at home with those that are brought to bear upon us by foreign competitors shipping from foreign sources.

In your own statement I think you do indicate that one of the reasons that your firm and other firms have had to move overseas was to hurdle the tariff and no-tariff barriers to trade that keep out U.S. exports.

Well, that's sort of what I'm interested in; how do we equalize the competitive position of American firms selling in this country?

Mr. HELTZER. I think earlier this morning we touched a little bit on that particular subject and I think we covered a point or two related to it.

The expansion of a firm overseas is due to the fact that the market is there, and this covers the greatest share of our investment overseas, wherever it might be. And you do get this matter of how do we as a company and country, if you will, combine and compete, how we reach into third countries. And we recognize that both by virtue of the variety of the centers—which may vary anywhere from allocating industries within countries so there is less competition—say, within a Japan operation, they in turn compete with a third country by making their industries a little more direct, if you will; that is, they don't have to compete so much with these other firms, and many of them have mechanisms which allow them to get loans, in many cases with no interest on them. It's a whole variety of mechanisms they have to keep us out of their pocket, which in turn fortifies and makes their particular company stronger.

In other words, we wind up paying a good share of their bills by virtue of our not being able to move into their country because the barriers are such, the costs are great. So they in turn get an income which they in turn use to subsidize what they do in exporting elsewhere in the world.

I think that's part of what we're after.

I think that one of the things we must do in this country and I think a great many companies are doing that—it's not entirely across the board—is spend a fair amount of dollars on research activity attempting to modernize and to upgrade the kinds of products you produce.

We as a company spent pretty close to $80 million last year on research and development. And frequently we point out that the products that are on the marketplace today differ appreciably from those that were on the marketplace as recently as five years ago.

Now this will vary with the kinds of company, the kind of industry you're involved in. But it's only by spending some research effort, doing our best to maintain the most modern facilities, modern equipment, mod ern methods of producing equipment can we increase our productivity. Increasing productivity does not mean that you make your worker work harder.

In a great share of our operations when you press the button it doesn't make any difference how hard you press it, the productivity is related to engineering and the technology is put into the bank as support for us as a nation to stay ahead of the world by our continued research effort, and in so doing, as I say, be competitive elsewhere in the world. Basically we can compete with virtually anyone in the world on virtually any product they produce anywhere in the world.

Congressman RUPPE. Well, can productivity alone though match, perhaps as in the case of Japan, an onslaught from that source where there is government and labor and industry in combination endeavoring time after time to exploit or take over foreign markets in particular areas of manufacture? I don't think productivity alone can circumvent a Japanese national policy, if you will. It seems to me we have to analyze their policy to determine how it affects us here at home and abroad in our American export market.

Mr. HELTZER. You're entirely correct, and that's what we've got to do to try and get them to change. Obviously these are all varying degrees depending upon product lines, profits available, and so on. You can build up and compensate for some but certainly not for all of them.

I think earlier today we made the point that at this stage of the game the United States is the largest market for virtually anybody in the world, whether it's Japan or the Common Market or any other producer. And while we're in that position we

have a bargaining position where we ought to be able to get the other countries to make the kind of adjustments to make it a fairer trade relationship than exists today. And that fairer trade means at least they ought to deal with us in the handling of goods we want to ship into their marketplace as we have handled their goods that moved into this marketplace. We ought to do everything we can to get that kind of relationship established.

Congressman RAILSBACK. It is true that we have been in the market and we are, I think it was in your statement, as far as direct investments abroad, I don't know, something like four times as big as anybody else.

You know, this legislative enthusiasm for imposing restrictions on trade comes about, however, because we have apparently not used our leverage at all. We have not been able to get Japan, for instance, to recognize its responsibility to deal on a fair basis with us. And actually the leverage that you see now for these restrictive trade policies comes about for the very reason that it seems to be almost a last alternative.

What do you suggest? You talk about using our big market leverage. Well, who uses it? How do we use it?

Mr. HELTZER. Mr. Pearce might be, I think, the fellow most likely to answer that question, because really that is related to the kind of negotiations we're going into today.

As I understand it by both Mr. Eberle this morning and Mr. Volcker, the problems of negotiating are very complicated because there are diplomatic as well as economic facets involved in this problem.

Congressman ZWACH. Will you yield to Mr. Pearce?

Mr. HELTZER. I certainly will.

Mr. PEARCE. I'd like to combine these two observations and questions and respond to it in this way.

If we're going to try to solve the problem, it's important first to define it and to determine what causes it. I think there has been a great deal of difficulty in doing that because a number of overlapping forces have been at work and all of them to some degree have influenced the decline in our trade position which I think really is at the heart of both of these questions.

It is the case that in the period from 1965 on unit labor costs in this country rose much more rapidly than those among our major trading partners, and there isn't any question that this has had a great deal to do with reversal of the strong trade position that we carried into the second half of the 1960's.

The President's efforts beginning in August last year to deal with this fundamental underlying problem I think have been quite impressive. We have made a start on controlling inflation. There is evidence that that's working. Unit labor costs in the United States in 1971 rose at a slower rate than unit labor costs in any other major trading nation. In time if we can continue this performance this will have an effect.

The President also requested and got from the Congress legislation that will encourage investments which hopefully will also improve our efficiency.

And finally, the Smithsonian agreement has produced realignment of exchange rates which will significantly influence favorably our competitiveness, not just in foreign markets but in domestic markets too. The amount of it and the timing are somewhat uncertain but the one thing that is certain is that the impact of this is going to be substantial.

So we have undertaken some steps which should contribute a great deal to the improvement of the circumstances that bother you.

Congressman RAILSBACK. I want to say I agree with you. I agree with everything you said except none of those things that we have done have directed themselves as far as the other countries—the unfair trade practices, and especially—well, for instance, I don't even know if we have any multinational corporations, do we, in Japan? Do we have any corporations that own 51 percent or that have the operating control in Japan now? If we do it has been relatively recently.

But I'm interested not in what we've done ourselves to try to improve our competitive position, but what leverage are we exerting on the foreign countries. That was the question.

Mr. PEARCE. That's a very appropriate one too.

I should say that the exchange rate adjustment is not a unilateral action on our part. This is an agreement won through hard bargaining by Secretary Connally.

We also achieved in those negotiations agreement to undertake some immediate trade discussions to deal with the most annoying existing problems and looking towards the more long-term fundamental reform of the world trading system.

We concluded negotiations in February that did produce some benefits although admittedly very modest benefits—in citrus, in grains—both with the European community and with Japan.

More important, I think, we got agreement from both Japan and the European community to undertake and support broad discussions beginning next year which will deal with fundamental problems in the trading system.

We have had the authority and don't have the authority now to undertake the kind of negotiations that are required to deal with the problems that you have referred to. We are not in a position to come to the Congress now and ask for that authority. This negotiation will be very different from the Kennedy Round. Tariffs of course are important but also we have to deal with the terms, the rules that govern the trading system itself, and we have to deal with a host of non-tariff barriers that are very difficult to define and very difficult to deal with.

We have begun in Geneva and to a somewhat lesser extent in Paris a series of discussions both on industrial and agricultural—well, we're discussing the techniques, the scope, and the modes that this negotiation will take. And when this exercise is completed and we have an idea what our trading partners are willing to do, what forms it will take, we will come back to the Congress and ask for the authority that we need to undertake a negotiation that will deal with the problems that concern you.

Congressman ZWACH. Mr. Clayman.

Mr. CLAYMAN. Thank you.

In my judgment the comments made by Congressman Railsback were the most piercing of our whole discussion today, because I think he put his finger on the sensitive button.

We're at this impasse asking for relief, because we've done so little to resolve our problems to date. And frankly—and this is not meant as a personal affront to the people who work for the government—I have relatively little hope that within the near future we can expect serious relief from that source, that we will have to have relief from Congress.

You know the old story about the mule that had to be hit on the head with a 2x4 just to get its attention. And, frankly, Congress will have to do that to get the attention of our trading partners throughout the world, in order to be able to conduct serious, meaningful negotiations that somehow develop some degree of parity and fairness between the countries.

Congressman ZWACH. Thank you very much.

Now would you like to comment, Professor Stobaugh?

Professor STOBAUGH. Yes, thank you.

I'd like to comment on several aspects of the questions and some implicit assumptions that you are apparently making.

One was the coupling of the unemployment problem in some of the industries that are suffering from imports with the multinational enterprises or with any form of foreign direct investment abroad.

Actually the industries that have had the most problem with imports have been textiles, shoes—industries such as that rather than a company such as 3M that I would guess, without knowing any data at all, guessing at how much money they spend on R & D, I would guess their U.S. employment had quite strong growth. IBM would be another such company.

So generally employment in the multinational company has not been going down because of import competition. It's been going up in this country.

I think that the undervaluation of exchange rates or the fact that a number of foreign exchange rates were undervalued was one of the causes of our trade problem and I think it's unrealistic for us to adopt an exchange rate in the late 40's and then not have them changed for twenty-five years. So I think we can expect some changes in exchange rates and certainly Japan's gross undervaluation of the yen had an important effect on their trade.

I don't think it's a lack of innovative ability in American industry. There are a number of American industries that today are very strong internationally that are exporting a greater percentage of their production every year. Electronics is one that's quite strong, in contrast to the statement this morning that we're going out of the electronics industry. If you look at all segments of the electronics industry, employment in the U.S. has been going up, exports of the U.S. have been going up. Now there are segments, such as black and white TV's, that may be going down but that's being replaced by industrial instruments, industrial electronics; it's being replaced by computers, for example.

We have had other industries such as plastics, chemicals, pharmaceuticals, machinery, all of those have had a very very strong export performance.

And the way to help exports—it's an indirect way and takes a while, but the way to help exports is to put money in R & D rather than to put money into protecting an industry that will never be competitive internationally. Some of those that are quite mature in technology now fall in that category.

The 3M Company spends almost as much money on R & D as the entire U.S. steel industry, for example. They spend about $80 million a year compared to about $140 million for the entire U.S. steel industry. Now, there's no way that the steel industry can be competitive internationally unless money starts going into R & D. And it's not coincidental that in the paper here you mention that eight of the last ten major breakthroughs in steel technology have come from abroad.

Finally, I think, when we look at the Japanese solution what we probably ought to do is move more towards their solution rather than telling them to stop solving their problems. The Japanese have a brilliant policy of moving people out of mature industries, moving them out of textiles, for example, moving them into computers, moving them into chemicals; and what they have been doing is very strongly helping those industries that are high technology, the ones that eventually produce exports and produce a better standard of living. So it seems to me our solution ought to be to move more towards the Japanese solution of definitely helping people move into those kinds of industries.

Congressman RUPPE. You're not suggesting, are you, we adopt the other corollary to the Japanese success, or the other corollary to the national policy which was the keeping out of foreign imports, a tremendous protec-

tion of the Japanese industry both in terms of protecting her home markets and protecting via government policy their entry into one foreign market after another?

Professor STOBAUGH. What the Japanese did was not keep out imports. What they did was keep out imports of high technology goods in order to help their own industry. They are letting in imports of low technology goods.

Congressman RUPPE. What about automobiles?

Professor STOBAUGH. Well, twenty years ago automobiles were relatively high technology. Now they're relatively low technology. What they did was keep out automobiles. They're tending to keep out computers. They're attempting to keep out high technology, buying technology themselves so they can build up their own by keeping out foreign direct investments, keeping out imports to build up their own manufacturing capabilities, first in automobiles and now they're going on to computers.

IBM, by the way, does have a wholly owned subsidiary in Japan. The reason IBM can do it is not through the U.S. government's help, not through the power of government bargaining with government, but they have a strong economic power. The Japanese figure it would be painful to force IBM to go into a joint venture or something else because they would lose a lot of IBM know-how. But I would guess that over the next twenty years as Japan gets the computer capability that if we take no action they will force IBM—if the U.S. government takes no action, they will force IBM to go into a joint venture, for example.

But what they have been doing is keeping out higher technology goods until they develop their own industry, while they develop their own industry. They've been letting in imports of textiles, for example, because they don't want their workers making textiles. That doesn't make the textile manufacturers very happy but it certainly increases their standard of living.

Mrs. BRADLEY. I'd like to make a comment in this area. On the trip I took in Japan we met with a great many different kinds of groups including government officials, industry, and so on. And one of the groups we met with was the American Chamber of Commerce in Tokyo. This was a group of I think there were twelve American businessmen who were operating successfully in Japan. A few of them were at 25 percent and some were at 50 percent ownership.

And the impression I got from those men and from some other people that talked there was that American businessmen are really missing an opportunity to go into Japan in many cases simply because they can't have 100 percent. The businessmen we talked to, most of them agreed it is possible to do business there, that in many ways it's very helpful indeed to be on a 50 percent ownership basis in order to deal with cultural differences, and that they were making a go of it.

I think American businessmen ought to look into the possibilities of more trade with Japan—and I'm not holding a brief for the restrictions that the Japanese put on, all the regulations and the special laws they have and so on—but I don't think American businessmen on the whole have been very aggressive about trying to open up American markets. There certainly are American products that the Japanese are crying out loud for, like refrigerators.

Congressman ZWACH. Well, I think it looks like we can bring this to an end as we need to leave for floor business.

I would like to thank you gentlemen very much. And I'd like to say that the questions of Congressman Ruppe and Congressman Railsback I think indicate a feeling in the Congress which is representative of the people that administratively we have not dealt very strongly in these areas, and there looks like a definite need for some Congressional input here. I think this is the kind of a message that they are trying to tell us.

I think they're trying to say if the 70's go like the 60's that we don't have any great 80's and 90's to look forward to. So I think this is a clearcut warning that the people in our country are beginning to become very concerned, and I think that we have not perhaps dealt as severely and as businesslike in this area as it's going to be necessary to do.

I think this is the expression that we get. And if we're going to give powers to deal administratively, I'm scared to give powers to deal in agriculture like we did under GATT, when they, you know, just threw us in the river when they couldn't settle agricultural problems.

So these are the kind of concerns on which we really appreciate your comments.

Congressman RUPPE. Thank you for coming.

Congressman ZWACH. Yes, sir. We really appreciate your coming, gentlemen.

Thank you very much.

(Whereupon, the seminar was adjourned at 3:30 o'clock p.m.)

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FISH) to revise and extend their remarks and include extraneous material:)

Mr. HANSEN of Idaho, for 15 minutes, today.

Mr. FINDLEY, for 5 minutes today.

Mr. KEMP, for 10 minutes, today.

Mr. FRENZEL, for 40 minutes, today.

Mr. HEINZ, for 15 minutes, today.

(The following Members (at the request of Mr. DENHOLM) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. PODELL, for 15 minutes, today.

Mr. DANIELS of New Jersey, for 5 minutes today.

Mr. BINGHAM, for 5 minutes, today.

Mr. DANIELSON, for 5 minutes, today.

Mr. DIGGS, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SEIBERLING to revise and extend and include extraneous matter with his remarks during debate on Foreign Assistance Act of 1972.

Mr. SAYLOR and to include extraneous matter, notwithstanding the fact it exceeds 3¼ pages of the RECORD and is estimated by the Public Printer to cost $552.50.

Mr. MONAGAN to extend his remarks prior to the vote on the Bolling amendment in the Committee of the Whole, today.

Mr. RIEGLE and to include charts and other extraneous matter during his remarks in the Committee of the Whole during consideration of H.R. 16029.

Mr. FRELINGHUYSEN notwithstanding it exceeds 17 pages of the RECORD and is estimated by the Public Printer to cost $2,890.

Mr. BUCHANAN to extend his remarks during debate on the Dent amendment on H.R. 16029.

All Members (at the request of Mr. DENHOLM) for 5 legislative days to revise and extend their remarks and include extraneous matter on the special order of Mr. DIGGS, today, on the late Hon. Samuel Z. Westerfield, Jr.

(The following Members (at the request of Mr. FISH) and to include extraneous material:)

Mr. SCHERLE in 10 instances.

Mr. SPRINGER in two instances.

Mr. DERWINSKI.

Mr. MCKINNEY in three instances.

Mr. HALL.

Mr. WYMAN in two instances.

Mr. BELL in three instances.

Mr. SMITH of New York.

Mr. STEIGER of Arizona.

Mr. MCCLOSKEY.

Mr. SEBELIUS.

Mr. WHITEHURST.

Mr. FRENZEL.

Mr. HORTON.

Mr. HILLIS.

Mr. BOB WILSON.

Mr. BAKER.

Mr. BROYHILL of Virginia.

Mr. RHODES in five instances.

Mr. ROUSSELOT.

Mr. DU PONT.

Mr. GOLDWATER.

(The following Members (at the request of Mr. DENHOLM) and to include extraneous material:)

Mr. ULLMAN in five instances.

Mr. BIAGGI in five instances.

Mr. CARNEY in two instances.

Mr. RARICK in three instances.

Mr. GONZALEZ in three instances.

Mr. ASPIN.

Mr. RYAN in three instances.

Mr. DANIELSON in two instances.

Mr. DRINAN.

Mr. REES.

Mr. STOKES.

Mr. MATSUNAGA in two instances.

Mr. CHAPPELL in three instances.

Mr. PODELL.

Mr. SMITH of Iowa.

Mrs. HICKS of Massachusetts in two instances.

Mr. WALDIE in two instances.

Mr. NIX in two instances.

Mr. DENHOLM.

Mr. DELANEY.

Mr. FULTON.

Mr. ALBERT.

Mr. MONAGAN.

Mr. JAMES V. STANTON.

Mr. PICKLE in five instances.

Mrs. SULLIVAN in two instances.

Mr. WILLIAM D. FORD.

Mr. BRASCO in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 82. An act for the relief of Mrs. Wanda Martens; to the Committee on the Judiciary.

S. 633. An act for the relief of James E. Fry, Jr., and Margaret E. Fry; to the Committee on the Judiciary.

S. 655. An act for the relief of certain postal employees at the Elmhurst, Ill., Post Office; to the Committee on the Judiciary.

S. 884. An act for the relief of Comdr.

Howard A. Weltner, U.S. Naval Reserve; to the Committee on the Judiciary.

S. 2507. An act to apply the same standards to prohibit the sale of domestically produced Saturday night special handguns as have been applied to foreign-made Saturday night special handguns since adoption of the Gun Control Act of 1968; to the Committee on the Judiciary.

S. 2516. An act to authorize the Secretary of Agriculture to reimburse owners of equines and accredited veterinarians for certain expenses of vaccinations incurred for protection against Venezuelan equine encephalomyelitis; to the Committee on Agriculture.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 631. An act for the relief of the village of River Forest, Ill.;

H.R. 2127. An act for the relief of the estate of Charles Zonars, deceased;

H.R. 11632. An act for the relief of Vincent J. Sindone; and

H.R. 15690. An act making appropriations for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1973, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2854. An act to amend title 28, United States Code, relating to annuities of widows of Supreme Court Justices.

ADJOURNMENT

Mr. DENHOLM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until Monday, August 14, 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:

2241. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 27 of the Merchant Marine Act of 1920, to provide a monetary penalty for the transportation of merchandise in violation of the coastwise laws; to the Committee on Merchant Marine and Fisheries.

2242. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to amend the Public Buildings Act of 1959, as amended, to provide for the construction of a civic center in the District of Columbia, and for other purposes; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HOLIFIELD: Committee on Government Operations. Report on increasing protection for our waters, wetlands, and shorelines; the Corps of Engineers (Rept. No. 92–1323). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. House Joint Resolution 1227. Joint resolution approving the acceptance by the President for the United States of the Interim Agreement Between the United States of America and the Union of Soviet Socialist Republics on Certain Measures With Respect to the Limitation of Strategic Offensive Arms; with amendments (Rept. No. 92–1324). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 1090. A resolution providing for the consideration of H.R. 13915. A bill to further the achievement of equal educational opportunities (Rept. No. 92–1325). Referred to the House Calendar.

Mr. STRATTON: Committee on Armed Services. H.R. 13792. A bill to amend title 10, United States Code, to limit, and to provide more effective control with respect to, the use of Government production equipment by private contractors under contracts entered into by the Department of Defense and certain other Federal agencies, and for other purposes; with amendments (Rept. No. 92–1326). Referred to the Committee of the Whole House on the State of the Union.

Mr. BYRNE of Pennsylvania: Committee on Armed Services. H.R. 16201. A bill to authorize the Secretary of the Navy to construct and provide shoreside facilities for the education and convenience of visitors to the U.S.S. *Arizona* Memorial at Pearl Harbor and to transfer responsibility for their operation and maintenance to the National Park Service (Rept. No. 92–1327). Referred to the Committee of the Whole House on the State of the Union.

Mr. FISHER: Committee on Armed Services. H.R. 16233. 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 (Rept. No. 92–1328). Referred to the Committee of the Whole House on the State of the Union.

Mr. BYRNE of Pennsylvania. Committee on Armed Services. H.R. 16251. A bill to release the conditions in a deed with respect to certain property heretofore conveyed by the United States to the Columbia Military Academy and its successors. (Rept. No. 92–1329). Referred to the Committee of the Whole House.

Mr. PRICE of Illinois: Committee on Armed Services. House Resolution 1078. Resolution directing the Secretary of Defense to furnish to the House certain information respecting U.S. operations in North Vietnam (Rept. No. 92–1330). Referred to the House Calendar.

Mr. PRICE of Illinois: Committee on Armed Services. House Resolution 1079. Resolution directing the Secretary of Defense to furnish to the House certain information respecting U.S. operations in North Vietnam (Rept. No. 92–1331). Referred to the House Calendar.

Mr. PATMAN: Committee of conference. Conference report on H.R. 15692 (Rept. No. 92–1332). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS of Arkansas (for himself and Mr. BYRNES of Wisconsin):

H.R. 16299. A bill to provide for a 2-year extension of the existing treatment provided for accrued vacation pay; to the Committee on Ways and Means.

By Mr. ADAMS (by request):

H.R. 16300. A bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry; to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM:

H.R. 16301. A bill to insure congressional review of tax preferences, and other items which narrow the income tax base, by providing now for the termination over a 3-year period of existing provisions of these types; to the Committee on Ways and Means.

By Mr. DANIELSON:

H.R. 16302. A bill to amend the Internal Revenue Code of 1954 to provide reasonable and necessary income tax incentives to encourage the utilization of recycled solid waste materials and to offset existing income tax advantages which promote depletion of virgin natural resources; to the Committee on Ways and Means.

By Mr. ESCH:

H.R. 16303. A bill to provide for disciplined and responsible action in the consideration and execution of the Federal budget; to the Committee on Government Operations.

By Mr. GERALD R. FORD (for himself, Mr. ARENDS, Mr. DEVINE, Mr. RHODES, Mr. CONABLE, Mr. POFF, Mr. SMITH of California, Mr. BOB WILSON, Mr. BOW, Mr. MAILLIARD, Mr. ROUSSELOT, Mr. MATHIAS of California, Mr. SPENCE, Mr. WINN, Mr. MALLARY, Mr. THONE, Mr. CLEVELAND, Mr. COLLIER, Mr. MCEWEN, Mr. DICKINSON, Mr. MYERS, Mr. ESHLEMAN, Mr. VANDER JAGT, Mr. PRICE of Texas, and Mr. RAILSBACK):

H.R. 16304. A bill to provide for disciplined and responsible action in the consideration and execution of the Federal budget; to the Committee on Government Operations.

By Mr. GERALD R. FORD (for himself, Mr. GOLDWATER, Mr. SANDMAN, Mr. YOUNG of Florida, Mr. ROBISON of New York, Mr. MCCLORY, Mr. MCKINNEY, Mr. THOMPSON of Georgia, Mr. QUILLEN, Mr. WHALLEY, Mr. CÓRDOVA, Mr. WILLIAMS, Mr. BETTS, Mr. FISH, Mr. BAKER, Mr. BRAY, Mr. PIRNIE, Mr. STEIGER of Arizona, Mr. CARTER, Mr. MILLER of Ohio, Mr. MCCLURE, Mr. FINDLEY, Mr. TEAGUE of California, Mr. FRENZEL, and Mr. WIDNALL):

H.R. 16305. A bill to provide for disciplined and responsible action in the consideration and execution of the Federal budget; to the Committee on Government Operations.

By Mr. GERALD R. FORD (for himself, Mr. STEIGER of Wisconsin, Mr. ERLENBORN, Mr. LATTA, Mr. ROBINSON of Virginia, Mr. SEBELIUS, Mr. SNYDER, Mr. BYRNES of Wisconsin, Mr. J. WILLIAM STANTON, Mr. DERWINSKI, Mr. FORSYTHE, Mr. HANSEN of Idaho, Mr. JOHNSON of Pennsylvania, Mr. ARCHER, Mr. BROYHILL of North Carolina, Mr. MCKEVITT, Mr. QUIE, Mr. BELL, Mr. LUJAN, Mr. MARTIN, Mr. MAYNE, Mr. HASTINGS, Mr. FRELINGHUYSEN, Mr. BROWN of Michigan, and Mr. SHRIVER):

H.R. 16306. A bill to provide for disciplined and responsible action in the consideration and execution of the Federal budget; to the Committee on Government Operations.

By Mr. GERALD R. FORD (for himself, Mr. WIGGINS, Mr. LENT, Mr. WYDLER, Mr. COLLINS of Texas, Mr. KEATING, Mr. POWELL, Mr. THOMSON of Wisconsin, Mr. LANDGREBE, Mr. GROVER, Mr. CAMP, Mr. TERRY, Mr. SCOTT, Mr. CLANCY, Mr. VEYSEY, Mr. BELCHER, Mr. HALL, Mr. ZION, Mr. CONOVER, Mr. RUTH, Mr. DON H. CLAUSEN, Mr. HOGAN, Mr. SCHNEEBELI, Mr. BLACKBURN, and Mr. MCCOLLISTER):

H.R. 16307. A bill to provide for disciplined and responsible action in the consideration

and execution of the Federal budget; to the Committee on Government Operations.

By Mr. GERALD R. FORD (for himself, Mr. HOSMER, Mr. BROYHILL of Virginia, Mr. KEMP, Mr. WAMPLER, Mr. LLOYD, Mr. HUTCHINSON, Mr. SMITH of New York, Mr. WYLIE, Mr. BURKE of Florida, Mr. MOSHER, Mr. DAVIS of Wisconsin, Mr. TALCOTT, Mr. SHOUP, Mr. COUGHLIN, and Mr. FREY):

H.R. 16308. A bill to provide for disciplined and responsible action in the consideration and execution of the Federal budget; to the Committee on Government Operations.

By Mr. FRENZEL (for himself, Mr. FLOOD, and Mr. WOLFF):

H.R. 16309. A bill to amend the Atomic Energy Act of 1954 to permit a State which has an agreement with the Commission and has demonstrated its competence in the regulation of effluent emission standards to impose regulations which are more restrictive than those of the Commission; to the Committee on Joint Committee on Atomic Energy.

By Mr. GOLDWATER (for himself and Mr. BELL):

H.R. 16310. A bill to establish in the State of California the Santa Monica Mountain and Seashore National Urban Park; to the Committee on Interior and Insular Affairs.

By Mr. GROVER:

H.R. 16311. 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. HEINZ:

H.R. 16312. A bill to amend the Disaster Relief Act of 1970 to provide for the mandatory development and maintenance by States of disaster preparedness plans, to provide for the annual testing of such plans, to increase the amount of Federal assistance in the case of approved plans, and for other purposes; to the Committee on Public Works.

By Mr. HELSTOSKI:

H.R. 16313. A bill to amend section 8191 of title 5, United States Code, to extend benefits thereunder to officially recognized or designated members of a legally organized volunteer fire department, ambulance team, or rescue squad not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 16314. A bill to amend the Federal Alcohol Administration Act with respect to the requirements for labeling; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 16315. A bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry; to the Committee on Interstate and Foreign Commerce.

By Mr. MIKVA (for himself and Mr. SEIBERLING):

H.R. 16316. A bill to amend title 18, United States Code, to promote public confidence in the legislative branch of the Government of the United States by requiring the disclosure by Members of Congress and certain employees of the Congress of certain financial interests; to the Committee on Standards of Official Conduct.

By Mr. OBEY (for himself, Mr. BEGICH, Mrs. HICKS of Massachusetts, Mr. SARBANES, and Mr. BINGHAM):

H.R. 16317. A bill to assist the States to improve and equalize the quality of elementary and secondary education provided throughout each State and to provide for greater equalization and equality in school tax burdens; to the Committee on Education and Labor.

By Mr. OBEY (for himself, Mr. ASPIN, Mr. BERGLAND, Mr. SEIBERLING, Mr. MATSUNAGA, Mr. SCHEUER, Mr. KOCH, Mr. HALPERN, Mr. DRINAN, Mr. LEGGETT, Mrs. ABZUG, Mr. BEGICH, Mrs. HICKS of Massachusetts, Mr. BURTON, Mr. GREEN of Pennsylvania, Mr. FRASER, Mr. LINK, and Mr. ABOUREZK):

H.R. 16318. A bill to encourage and support the dissemination of new, opinion, scientific, cultural, and educational matter through the mails; to the Committee on Post Office and Civil Service.

By Mr. PURCELL:

H.R. 16319. A bill to authorize the Secretary of Agriculture to reimburse owners of equines and accredited veterinarians for certain expenses of vaccinations incurred for protection against Venezuelan equine encephalomyelitis; to the Committee on Agriculture.

By Mr. RYAN:

H.R. 16320. A bill to amend the Export Administration Act of 1969 in order to promote observance of the 1948 United Nations Universal Declaration of Human Rights; to the Committee on Banking and Currency.

H.R. 16321. A bill to amend the Export Administration Act of 1969 in order to promote freedom of emigration and the free exercise of religion; to the Committee on Banking and Currency.

Br. Mr. SAYLOR:

H.R. 16322. A bill to extend the time for land selection under section 17(d)(2) of the Alaska Native Claims Settlement Act; to the Committee on Interior and Insular Affairs.

H.R. 16323. A bill to amend section 118(c) of title 28, United States Code, to establish a place for the holding of Federal district court in Johnstown, Pa.; to the Committee on the Judiciary.

By Mr. SCOTT:

H.R. 16324. A bill to facilitate the transfer by the Commissioner of the District of Columbia of certain real property owned by the District in Prince William County, Va.; to the Committee on District of Columbia

By. Mr. SEIBERLING:

H.R. 16325. A bill to provide comprehensive adjustment benefits and services to unemployed workers, and for other purposes; to the Committee on Education and Labor.

H.R. 16326. A bill to amend the tax and customs laws in order to improve the U.S. position in foreign trade, and for other purposes; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 16327. A bill to amend sections 101 and 902 of the Federal Aviation Act of 1958, as amended, to implement the suppression of unlawful seizure of aircraft, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16328. A bill to insure international cooperation in the prosecution or extradition to the United States of persons alleged to have committed aircraft piracy against the laws of the United States or international law; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK:

H.R. 16329. A bill to strengthen and improve the protections and interests of participants and beneficiaries of employee pension and welfare benefit plans; to the Committee on Education and Labor.

By Mr. VEYSEY:

H.R. 16330. A bill to prohibit the importation into the United States of birds, or parts thereof, unless inspected and found to be free of communicable diseases; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 16331. A bill to enlarge the Sequoia National Park in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 16332. A bill to permit former members of the Women's Airforce Service Pilots to acquire, for a limited time, insurance upon the same terms and conditions, with certain exceptions, as apply with respect to national service life insurance; and to receive hospital and medical care from the Veterans' Administration under certain circumstances; to the Committee on Veterans' Affairs.

By Mr. CAMP:

H.J. Res. 1281. Joint resolution proposing an amendment to the Constitution to permit the imposition and carrying out of the death penalty; to the Committee on the Judiciary.

By Mr. DANIELS of New Jersey:

H.J. Res. 1282. Joint resolution to authorize and request the President to issue annually a proclamation designating the second Sunday of October of each year as "National Grandparents Day"; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.J. Res. 1283. Joint resolution proposing an amendment to the Constitution to permit the imposition and carrying out of the death penalty; to the Committee on the Judiciary.

By Mr. STEED:

H.J. Res. 1284. Joint resolution proposing an amendment to the Constitution to permit the imposition and carrying out of the death penalty; to the Committee on the Judiciary.

By Mr. BURLISON of Missouri:

H.J. Res. 1285. Joint resolution proposing an amendment to the Constitution to permit civil remedies for public persons in cases of defamation of such persons; to the Committee on the Judiciary.

By Mr. ASPIN:

H. Con. Res. 682. Concurrent resolution requesting the President to proclaim the week of April 8 through 14, 1973, as "National Barbershop Harmony Week"; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H. Con. Res. 683. Concurrent resolutioin requesting the President to proclaim August 26 of each year as "National Woman's Suffrage Day"; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

414. By the SPEAKER: Memorial of the Assembly of the State of California, relative to veterans' pensions; to the Committee on Armed Services.

415. Also, memorial of the Legislature of the State of California, relative to noise pollution; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DUNCAN presented a bill (H.R. 16333) for the relief of Natividad Cruz Lacusong, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

269. The SPEAKER presented a petition of Henry Stoner, York, Pa., relative to physical examinations for Members of Congress, which was referred to the Committee on Rules.