

## IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of colonel:

Vincent A. Albers, Jr.	David A. Clark
Terence M. Allen	John W. Clayborne
James O. Allison	Charles W. Collier
Warren L. Ammentorp	James K. Coody
Earl W. Bailey	Gorton C. Cook
Nicholas K. Bodnar	Richard L. Critz
James R. Bowser, Jr.	James L. Day
George L. Bruser	John J. Donahue
William E. Buckon	Philip J. Dooley
Richard R. Burritt	Alfred N. Drago
Guy R. Campo	Ronald P. Eckmann
George B. Crist	Donald J. Fulham
Robert I. Christian, Jr.	Samuel J. Fulton
	Donald L. Gaut

Dwayne Gray	George G. Long
Edward F. Grayson, Jr.	Theodore J. Lutz, Jr.
Macdonald Greer	Robert J. Lyons
Thomas L. Griffin, Jr.	Joseph A. MacInnis
Robert G. Haggard	Robert E. McCamey II
Herbert M. Hart	Roland D. McKee
Richard E. Hawes, Jr.	Walter J. McManus
Howard R. Henn	John J. Metzko
Donald H. Hildebrand	Robert J. Mille
Charles W. Hoffner	Edison W. Miller
John S. Hollingshead	Richard G. Moore
Robert C. Hughes V.	Thomas R. Morgan
Maurice H. Ivins, Jr.	Rhys J. Phillips, Jr.
Paul G. Janssen	Ronald M. Proudfoot
Malcolm S. Jolley, Jr.	Thomas M. Reedy
John J. Keefe	George H. Ripley
Robert J. Keller	J. W. P. Robertson
Frank R. Koethe	John F. Roche III
Leo J. Leblanc, Jr.	Dale W. Sanford

Lawrence R. Seamon	Stanley G. Tribe, Jr.
Robert M. Searles	Archie Vanwinkle
Roy A. Seaver	Billy F. Visage
Rufus A. Seymour	Carroll R. Vorgang
James L. Shanahan	Anthony G. Waite
William F. Sheehan	Phillip C. Walker
Eugene E. Shoultis	Vonda Weaver
John D. Shoup	Joseph K. Welland
Robert E. Switzer	William Weise
Wylie W. Taylor, Jr.	Rondell K. Wood

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade of colonel:

James F. Burke, Jr.	Karl N. Mueller
Joseph R. Dobbratz, Jr.	Leo J. Naquin, Jr.
Ernest L. Ittner, Jr.	Elmer F. Pattillo
Edward J. Lamontagne	William A. Tate
Frank G. McLenon	

## HOUSE OF REPRESENTATIVES—Wednesday, September 6, 1972

The House met at 12 o'clock noon.  
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*Seek good and not evil, that you may live: And so the Lord will be with you.—Amos 5: 14.*

Eternal Spirit, in whom is our strength, with whom is our peace and from whom comes our hope for life in this moment of prayer we wait upon Thee for Thy forgiving grace and Thy empowering spirit.

We share in the sorrow of all people at the deeds of violence which have taken the lives of fine men. Teach us all, Our Father, that hatred does not work and that only good will can heal the hearts of nations.

Strengthen the families of those slain with Thy sustaining presence and lift the burden of violence from the hearts of men.

In these baffling and bewildering days grant unto us the willingness to walk in the ways of wisdom and the will to work for a world in which men are free, where justice rules the minds of men, and where peace reigns in the hearts of nations. Make us and our country great and good in spirit that we may be channels through which Thy purposes come to new life in our day. Amen.

## THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

## MESSAGE FROM THE SENATE

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

H.R. 9323. An act to amend the Narcotic Addict Rehabilitation Act of 1966, and for other purposes.

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

H.R. 9222. An act to correct deficiencies in the law relating to the crimes of counterfeiting and forgery.

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. 2) entitled "An act to establish a Uniformed Services University of the Health Sciences and to provide scholarships to selected persons for education in medicine, dentistry, and other health professions, and for other purposes."

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

S. 16. An act to amend title 18 of the United States Code to provide civil remedies to victims of racketeering activity and theft, and for other purposes; and

S. 2087. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a Federal minimum death and dismemberment benefit to public safety officers or their surviving dependents.

## RECESS OUT OF RESPECT FOR MURDERED ISRAELI ATHLETES

Mr. PODELL. Mr. Speaker, I rise of course in despair over the events yesterday at Munich. I ask that the House stand in recess for 30 minutes out of respect for the 11 Israeli athletes who were killed so barbarically yesterday.

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

There was no objection.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess until 12:30 o'clock p.m.

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 30 minutes p.m.

## EXPRESSION OF SYMPATHY TO PEOPLE OF ISRAEL AND FAMILIES OF THOSE WHOSE LIVES WERE LOST AT MUNICH

Mr. CELLER. Mr. Speaker, I offer a resolution (H. Res. 1106) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1106

Whereas with profound sorrow and deep alarm the House is informed of the events surrounding the killing of eleven members of the Israeli Olympic team participating in the Twentieth Olympiad at Munich, and

Whereas such actions are to be condemned as inimical to the interests and aspirations of the civilized world, be it hereby

*Resolved*, That the United States joins with the world in mourning the loss of Israel's athletes and extends its deepest sympathy to the people of Israel and to the families of those so tragically lost, and be it,

*Further resolved*, That all means be sought by which the civilized world may cut off from contact with civilized mankind any peoples or any nation giving sanctuary, support, sympathy, aid, or comfort to acts of murder and barbarism such as those just witnessed at Munich and that the Clerk of the House be directed to communicate these sentiments and expressions to the Secretary of State for appropriate transmittal.

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

There was no objection.

The SPEAKER. The gentleman from New York (Mr. CELLER) is recognized.

Mr. CELLER. Mr. Speaker, supplementing the resolution which has been read by the Clerk, I wish to indicate that I personally believe that the Olympic games at Munich should now be terminated.

There is world protest against the brutal holocaust of these Arab murderers against the Israel athletes. The spirit of the Olympic games has been crushed. The continuation of the Olympic games would be a vivid condemnation of these horrendous acts.

The entire civilized world is aroused at these murders—apparently covertly or overtly applauded by some Arab nations. These beastly attacks can only be compared to the destruction of, say, the Sistine Chapel or the mutilation of the sacred scrolls of the temple or the murder of innocent defenseless bystanders.

The Olympic games stand for fair play and strenuous but just competition and harmony among nations. But these unspeakable crimes are the very antithesis of those laudable aims.

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

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

Mr. YATES. Mr. Speaker, yesterday the world witnessed at Munich an act of barbarism and brutality in the killing of unarmed members of the Israel Olympic team—an act which has few parallels in the annals of international crime.

It is the latest in a series of murders which has made the whole globe a battlefield and every civilian a possible victim.

Murder is loose in the world—murder that may strike at any place—any time. Who would have dreamed that the friendly relationships of the Olympic games would be shattered by the death-dealing chatter of machineguns?

It is one thing to act and to resolve, as we do today, Mr. Speaker, in this resolution which is good—but that is not enough. The hijackings continue—killings go on—and criminals are given haven by nations who should punish them rather than protect them.

Mr. Speaker, I urge the President to take steps to mobilize the nations of the world to halt this murder madness.

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

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

Mr. BOGGS. Mr. Speaker, I commend the distinguished dean of the House, the gentleman from New York (Mr. CELLER) for introducing this very timely resolution. I am one of the sponsors. I expressed sentiments very similar to those set forth in the resolution yesterday in a speech on the floor of the House.

I can only add that the gentleman from Illinois (Mr. YATES) of course is eminently correct in saying that the time has come to implement the international organizations so that piracy of this kind and banditry and outlawry, whether it be committed in the air as is now the subject of an international conference or whether it be committed against the innocent participants in a great athletic event dedicated to world amity, will be recognized as a challenge to these organizations and to the American Government.

I commend the gentleman from Illinois for his very timely suggestion.

I join, too, Mr. Speaker, in expressions of profound sympathy and regret that this great international event which has come to be known in modern history as well as in ancient times as a symbol of peace, should be so desecrated.

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

Mr. CELLER. I yield to the gentleman from New York (Mr. PODELL).

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from New York yield for an observation or comment?

Mr. PODELL. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, the only way despicable acts of murder and terrorism like that which occurred in Munich will be stopped is if doors all over the world are shut to such assassins.

While deeply mourning the deaths of the Israeli Olympic team members so senselessly slain by Arab terrorists in Germany, I agree completely with the action called for by Senate Resolution 358—that the civilized world ostracize any peoples or nation giving sanctuary or refuge to international outlaws of the Black September stripe.

In committing their outrages and delivering their ultimatums, Arab terrorists ultimately seek escape. They attempt to find their way to a place of refuge.

In the case of the Munich affair, the announced destination was Cairo. It is my information that West German officials contacted the Egyptian Government but received no satisfaction from them during the time that negotiations with the terrorists still were in progress. This, to me, is shocking.

There should be no hiding place for assassins like the Arab terrorists. There should be no place to which they can flee after executing their hideous plots. I know of no other way in which such assassins can be stopped.

Mr. Speaker, I urge strong support for House Resolution 1106.

Mr. PODELL. Mr. Speaker, I thank the gentleman from Michigan.

Mr. Speaker, I rise in support of the resolution and in despair over the events in Munich yesterday. Yesterday the world paid a heavy price for its continued refusal to uproot and destroy terrorist violence. Yesterday a small group of Palestinian terrorist butchers showed that not only can they hire Japanese gunmen to slaughter innocent American airline passengers; not only can they hijack and blow up civilian aircraft; but also they can sink to new levels of barbarism—they can destroy the world's latest and most glorious efforts to work, play together and compete together in a healthy atmosphere of peace and mutual respect.

Is it to be that nowhere in this world can people compete in peace and work and play together? Has suspicion replaced respect? Have sharp words replaced friendly competition?

The Olympic games are continuing, as they should continue, but they should continue in a new spirit, in a spirit of mourning for the 11 lost lives of the Israeli Olympians and for the lost peace and lost friendship. They should continue with the full realization that the games have been disrupted by acts of insane violence. They should continue with the full consciousness that everyone is responsible for what happened yesterday. They should continue with the full understanding by spectators and participants alike and the world over that a price was paid for ignoring past terrorist actions.

They should continue if only to allow the world not to divorce itself from yesterday's massacre and not to divorce itself from the Olympic games with glib excuses about outside agitators and a few fanatic lunatics.

The entire world bears responsibility for the killings yesterday. How did these terrorists get Russian Kalashnikov automatic rifles? Who paid for them? Who filled the orders? Who allowed them to train? Where did these terrorists train? What country permitted them to organize? What country in the Middle East permitted them and gave them the incentive to continue world terrorist acts? Who distributed yesterday's statement in Cairo to the press extolling these feats of butchery? Why on the very same day did the Soviet Union in Egypt reject a strong United States and Canadian antihijacking and antiterrorist proposal?

Yesterday's massacre was not just the

insane act of one small group. It was permitted and even encouraged by a calloused world, determined to ignore that which does not hit them over the head or poke them in the eyes.

The House of Representatives here must take the leadership until this terrorism stops. All civilized nations should make a common cause in denying these terrorists and assassins the aid and comfort of a place to flee, hide, and conceal themselves. Civilized man must deny them the sanctuary required to plot their outrages. The rabid dog and the killer shark have no place among ordinary people and the family of man must now in unison and unanimously agree in compact on this common cause that terrorists of all cloth be denied a haven and brought to justice.

I ask that international terrorism be ended. I ask that we salvage the 20th Olympiad with just such an agreement, signed by all of the participating nations of the world, that no nation may harbor such criminals or encourage such criminal terrorism; and if they do, then the nations of the world should enter into an agreement to boycott these countries, stop trading with these countries, because these countries do not have civilized concern for the people of the world.

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

Mr. CELLER. I am glad to yield.

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

Mr. Speaker, I rise in support of the resolution.

Mr. Speaker, I rise with heavy heart. The outrageous crime against the community of mankind perpetrated yesterday in Munich by Arab terrorists will be remembered forever for the consummate evil it represents.

The world is shaken by this wanton act of violence and nothing can ever be quite the same again. It clearly demonstrates the fanatical nature of the Black September movement and the madness of its followers. It shows again for all the world to see just how utterly irresponsible the leaders of the Arab nations are. Only King Hussein of Jordan raised his voice against those who brought on this crime. The rest were as silent as the sphinx. Yesterday, I took the floor to ask Arab leaders to act.

President Sadat of Egypt had an opportunity to come to the assistance of those held hostage, but he did not. He was asked to do so by Chancellor Brandt of West Germany, but he obviously could not be bothered by something so unimportant as the lives of 11 Jews. He must stand condemned before the world for his arrogant and blatant refusal to act. Too, Syria's response, hailing the terrorists' murders reaches a new low in savagery. Terror like this cannot be permitted to rule our society.

I am afraid, Mr. Speaker, that we have not seen the end of this yet—consequences are yet to come to the Arab world. We must hope that it too does not fall on the innocent.

Mr. Speaker, I urge the passage of this resolution.



Mr. HOSMER. Mr. Speaker, will the gentleman from New York yield?

Mr. WOLFF. I am glad to yield.

Mr. HOSMER. Mr. Speaker, I rise in strong support of the resolution (H. Res. 1106) to express my strong despair and repugnance to the violent events which occurred in the Olympics and to urge the unanimous passage of the resolution.

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

Mr. CELLER. I yield to the gentleman from Connecticut.

Mrs. GRASSO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I join in support of this resolution.

Mr. Speaker, in the Munich massacre, we mourn once again the persecution of the Jews.

The Olympic games, designed for the demonstration of peace and good will among nations, became the setting for the wanton and brutal slaughter of young Israeli athletes by Palestinian assassins.

The world was witness to the long night of terror and the bloody drama that left in its wake the lifeless bodies of men of good will who, in good faith, had journeyed from a proud homeland to join their peers in the traditional Olympic games. Many questions about the adequacy of security and the tactics for rescue remain unanswered.

As the Jewish world begins observance of a new year, a bitter truth is once again brought home. The terror of the night, as much as the arrows of the day, represent an ever present threat to the preservation of the Jewish homeland.

In this sad time, the tears of the world are joined in the grief of family and friends of these tragic victims.

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

Mr. CELLER. I yield to the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. Mr. Speaker, I thank the distinguished dean of the House for yielding to me on this resolution, and I strongly support its passage.

I should like to be associated with the remarks made by the able gentleman from New York (Mr. CELLER), the eloquent remarks of our colleague (Mr. PODD), and the strong statement which was issued yesterday by our distinguished Speaker of the House.

All Americans, I am sure, are appalled by this terrible act of violence which has cast such a terrible shadow over a great international event. All Americans, I am sure, will join me in the hope that our Government will do all in its power within the United Nations to secure effective international action to put an end to acts of violence and terror of this kind.

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

Mr. CELLER. I yield to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Speaker, there is no way the Congress of the United States or the American people can adequately express our sympathy and concern for the events at the Olympic games. I have introduced a resolution of sympathy for

those who died, for their families and friends, and for their nation. But more is needed than an expression of sympathy. We should do more than say we are sorry for what happened in Munich.

America and the world must move to end this kind of terrorism once and for all. I believe we can bring an end to acts of violence such as the tragic event which has horrified the world, and bring an end to incidents such as skyjackings and bombings.

The way to end these acts, Mr. Speaker, is to give the international criminals no place to hide, no country to run to, no haven from prosecution.

This is not too much to ask. It has been needed far too long. From the ashes of the Olympic tragedy, we can build a true monument to those who died—an international agreement among all responsible nations that those who engage in tactics of desperation such as this will not be welcome on the shores of any nation. Only when terrorists of any nation, whether they be Arab or American, learn that they have no place to hide or to scheme will there be an end to acts of insane violence.

People committed these murders, not nations. The Arab countries are no more to blame for the deaths of the Israeli athletes than Americans are to blame when terrorists from our shores hijack an airliner and flee to a more friendly shore.

Let us place barriers around the boundaries of every nation at the earliest possible moment. Let us begin at once, through international agreement or through the United Nations, to reach firm agreement with all other nations and let it be known that international criminals will be hunted down and punished.

Only in this way can world nations fully express their concern and assure the peoples of the world that an end to these tragic incidents is in prospect.

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

Mr. CELLER. I yield to the gentleman from Connecticut (Mr. MONAGAN).

Mr. MONAGAN. I thank the gentleman for yielding.

Mr. Speaker, I wholeheartedly support the resolution by the distinguished gentleman of New York (Mr. CELLER) which I have been proud to cosponsor, and hope that it will receive the unanimous approval of the House.

One can only express horror and regret at the irrational slaughter of the Israeli Olympians in Munich. As with those who seek to gain results by violence elsewhere in the world the purpose here was to terrify people into action. As is so often the case, the result in this instance will be the opposite of that sought by the killers. Their purpose, if any, was to advance Arab supremacy but the result will be to sharpen the differences between the adversaries and make meaningful Arab progress more difficult.

It is tragic that this senseless act should have come at a time when Arabs and Jews of good will appeared finally

to be moving toward some Middle East settlement. Perhaps it was this that the terrorists sought to prevent.

The games will go on as I am sure the fallen would have wished but the sympathy of the world goes to these gallant athletes' families and the nation of Israel.

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

Mr. CELLER. I yield to the gentleman from New York (Mr. SCHEUER).

Mr. SCHEUER. Mr. Speaker, I should like to congratulate the leadership of the House and the distinguished dean of the New York delegation for sponsoring this legislation. I believe all of my colleagues who have preceded me have spoken meaningfully and from the depths of their hearts.

We must make absolutely sure that this matter does not end with platitudinous expressions of regret. We have had too much of this recently.

Last May, after three Japanese terrorists, acting on behalf of the Popular Front for the Liberation of Palestine, massacred 28 persons at Lod Airport, expressions of shock and dismay from all over the world poured into Jerusalem.

Last November the world was again shocked by the assassination of a Premier of one country in the capital of another and, once again, worldwide condolences poured into Amman.

Similar expressions of concern were voiced after numerous airplane hijackings, the attempt on the life of a former Jordanian Ambassador in London, the sabotaging of a West German factory, and the destruction of an oil complex in Italy.

Mr. Speaker, I could go on and on, but the point is embarrassingly self-evident.

The time has come for the international community to condemn these people for what they are—insane madmen—and to declare them and the countries which give them sanctuary international outcasts.

Admittedly, the prospects for such effective international action do not appear to be good. For example, Munich came virtually on the heels of a rejection of an international treaty on hijacking. At the very time men were being senselessly slaughtered in Munich our friends and allies, France and Britain, joined by the Soviet Union, were leading an effort to reject a treaty designed to deal precisely with just this international crime.

The incident in Munich is now tragic history; at the very least, it should shame these countries—our allies and pillars of Western civilization—to take strong and effective action not only against hijacking but also—and most especially—against those countries which harbor and nurture and give sanctuary to these guerrilla groups responsible for these outrageous acts of terrorism.

One step toward effective international action of the type which is urgently required would be to strengthen Interpol's ability to keep track of the international movements of known terrorists and to inform various countries

of the presence of these individuals within their jurisdiction.

To me, it is a tragedy that Interpol, the only international police agency with the potential for this type of program, has a budget of less than \$1 million per year—less than the police budget of Fargo, N. Dak. Surely the United States and the other member countries can do much better than this.

Mr. Speaker, the time for talk has long since past. The incident in Munich is an affront not only to the spirit of the Olympics, but to the very essence of human decency. Strong, effective international action must be taken now.

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

Mr. CELLER. I yield to the gentleman from Ohio (Mr. KEATING).

Mr. KEATING. Mr. Speaker, I know I join all Americans in expressing my deep sympathy to the families and friends of the Israeli Olympic athletes who were senselessly slain in Munich yesterday.

Since the time of the ancient Greeks, the Olympic games have represented man competing against man in peace. Even during the Greek wars, athletes going to the Olympics were free to pass the enemy lines to participate. Yesterday, this was not the case.

In today's world seldom a day goes by without murder and death on the front page of our papers. Yet, this tragedy seems to go beyond the normal news events that horrify the public. Through television we became witnesses to the Olympics. We had grown to admire the accomplishments of these athletes, whether black or white, from a free or Communist country, whether Christian, Jew, Buddhist, or Moslem.

We admire them for their skill. And as they swam and fought and ran to new records it seemed that these young people were capable of truly great things. Now we mourn the death of 11 of their numbers.

And if the tragedy of spoiling the ageless spirit of the Olympics was not enough, the tragedy of the day was made even greater by the fact that once again "a knock on the door" took the lives of Jews in Germany. This tremendous, joyful event which was to mark the new Germany made us have memories of the old.

It must be said that under impossible circumstances the German Government did their best. We in the United States have learned that it is impossible to deal on rational terms with these extremist groups. The nations of the world should join together in making sure that no nation is a home for these international outlaws.

As with other tragedies that have occurred, we must go on. Hopefully, we can learn from the past.

This Friday at sunset will be Rosh Hashanah, the Jewish New Year. This Rosh Hashanah marks year 5736 on the Jewish calendar. Let us pray that this year will bring peace to the land of Israel and that the tragic events of the XX Olympiad will never occur again.

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

Mr. CELLER. I yield to the gentleman from Indiana (Mr. MADDEN).

Mr. MADDEN. Mr. Speaker, I join in supporting and endorsing this highly necessary resolution presented by the Speaker, the majority and minority leaders in condemning the unlawful and murderous actions of the Palestinian terrorists at Munich. These Arab murderers must be apprehended and convicted of the international crimes which they inflicted on the Israeli athletes in cold blood, displaying a vengeance against people that could only be carried out with help outside of their small criminal band of terrorists.

The Congress of the United States, the people of America, and the world are startled that such a dastardly crime could be successfully executed by a small band of criminals on innocent citizens of a neighboring nation. It is indeed terrible that a crime involving bloodshed and murder could interrupt such a world-renowned event as the Olympic contests. All Europe and nations of the world will hold the Arabian people in contempt if these guilty criminals are not brought to justice. Any nation giving these criminals sanctuary without incarcerating them until they have answered for the unspeakable crimes which they committed against innocent representatives of their neighbors participating in the world-renowned athletic event should be condemned by all peace-loving and law-abiding people of the world.

The Congress, by this resolution, has gone on record speaking for all citizens of the United States in condemnation of the Munich murders and are demanding that the guilty parties be brought before the bars of justice and suffer a just penalty for their crimes.

STATEMENT OF MAYOR RICHARD GORDON HATCHER, OF GARY, IND., ON THE MUNICH CRIMES

Mr. Speaker, Mayor Richard Gordon Hatcher of Gary, Ind., has today ordered the flags throughout the city to be flown at half-mast in commemoration of the memory of the athletes from Israel who were the unfortunate victims of the Arab terrorists at Munich.

I include with my remarks the statement of Mayor Hatcher which he released today in condemning this dreadful international crime. Mayor Hatcher's statement follows:

This barbaric killing of members of the Israeli Olympic team is a crime against humanity which cries out for compassion for the victims, their families and countrymen and a full indignation of each of us against the perpetrators. I join my fellow Americans and fellow citizens of the world in condemning these brutal and senseless acts.

We must reaffirm our commitment that violence and terrorism are unacceptable substitutes for reason and order and apply whatever appropriate sanctions exist against terrorists and any who aid and abet them.

We extend to Prime Minister Golda Meir and all Israelis our genuine sympathy and our assurance that neither they nor anyone must stand alone against this sort of act.

I have ordered the American Flag at City Hall lowered to half-staff as a token of our

concern and urge all my fellow citizens of Gary to join me in that gesture. We call upon the leaders of the world and support the forces of peace to find a lasting solution to the problem of the Middle-East—but we must never seek justification for acts of terrorism.

Mr. CELLER. Mr. Speaker, I yield such time as he may use to the gentleman from New York (Mr. KOCH).

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

Mr. KOCH. I yield to the gentleman.

Mr. HUNT. Mr. Speaker, I take this opportunity to associate myself with this resolution and rise in full support of it.

It would appear, as one of the gentlemen who spoke prior to me, my colleague from New York, said, the acts of barbarism must be eliminated, but knowing what they are and when they are to be committed is impossible.

The bad feature of this situation today is that we have so many people who have such a low regard for human life. Back in Biblical days we had Cain and Abel, and there has been no change since then. The tragedy of our society is we have no way of ferreting out these people who have such warped and depraved minds that they desire to commit atrocities such as this one in Munich against the Israeli athletes.

I think it is high time that we spent more money on this matter and that the Secretary of State should be contacted and have this matter brought to his attention. We should put more money into the Interpol situation.

I am a former member of a law enforcement group. I am a firm believer that we should know more about these terrorist groups than we do. If we look back to World War I, to Anton Pavlovich with his Ustachi from Yugoslavia and Albania and the Montenegrans, we see precedents for groups such as this group forming the Black September group, who take credit for this atrocity. It is about time civilization and civilized nations brand them once and for all and in doing so make sure that the law carries a penalty commensurate with the crime in which they have become involved. Capital punishment must be the prospective penalty.

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

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

Mr. FLOOD. Mr. Speaker, I appreciate the gentleman yielding to me.

I know how much he is involved with this problem.

I seek this time because as a member of the Committee on Foreign Affairs of this House, under the leadership of the great Sol Bloom, of New York, in 1945 I introduced into the House what became known as the Israel resolution calling for the House and the Congress to declare in that area a free and sovereign state to be known as the nation of Israel. Even in those days there was nothing of this sort between the opposing parties, so that today, so many years later, to know of this fantastic outrage is just as appalling now as it would have been then.



Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. KOCH. I am glad to yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, I rise in support of the resolution. The savage and senseless murder of 11 members of the Israeli Olympic team has shocked the people of the entire world. The slaughter by Arab terrorists serves as a reminder of the historic plight of the Jewish people—and of the vulnerability of all people to such acts of insane barbarism.

It is particularly sickening that this would happen at the Olympics, where the rival forces of the world are expected to put aside their differences to join in open, healthy athletic competition.

The tragedy is further heightened by the fact that the mass murder occurred in Munich, Germany, where a generation ago the Jewish people were the victims of terrorism and planned extermination to a degree unparalleled in the history of the world.

The Arab terrorists have hurt their cause with this latest act of savagery; they stand condemned today in the eyes of the entire civilized world.

Our hearts and prayers go out to the families of the 11 Israeli martyrs. Yet, while the families' suffering is most direct, the murder of the young athletes is ultimately a loss for all mankind.

Mr. KOCH. Mr. Speaker, first of all, I would like to thank the majority leader (Mr. Boggs), the chairman of the Committee on the Judiciary (Mr. Celler) who is my mentor and dear friend, and our colleague SIDNEY YATES for having brought this resolution so quickly to the floor of the House at this moment when the agony is with us.

The Jewish people throughout the ages have had more than their share of martyrs. I will not recount them. It is not necessary.

The 11 young Israeli murdered in Munich are now martyrs. They were struck down by a combination of events beyond their control. Their deaths will never be forgotten. They will be revered by generations to come for their courage as are the martyrs of the Massada who left such an indelible imprint on Jewish tradition and history. The "Olympic Eleven" murdered as they were will symbolize for Jews and non-Jews, for all time to come, the triumph of innocence over savagery. They are never to be forgotten and always to be revered, while their murderers, like Cain, are forever to be reviled.

But what is so terribly important to mark is that this was not an isolated incident. The fact that these terrorists could come to Munich and engage in this slaughter arises because the world has stood by uttering only pious words when comparable incidents have occurred.

When the 28 innocent civilians were struck down at Lod Airport, it was the French, who permitted the thugs to board the plane with machineguns on a

French plane going to Israel, and then said they bore no responsibility for the massacre. And yesterday, for those who watched this unbelievable scene taking place before their eyes, it was even more unbelievable to learn that Egyptian officials at the highest level declined to give the German Government any assurances that if the 11 hostages and Arab terrorists were permitted to leave for Egypt, the hostages would be returned immediately.

There have been too many occasions when nations in the U.N. Security Council or the General Assembly have exonerated and sometimes even lauded attacks by terrorists coming from Lebanon and Syria on the people of Israel—and gone on to censure Israel, the victim who only asked for simple justice.

When nations and international forums do this, they provide the climate for murder and barbarism. And we ought not be surprised when these acts follow. The latest illustration of a failure to act is noted in today's New York Times reporting that the Soviet Union, Great Britain, France, and Egypt refused to support an antihijacking treaty offered by the United States providing that joint international sanctions be taken against any country not punishing or extraditing hijackers, or not releasing planes, crewmen, and passengers. I say those countries bear responsibility for what happened yesterday.

In his infinite wisdom, God will succor the innocent and punish the guilty.

Mr. BOLAND. Will the gentleman yield?

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

Mr. BOLAND. Mr. Speaker, I commend my colleague, Congressman Koch, for his forceful and sensible statement on the Munich tragedy. It is shocking that the spirit of brotherhood and friendship characteristic of the Olympic gathering should be shattered by the senseless assault by Arab terrorists. This is a tragic affront to men of goodwill everywhere.

I join with my colleagues in condemning these incredible acts of barbarism and extending our deepest sympathy to the families of the victims of the Arab fanatics.

The outrage is heightened by the fact that the terrorists chose the Olympic games as the setting for their criminal conduct. That an event designed to promote peace and understanding among nations should be so challenged is a threat to the international community. I call on all nations of the civilized world to seek the means of ostracizing any person or nation giving sanction, support or sympathy to the perpetrators of such heinous acts.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Missouri (Mr. SYMINGTON).

Mr. SYMINGTON. Mr. Speaker, I rise in support of the resolution.

What was noble was gathered there:

The graceful, the gifted, the disciplined, the self-denying who had each climbed the steep and rocky slope to the summit of human excellency, where they stood serene above the clouds, deeply breathing the pure air of achievement.

Children of Israel, whom we mourn, were among them. Poets of movement, they stood still, hand in hand, above the clamor of nations and the sulfur of war.

What could bring them down, these angels of our best nature, and with them our hearts and our hopes? Nothing. They are there yet, radiating a more eternal flame than ever a man made or torch bearer carried across continents and seas, history, memory, and time.

What of those who did the deed? Perhaps in some charnel retreat evil with its darkest smile conveys awards no man covets and nature itself reviles.

Was it a victory for evil? Let that question be judged when civilization has buried its honored dead, and then truly honored them by adopting the measures embraced in this resolution.

The gentleman from New York, my friend, Mr. KOCH, is correct when he describes these fallen heroes as martyrs. They died surely for peace, but their sacrifice would stand as a reproach upon every Member of this Chamber unless and until we pass this resolution.

Mr. CELLER. Mr. Speaker, I yield such time as he may consume to the gentleman from West Virginia (Mr. STAGGERS).

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

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

Mr. CLANCY. Mr. Speaker, I rise in support of this resolution.

Mr. CLANCY. Mr. Speaker, people of all nations deplore the horrible tragedy yesterday at the 20th Olympiad in Munich. I was shocked, as I am sure were all my colleagues here and decent, civilized men and women around the world. It was a dastardly, bestial act.

A small band of fanatic terrorists was unreasoning. They seized the world, its attention centered on the Olympics, in an insane grip. There is no way to compromise with such fanatics as these. One can not help but wonder about the abandonment of the death penalty when unpredictable killers like these are loose. Will the unknown murderers in the world today be discouraged if the murderous guerillas who were captured yesterday are simply punished by a few years in prison?

This year's Olympics had displayed the best that was in mankind and most nations' athletes had won a share of the glory. Men and women from countries of opposite philosophies had met in the arenas. They had competed according to the rules and the losers had graciously congratulated the winners.

Then, from out of the darkness burst a small band of guerrillas intent, really, on only one thing—to publicize to the world their hatred for another people. You know the story; how they crashed

into the quarters of the Israeli athletes, how they held them hostage and, finally, how 11 Israelis were slaughtered and a policeman and four guerrillas were dead from their senseless, radical and criminal act.

We join with all people in mourning the loss of Israel's finest and we extend our deep sympathy to the people of that gallant country, especially to the families of those who lost their lives. I sincerely hope that the adoption of this resolution will contribute in some way to the elimination of dastardly acts like we witnessed in Munich yesterday.

We can never condone what occurred there and it is our fervent hope that civilized peoples everywhere unite in such a way that we will never again witness such an act.

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

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

Mr. MORGAN. Mr. Speaker, I strongly support this resolution. I believe that the Congress should express immediately and forcefully its condemnation of those who planned, participated in, or condoned the murders which occurred yesterday at Munich, its sympathy with the families and friends of those whose lives were lost, and its determination to join with other nations in taking such action as may be possible and appropriate to prevent further acts of brutality against the innocent.

I am confident that all Americans, regardless of how they stand on any issue, are horrified by what happened in Munich. All sane and rational people realize that such an act must inevitably bring harm to the cause which it purports to advance.

I feel confident that most of the people of the Arab States do not advocate the murder of innocent people as a means of attaining their objectives.

We must recognize, however, that there are terrorist organizations within the Arab countries and that some Arab governments condone and even support their activities.

The U.S. Congress should make clear to such organizations and such governments where we stand and that we are determined to stamp out terrorism.

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

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

Mr. PASSMAN. Mr. Speaker, I rise in strong support of this resolution.

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

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

Mr. HAYS. Mr. Speaker, I rise in support of this resolution.

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

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

Mr. CONTE. Mr. Speaker, the tragic episode in Munich yesterday defies all that is logical and humane. Our expressions of outrage and shock ring hollow when compared to the monstrous act they attempt to describe.

This act of terror by the Arab guerrillas must be condemned by all peoples of all countries of the world. Not just Israel has suffered by this wanton killing of 11 of its finest countrymen. Mankind has suffered as barbarism again is loose in our so-called civilized world.

I heartily support this resolution condemning the Munich killings and I most enthusiastically support the call that no country grant safe haven to any of these terrorists who may still be running loose.

The tragedy of Munich has many faces. First, naturally, we grieve for the innocent victims who had dedicated so much of their lives to peaceful competition through international sport. Next, we grieve that what seemed to be small but steady progress toward some sort of solution to the Middle East problem might have been lost in the gunfire and death at Munich.

And we also grieve that such a noble endeavor as the international Olympic games should be the scene of such a bloody deed. In a world too often wracked by killing, the Olympic games existed as a fresh wind of hope which swept the world every 4 years. It is the grand example of international accord and brotherhood.

In our revulsion today over the acts of the terrorists, we must realize that the Olympic games was only an unwitting victim. The future of these great contests must not be jeopardized by the insane actions of a group of terrorists. I am confident they won't be, and that the spirit and the fact of the Olympics will survive this outrageous act.

Mr. Speaker, I urge this body give unanimous approval to this resolution today.

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

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

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in support of the resolution.

Mr. Speaker, I rise in support of this resolution. I wish to add my voice to the growing international chorus expressing shock, anger, and horror at the events that occurred in Munich yesterday. These self-styled Palestinian commandos are no better than international murderers. Two years ago King Hussein of Jordan was severely criticized in certain quarters for his handling of the commando problem in his country. In the light of brutal acts such as those perpetrated yesterday we can understand how dangerous these Palestinian outlaws are, and what the result would have been had they been successful in seizing control of an entire nation such as Jordan.

Yet it is not enough to condemn this wanton killing. The recent wave of international banditry that has climaxed in

the brutal deaths of 11 innocent Israeli athletes points up to need for firm international action to contain and control these outlaws. Steps must be taken to make certain that this kind of terrible deed can never happen again.

Mr. STAGGERS. Mr. Speaker, I want to thank the distinguished gentleman from New York for yielding to me. I further want to congratulate the distinguished leaders of this House, the Speaker, the majority leader, as well as our colleagues on the other side of the aisle, for setting aside the business of this body for a short time in order to voice our horror and grief over the tragedy at Munich. An appalling outburst of malice and venom has invaded the peaceful field of international sports where some of our best and most friendly young men and women were trying to build understanding and good will. The whole world stands in stunned unbelief. Our deepest sympathy goes out to all involved, the families of the slain contestants, the nations which joined in the festival of peace, the public officials who tried desperately to promote harmony and friendliness. It is a tragedy which should unite us all in a determination to overcome the evil in our hearts which has produced so much violence through the recent years. I know not what steps justice may suggest in the case, but I do pray that whatever is done may allay passions worldwide, and not stir them to further vengeance. May what is best in our natures rise to supplant the fiendish which lurks so close to the surface.

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

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

Mr. BUCHANAN. Mr. Speaker, I would like to associate myself with the remarks of the distinguished chairman of the House Interstate and Foreign Commerce Committee, Mr. STAGGERS.

The senseless slaying of the Israel delegation is a tragedy of many dimensions.

It is a personal tragedy to those who died and to their families. They have my deepest sympathy and my prayers.

It is a tragedy for the young State of Israel, which has had to struggle merely to survive in an often hostile environment, to lose these outstanding young people who were competing in an atmosphere of peace and harmony.

We can also share the sense of tragedy felt by the people of the Federal Republic of Germany who hosted the games and whose nation was invaded for the purpose of committing terror and disrupting everything for which the Olympic games stand and toward which West Germany had worked.

And it is a tragedy to the world that a group of young people participating in the Olympics in the spirit of international unity and who would perhaps have been leaders of Israel efforts toward peace in the future, died with their lives yet before them.



It is a grim and tragic fact that just as the courage and excellence which they displayed are a part of the reality of our times, so as well is the kind of brutality and inhumanity represented by the terrorists.

This is why it is so difficult to achieve instant peace or early solutions to the world's problems.

It does, however, seem a crime against life and history that in this era when there is so much basis for hope for peace, justice, and humanity among men, the violent acts of irrational individuals and terrorist groups have so marred the record of our times.

The Olympic games and the atmosphere in which they are held are a part of that hope for humanity, but they have been shattered by a group whose goals were not peace and unity but destruction and hate.

It is for us, the living, to pursue the goal of peace and justice for all the peoples of the world to insure that that minority which represents those who would inflict terror and spread hate will not prevail.

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

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

Mr. MAYNE. Mr. Speaker, I rise in support of this resolution.

Mr. MAYNE. Mr. Speaker, I rise in support of the resolution, House Resolution 1006. At sunset this Friday, September 8, the Jewish festival marking the beginning of Hebrew year 5732—Rosh Hashana—will be held. I am sure there will be little festivity this Rosh Hashana in the homes of my Jewish friends, as they think of the many Israeli homes grieving from the loss of loved ones, the 11 young Israeli athletes whose lives were snuffed out in their very prime by senseless terrorism.

Surely all civilized peoples, whatever their race or creed, whether Jews, Christians, Hindu, Muslim, or Marxist-atheist, were shocked by the barbaric and dastardly abduction and murder of these young men. No cause, no rationale can excuse or justify this unprovoked terrorism against innocent parties whose only "crime" was their rightful pride in representing their nation in international athletic competition. The acts of these assassins were completely inimical to the interests and aspirations of the civilized world. Any individuals, groups, peoples or nations encouraging such terrorism or giving asylum, solace, and comfort to its perpetrators earn the contempt of all civilized mankind, and should be considered as pariahs, undeserving of any further contact with the civilized world.

Great progress had been made toward establishing just and lasting peace in the Middle East. We must not allow the terrorists to thwart these efforts, divide those seeking peace and exacerbate frictions, possibly escalating reciprocal acts of vengeance and reprisal into all-out conflict—for that was the very purpose of their acts of terrorism. The death of the athletes should instead spur on the efforts to stop the useless bloodletting and seek lasting peace in the area, and to cooperate internationally in prevent-

ing any further such tragedies in the future. I am sure the slain athletes, proud of their prowess and abilities, were keenly aware of the importance of the Olympics and would have strongly opposed any suggestion that the Olympics be terminated. The Olympics have over the years helped to build bridges between the nations, bringing their finest young men and women together to share a common love of sports, pride in self- and team-accomplishment, and spirit of competition and fair play. The Olympic Games have tended generally to break down the artificial barriers between peoples, to build understanding and to strengthen recognition of the international community of interests, best furthered by international cooperation. The continuation of the Olympiad, and of the Olympics in the future, is a fitting memorial to these Israeli athletes—if the Olympic torch is dropped and allowed to go out, they may indeed have died in vain.

I join with all my colleagues and the world in mourning the loss of the Israeli athletes and in extending our deepest sympathy to their loved ones and to the people of Israel. I urge the adoption of the resolution proposed by our distinguished colleague from New York (Mr. CELLER), and further urge its implementation by the Secretary of State and President Nixon.

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

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

Mr. EILBERG. Mr. Speaker, I would like to associate myself with the remarks of the gentleman in the well.

Mr. EILBERG. Mr. Speaker, the murder of 11 members of the Israeli Olympic team is a barbaric crime not only against the people of Israel, but against all of the civilized peoples of the world.

The barbarians who committed this act are nothing more than common criminals and to dignify them with any title or label which indicates that they were anything more than murderers would be a grave mistake. They came with only one intention—to kill.

The United States must join with Israel and the other civilized nations in mourning the loss of these fine young athletes and their coaches.

This senseless act has brought us closer to the brink of a society where violence and death are the only means of settling arguments or disputes. We can only hope that it does not lead to further acts of violence and terrorism.

The people of the United States and our Government must do everything it can to make sure that nothing like this ever happens again. Everyone involved in this brutal murder must be caught and punished and we should support any means necessary to bring this about.

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

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

Mr. ZABLOCKI. Mr. Speaker, I too desire to associate myself with the remarks of the gentleman in the well in support of this resolution.

Mr. ZABLOCKI. Mr. Speaker, I thank

the gentleman from West Virginia for yielding.

I want to associate myself with his remarks concerning the recent tragic events at the Olympics in Munich, Germany.

Let me also take this opportunity to express my support for the resolution offered by the gentleman from New York (Mr. CELLER), condemning the killings of the Israeli Olympic team members by Arab terrorists and sending the condolences of this body to the families of the victims.

Mr. Speaker, many of us have spent considerable time in the past few days watching the Olympics games on television. They have provided an example of superlative athletic competition carried on among young men and women representing many nations.

A spirit of comradeship and understanding has prevailed among the participants despite political antagonisms which may exist among their home countries. The Olympic games had given us an idea of what a world based on peaceful competition—rather than violence and warfare—could be like.

That vision has been marred, perhaps indelibly, by the wanton actions of a few extremists. Their barbarisms must be condemned by all peoples everywhere.

It is my hope that this event does not engender further violent acts of retribution. Threats of reciprocal violence against Arab diplomats which have been made by groups such as the Jewish Defense League must not be carried out and every effort made to prevent them. Any such acts would only compound the villainy which already has been perpetrated and sully the heroism of the Israeli victims.

Let us also pray that the Israeli Government practice restraint in its reaction to these tragic killings. Exacting retribution against Lebanon or its other Arab neighbors will not restore the dead to life, but only perpetuate the cycle of violence which so long has plagued the Middle East.

In our expressions of sorrow, and condolence, let us not forget the people of Germany. Two of its sons—a policeman and a helicopter pilot—were killed during the crisis and our sympathy must also go to their families.

The fact that Israelis, Germans, and Arabs died in this clash at the Olympics points up the international character of tragedy. The solution lies not in the retribution of one nation against another but in action through an international forum such as the United Nations. It is my hope that the U.N. will take up the problem of terrorism in its next session and deal with it effectively.

Our own Nation should take the lead in this effort. Terrorism has no place in a civilized world; it must be eliminated.

Our task will not, however, be an easy one. We have seen this week how difficult it can be to achieve agreement among nations on the related issue of airplane hijacking. Nevertheless, we must persevere toward the day when innocent persons need no longer fear for their lives because of the unreasoning hatred, of extremist madmen.

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

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

Mr. BIAGGI. Mr. Speaker, I thank the gentleman for yielding, and I would like to associate myself with the remarks of the gentleman in the well in support of this resolution. Mr. Speaker, I rise in support of the resolution just offered out of a feeling of great personal sadness that such a heinous crime could take place and out of a feeling of anger that steps have not been taken before this to end the atmosphere of war and killing that has led to this catastrophe.

Numerous times I have stood here in this Chamber calling for action by the President, by the United Nations and by other free world countries to work for peace in the Middle East and in other parts of the world. Yet the killing continues and it is sanctioned by those nations which unscrupulously support anarchists bent on the destruction of their fellowman.

Whenever a nation gives sanctuary to a murderer or a terrorist, a hijacker, or a kidnapper, a drug dealer or extortionist, that nation is encouraging further criminal acts. In recent months we have seen an escalation of violence against innocent parties. Hijackings of jet aircraft have reached record proportions this year. Bombings and terrorists acts have escalated. Now we have witnessed the worst; the Olympics—once sacred for its neutrality—has been converted into a battleground by this political act of aggression.

Those of Jewish faith throughout the world have run the gamut of emotions in the last few days. The successes of Mark Spitz, the young American of Jewish faith who won the unprecedented seven gold medals and set seven world records, has lifted their emotions to the heights. Now this holocaust in the Olympic village has plunged them into the depths of despair.

Certainly no blame can be placed on the people of Germany who in extending themselves to everyone at the Olympics have shown themselves to be the best of host nations. And certainly the actions of Chancellor Willy Brandt in taking personal charge are to be commended.

In the words of the resolution, I extend my deepest sympathy to the people of Israel and to the families of those so tragically lost. Moreover, I pledge my own personal resolve to carry out the final clause of the resolution: to cut off from contact with civilized mankind any peoples or any nation giving support to acts of murder and barbarism. Those who perpetrate such acts are little more than animals or barbarians. And those who sanction such acts deserve even less acknowledgement.

I further urge upon this body to continue its strong support for the state of Israel and for peace in the Middle East and the rest of the world. Let us bring about a lasting peace through the strength of nations—not through the terrorist acts of a few.

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

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

Mr. CAREY of New York. Mr. Speaker, I thank the gentleman from West Virginia for yielding to me, and I also wish to identify myself with the remarks of the gentleman in the well.

Mr. Speaker, I rise in support of the Joint Resolution of sorrow and condemnation of the violence at the Olympic games in Munich, Germany.

Mr. Speaker, it is now time for all nations—countries of the free world, the Soviet Union, the People's Republic of China, and developing countries—to join in condemning the outrageous violence perpetrated by the Arab terrorists against the Israeli athletes. At the very least, the International Olympic Committee and the German Government must combine to provide an indemnification to the families of those who were the innocent victims of terrorism.

The brutal horror of 1936 is brought back to us in 1972. The very laudable objective of using Munich as an Olympic site has become a bloody and horrifying contradiction.

At every level—the Presidential, the diplomatic, and, most certainly, in the United Nations—the harboring of terrorist groups must be condemned with sanctions that have meaning and impact. Strict sanctions must be adopted against those countries which continue to arm these madmen and offer them refuge.

Similar criminal acts have been perpetrated against airline passengers, innocent travelers on road and rail, tourists, and leaders of nations seeking peaceful means to solve international problems.

Senseless violence must stop, and our Nation must take the lead in insuring an end to terrorism.

The 11 Israeli martyrs gave their lives for all of us and now it is our duty to give our total support to ending terrorism, especially against the innocents of Israel.

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

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

Mr. ANDERSON of California. Mr. Speaker, I thank the gentleman for yielding me this time, and I also rise in strong support of this resolution.

Mr. Speaker, I sadly rise in support of House Resolution 1106, a resolution expressing sorrow for the Israeli Olympic team and condemning the cowardly act of terrorism in Munich.

To me, the Olympic games have represented the ideal of a community of nations coming together in a peaceful pursuit of international competition and understanding. The Olympics have been a dream of a future world where nations could live together in harmony without the threat of violence.

Today, that dream has been shattered. The Nation of Israel has also represented a dream—a dream of a haven for the Jewish people to come together in forming a nation free from the fear of persecution, violence and hatred.

Today, that dream remains strong, yet saddened by the tragic loss of 11 of their sons.

Innocent blood has once again been spilled reminding us that we must remain on constant guard against the vain and dastardly acts of international de-

generates who would wipe the Israeli Nation from the face of the earth.

Those who planned, supported and participated in the senseless massacre at Lod Airport in Tel Aviv, followed by the barbaric murders at the Olympic village in Munich have earned the condemnation and the scorn of every American.

Those who would strike under the cover of darkness at innocent people, rather than stand and fight on equal terms, deserve the censure and condemnation of every person in every society.

Mr. Speaker, the political assassination of 11 Israeli Olympic athletes by a group of international animals was a crime against humanity and we, as a nation, must do everything within our power to eradicate this cancer which feeds upon violence.

Mr. Speaker, the other cheek has been turned once too often—now is the time to say never again.

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

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

Mr. KARTH. Mr. Speaker, I wish to associate myself with the remarks made by the gentleman from West Virginia.

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

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

Mr. BENNETT. Mr. Speaker, I would like to associate myself with the remarks just made by the gentleman from West Virginia, Mr. STAGGERS.

Mr. Speaker, yesterday, the tragic crime at the Olympics was the most dastardly act of history. It makes one almost ashamed to be a human being that such a thing could have been done. When mankind desperately needs new and better bonds of brotherhood, and when the Olympics were giving us just that, this event, so contrary, makes one cry out in despair. May its horror and depravity make us each determined that we in our daily lives shall persist to work ever harder for the brotherhood of man, so despicably wounded by this crime against mankind and its aspirations.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Massachusetts (Mrs. Hicks).

Mrs. HICKS of Massachusetts. Mr. Speaker, during this very sad period of mourning, I rise in protest to the barbaric acts committed in Munich, West Germany, which caused the death of Israeli athletes. The whole world is stunned and saddened by these senseless acts of lunacy. At a time when the world's greatest athletes gathered to participate in the Summer Olympics, these acts are even more shocking. The Olympic games represent man's oldest and noblest efforts to foster friendship, understanding, and reconciliation among the peoples of the world. This tragedy rightfully aroused anger at this act of violence perpetrated against a noble nation and the civilized world committed by those who betrayed the spirit of the Olympic games.

To the people of Israel, I extend my profound sorrow and express my sense of outrage at these callous attacks on our brothers from Israel.

Mr. CELLER. Mr. Speaker, I yield to



the gentleman from California (Mr. DANIELSON).

Mr. DANIELSON. Mr. Speaker, I rise in support of this resolution and associate myself with the remarks of the dean of the House of Representatives, the gentleman from New York (Mr. CELLER) and our other colleagues who have spoken in support of the resolution.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Ohio (Mr. DEVINE).

Mr. DEVINE. Mr. Speaker, I thank the gentleman from New York for yielding.

Mr. Speaker, the entire world is shocked and outraged by the slaughter of the fine Israeli athletes by Arab terrorists.

September 5 shall always be remembered as a day of infamy and Black Tuesday in world history. I hope the United Nations will finally face up to their responsibilities and actively condemn and censure those persons and the nation causing this inexcusable and ferocious jungle-type conduct.

Those persons who always deplore capital punishment might have some second thoughts when dealing with these murderers. Can Israel accept the annihilation of 11 of their finest representatives by mere conviction and possible imprisonment of guilty terrorists who slaughter innocent people? I think not.

The eye for an eye philosophy may have a deterring effect on possible future conduct, and this situation cannot be permitted to slide by without positive, strong, firm action.

The President properly called Golda Meir immediately, and all nations offer their sympathy and concern to the survivors of the victims and to all the people of Israel.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from California (Mr. GOLDWATER).

Mr. GOLDWATER. Mr. Speaker, I would like to join with my colleagues in support of this resolution.

It is certainly a low point in the world's quest for peace when terrorism, death, and politics are interjected into the Olympic games. Peace in the Middle East has not been furthered by this act. Certainly, all nations must join together to prevent those terrorists from destroying the very delicate quest for a solution.

The loss of the Israel athletes is certainly a great tragedy.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Indiana (Mr. JACOBS).

Mr. JACOBS. Mr. Speaker, I thank the gentleman from New York (Mr. CELLER) for yielding.

Mr. Speaker, I join in expressing my gratitude to the leadership for bringing this resolution to a vote with such expedition, and I express also the sympathy of all my constituents for those whose lives were so senselessly lost, including those who attempted to protect them, the West German citizens.

Mr. Speaker, it occurs to me and it occurs to all of us quite often that hateful words are akin to hateful deeds. This

is no time for hating anybody, but I was particularly distressed to read reports of remarks in the Egyptian press alleging the horrible acts that occurred in the last several hours were the consequence of a desperate people who were driven to these acts.

We have heard that same thing about rapists, murderers, and robbers in our own country and we reject that kind of logic out of hand.

I think that Kipling said it best when he said:

They only said intimidate and talked and wend their way.

By God the boys who did the work were better men than they.

The people who do the hateful talk in the world produce in lesser minds and lesser people the brutish, hateful acts.

So, whereas, this is not a time for hate perhaps it is a time to pause and place some responsibility—and maybe for me, and all the rest of us, to look into our own hearts and wonder if we have ever said a hateful thing that was not necessary and which should not have been said, if we can ever look forward to a time when we would resist such temptation. Particularly, I would make that appeal on the part of my country to the leaders of other countries, whether Egypt or elsewhere—to remember that somebody makes a hateful speech and at the other end human beings lie dead.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New York (Mr. REID).

Mr. REID. Mr. Speaker, I thank the distinguished gentleman for yielding.

Mr. Speaker, I rise in strong support of the resolution before the House today and I join with all Members in extending our deepest sympathy to the families of those slain in Munich and in a broader sense to the entire family that is Israel.

We have witnessed an act of treachery against mankind at the 20th Olympiad, at an international occasion wherein each country sends its best ambassadors in an attempt to have peaceful competition. This terrible act is unparalleled and should resound across the world as an act against humanity.

Mr. Speaker, I believe three things here are required.

First, I believe it is unconscionable for the Olympics not to end its endeavors at this point. To continue the Olympics and not pay the deepest kind of respect to this tragic action would be a desecration.

Second, I think the United States in particular must show very strong leadership so that, once and for all, all nations who have given sanctuary and comfort, direct or indirect support to violence, to guerillas, and to those who would kill without mercy and without thought will know once and for all that this is something the United States will not tolerate and something the United States is determined to put an end to.

For too long there have been statements out of Cairo saying they could not take responsibility. Yet it is high time that nations take responsibility in the

clearest sense and in the fullest meaning of that for actions perpetrated by people sheltered on their soil.

And in case anyone is in doubt on this question, it is very clear that the press release describing the attack by Black September was being distributed in Cairo almost simultaneously with the action itself. I think that speaks volumes.

Finally, aside from the United States taking the leadership to see if we cannot put an end—as we must put an end to hijacking—to this kind of violence, we must recognize that the statesmen of the world have failed to deal with the fundamental refugee question in the Near East. Until we do something to address ourselves to a lost generation and until certain Arab States recognize they must no longer use the refugee question as a political football, we are apt to continue to see repeated violence.

So I hope we will take a longer range view and work to resolve equitably the refugee question, while taking the strongest possible measures against any country that continues to give comfort and sanctuary to those who would wantonly destroy life.

Mr. DAVIS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. REID. I yield to the gentleman from South Carolina.

Mr. DAVIS of South Carolina. Mr. Speaker, I take this opportunity to associate myself with the remarks of the gentleman from New York. I believe the gentleman has adequately and poignantly stated many of the facets of this problem.

Mr. Speaker, I urge unanimous approval of the resolution.

Mr. REID. Mr. Speaker, I thank the gentleman from South Carolina.

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

Mr. CELLER. I yield to the gentleman from Maryland (Mr. LONG).

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

Mr. LONG of Maryland. I yield to the gentleman from Massachusetts.

Mr. HARRINGTON. Mr. Speaker, when will the violence end? Once again, the world has been jolted by sudden, shocking murder of innocent people. Once again, millions of Americans have been drawn to their television sets to witness the tragedy of senseless wasting of human life. Once again, the best of humans have been cut down by the worst.

Certainly, this latest crime is most evil for it has been accomplished in one of the few places where men of all nations and ideologies can compete in an atmosphere of friendship and peaceful cooperation. And it is most evil because a nation which has suffered far too much, which has seen its citizens shot down in its airports, slaughtered in its cities, must now endure the killing of its finest young men in a land of bitter memories.

Mr. Speaker, all nations should not only condemn the deeds of the Arab terrorists, but more importantly to take action against those countries who are har-

boring and supporting these international bandits.

Mr. LONG of Maryland. Mr. Speaker, I congratulate the gentleman from New York, the chairman of the Judiciary Committee (Mr. CELLER), for sponsoring this resolution. I think this is one additional instance of the great leadership the gentleman has demonstrated in this House over the years.

I believe we are all baffled by this latest in a long series of crimes against the little State of Israel, whose only defense has been to build a great nation, a distinguished nation in the face of endless adversity. If this incident, this horrible tragedy, serves any purpose at all, it will be to jolt the nations of the world into finally taking seriously these hijackings and kidnappings.

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

Mr. LONG of Maryland. I yield to the gentleman from Michigan.

Mrs. GRIFFITHS. I rise in support of the resolution, and to extend my sympathy to the Israelis, and to hope that out of this tragedy there will be forthcoming a sense of commitment in the world for peace for all.

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

Mr. LONG of Maryland. I yield to the gentleman from Georgia.

Mr. BRINKLEY. Mr. Speaker, I thank the gentleman for yielding and rise to associate myself with his remarks and those of the gentleman from Indiana (Mr. Jacobs).

Last night I waited by the television until those fateful words from ABC were spoken, "They are all gone." In my hand was the Evening Star in which the pictures of the Israeli hostages were printed. All gone, in the flower of their lives. A wave of sadness engulfed me which was intensified by the pictures.

"Thou shalt not kill" goes the Biblical commandment. Why was it so cruelly violated?

Let the word go out that we still believe in mercy—that it is good and right. But in order to secure that mercy for prospective future victims, examples must be made of the perpetrators of this act and any other such recurring act.

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

Mr. LONG of Maryland. I yield to the gentleman from New York.

Mr. HANLEY. Mr. Speaker, I thank the gentleman for yielding. I want to associate myself with the remarks in support of this resolution.

Mr. Speaker, once again it was the knock in the middle of the night. Once again the mindless terrorists have struck a blow to our Israeli brothers. Once again we can only shake our heads and wonder when this inhumanity to these brave and tormented people will stop.

In moments of shock and horror, it is difficult to put into words the deep emotions swirling inside. To me this act is incomprehensible. It is senseless to their own professed cause as well as being a monumental insult to all the peoples of

the world. People such as this should hardly be accorded the dignity of being treated as human beings, because their acts were subhuman. Not only were they acts cruel and merciless, but they themselves were cowardly in their cause and their cause itself bankrupt of any human ideal.

My heart truly goes out to those loved ones of the Israeli martyrs. I can only be reminded of the tragic past and pray to the Lord that such insanity will someday come to an end. All of us, regardless of faith or color, regardless of nation, must live on this earth in peace together. We must work together toward this end or forfeit that which is common to us, our humanity. It is this we must cherish and protect. Life is a great gift, and the reverence for life must someday come to transcend politics.

I can only hope that these remaining Olympic games are dedicated to those who died, and that the people of those games learn well from this tragedy so that the spirit of brotherhood that the games have symbolized is revived and carried in all of our hearts. Not just for a few days, but for our remaining years. Too many have died in vain for us to forget so quickly.

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

Mr. LONG of Maryland. I yield to the gentleman from Virginia.

Mr. DOWNING. Mr. Speaker, I wish to associate myself with the remarks of the gentleman in the well.

Mr. Speaker, I share with my colleagues the sadness of this hour. The senseless, premeditated killing of these fine young men is a shocking, despicable act of what must be lunacy.

The Olympic games have always constituted a world forum where young people throughout the world can gather and compete on honorable terms. It offered an opportunity for better understanding among the peoples of the world. Now there is a pall over the image of this great event caused by a few people whose motivations must have come from Satan himself. Any explanation of these happenings is difficult and unsure. Unfortunately, the world seems infested with too many sick people who have lost their desire to live but do not have the courage to die by their own hands. They seize upon the most convenient political controversy, terrorizing and killing innocent victims before they themselves are killed in what they mistakenly deem a "blaze of glory."

To think that people of this ilk have snuffed out the precious lives of these promising young men is a sorrowful thing indeed.

Most nations of the world have joined together in their expressions of sympathy over the consequences of this tragedy, but there are a few nations whose reactions are strange. These countries actually seem to be condoning these acts rather than condemning them. They hold their doors open to give sanctuary to the perpetrators regardless of the crimes they commit. Some kind of

retaliatory action should be taken against these few nations, and it seems to me that the Security Council of the United Nations is the place to start. They should not be allowed to continue their membership in that body unless they comply with reasonable rules of civilized behavior.

I extend my deepest sympathy to the people of Israel and especially to the bereaved families of those who have suffered such a tragic loss.

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

Mr. LONG of Maryland. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Maryland's yielding.

I wish to join in the commendation of the leadership for bringing out this resolution, and join in sympathy extended to the bereaved.

I certainly am in support of the two finding clauses and the first resolving clause. I do, however, based on our action in the past, sometimes later deemed precipitous when enacted while overwrought with emotion, want to raise a simple point of information about those who have constructed and drawn the second resolve by simply inquiring: What does it mean when it says, "that all means be sought by which we may in the civilized world cut off from contact any peoples giving sanctuary," and so forth? Would this amount to sanctions of those giving sanctuary? Could it mean complete withdrawal and walling off from the civilized world? If so, are we not in a spirit of overwrought sympathy and deepest heartfelt emotion almost going as far as those who have wreaked the despicable and the impulsive crime against mankind? I would simply like an explanation of the second resolving clause.

Mr. LONG of Maryland. Is the gentleman addressing his remarks to the gentleman from New York (Mr. CELLER)?

Mr. HALL. I would hope if the dean of our House had heard me, or those who are around and supporting him, that they could answer that question. My purpose would be served by simply pointing out that it is at least vague in meaning and perhaps overdrawn.

Mr. LONG of Maryland. I yield to the gentleman from New York, and yield back the remainder of my time.

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

Mr. GOODLING. I thank the chairman for yielding.

Mr. Speaker, I want to join with others of my colleagues in expressing deep shock and distress over the tragedy that yesterday befell the members of Israel's delegation to the Olympic games at the Olympic village in Munich, West Germany.

Responsible people everywhere cry out against this type of terrorism. Their hearts go out to the families and friends of the victims concerned, and



their deep sympathy is extended to Israel.

It is indeed heartening that this tragedy has not put a stop to the Olympic games and that, after due recognition is extended the victims, the games will be continued. This serves notice on those who are inclined toward terrorism that they cannot destroy this spirit of international cooperation, friendly competition, and good will among nations.

There are dangerous currents of violence loose in the world today, and the Olympic games have served as a symbol of world cooperation and peace. In effect, it has been a pageant that has brought the entire world together in friendship, enabling peoples of the various countries to understand the hopes and fears of those of other countries.

The great shadow of tragedy that has fallen on the Olympic games in Munich should serve, then, as a signal to all peoples of the world that they must constantly be on guard against terrorism, for it lurks in all kinds of corners and hides in the hearts of treacherous men. It manifests itself in airplane hijackings, airport attacks, and now it has escalated to international proportions. It is obvious that these terrorists are seized by madness, that they are totally unpredictable, irresponsible and that they will resort to any devilish means to obtain their evil ends.

The United Nations must do everything in its power to curb and control this menace of terrorism. It must use every authority at its command and all powers of persuasion it possesses to eliminate this terror to decent human beings. The U.S. Ambassador to the United Nations, the Honorable George Bush, should exert every effort to see that the United Nations pursues such a course.

The countries of the world must be urged to confront these terrorists. They must refuse to give them refuge. They must desist from providing them with arms and forbid them from operating in their borders. They must take prompt and strong legal action against them, knowing that only in this way can this sordid type of humanity be stamped out.

If all the countries of the world will cooperate in this regard, they will be able to eliminate a terror that threatens the deep respect and regard that each decent country has for the other. The dark shadow that has recently fallen on the Olympic games will become dissipated, and the countries of the world will be able to meet at future events in an Olympian effort for athletic excellence and international peace, good will and understanding.

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

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

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

Mr. ROSENTHAL. I yield to the gentleman.

Mr. BAKER. Mr. Speaker, I rise in support of the resolution offered by the distinguished gentleman from New York, the dean of the House of Representatives.

Mr. Speaker, today is a black day for America and for all civilized nations. Today, we awoke to the tragic news that Arab terrorists have killed 11 representatives of the Israeli nation at the Olympic games.

I join with all men of good will in deploping these murders. And I call for immediate action to prevent future bloodshed.

The responsibility rests with nations who condone to the slightest degree such actions by their nationalists. International violence in all forms, including blatant hijacking of aircraft, can only be suppressed by isolating nations who give aid and comfort in any way to international criminals.

These latest shootings, by a band of armed Arab guerrillas calling themselves the "Black September" group, are the latest in a long list of terrorist acts. Clearly, we cannot tolerate these continuing violations of accepted international codes of conduct.

The recent tragedy in Munich raises questions of great importance to the future of the Olympics.

The games were established to bring together the finest athletes from throughout the world, in friendship and in peace. Over the years, international politics have been allowed to get in the way of sportsmanship.

But never before have political events forced the games to a complete halt.

At the beginning of this year's Olympics, Rhodesian athletes were barred from competition for political reasons. This action set a bad precedent. The Olympics should be open to all—regardless of political ideology. This is not the proper time or the place to display international differences.

The killings in Munich also raise the question of security at future Olympiads.

All nations must share responsibility for adequate precautions to insure the safety of those competing in the Olympic games. The Olympic village should be considered international territory, and as such, should be patrolled by international law enforcement officials. No one host country should be asked to bear the enormous burden of security for future Olympics, in the light of today's world tensions.

Olympic officials have announced the games will resume September 7 following a fitting memorial to the slain Israeli athletes. By resuming the games, we can demonstrate our commitment to international sportsmanship. Despite this great setback, we can show that violence by a few will never stop the progress made through efforts of many toward international peace.

No one can erase the tragedy of what has happened. No one can restore the murdered victims to their loved ones. But, hopefully, this incident will help us to learn new ways of ending bloodshed and finding international peace.

Mr. ROSENTHAL. Mr. Speaker, in the first instance I want to commend the distinguished chairman of the Judiciary Committee, the House itself, and the Speaker, and the leadership, for bringing this very timely matter to the attention of the membership.

Obviously, the American people and Members of this House, their Representatives, are deeply concerned and alarmed, and they, as the resolution suggests, suffer with profound sorrow the action that took place in Munich yesterday.

Many of the previous speakers here today not only expressed their sorrow and alarm, but some expressed their anger at certain nations of the world for having been involved in providing refuge for terrorists that led up to this kind of situation.

I think the gentleman from Missouri raised a pertinent question when he asked, putting it another way. What responsibility do nations in the civilized world have for their part in permitting the perpetration of these dastardly acts?

I suggest to my distinguished colleague from Missouri that what happened is, when governments and nations condone acts of violence and terrorism, they set a climate of approval for these kinds of situations.

In other words, those nations, which border as neighbors to the State of Israel, have given sanctuary to terrorists and have, in a governmental sense, indicated their approval—not their condemnation but their condonation of these acts.

It would seem to me, that when these nations offered refuge for hijackers, when they have offered refuge for those who have publicly acclaimed terrorism as a final resolution of their difficulties, those nations ought to lose their rights in the body of nations, for example in the United Nations.

Specifically, when Syria, Lebanon, and the United Arab Republic have willingly given the hand of friendship to terrorists, they ought to suffer the loss of whatever the membership of the United Nations can bring for those acts.

What I mean to suggest is that these nations have used the vehicle of the Security Council and the United Nations to bring their resolutions of condemnation of the State of Israel.

This may not be an appropriate time to discuss the larger issue, but the issue of what happened at Munich would never have come up if we had previously addressed ourselves to the larger issue.

What I suggest to my distinguished colleague from Missouri is that nations really ought to be expelled from the United Nations, from the civilized world, if we are going to develop a society of peace, understanding, goodwill, and tranquil relations between people.

It would seem to me that the United Nations is going to have to face this issue as to nations which harbor terrorist criminals, and they are going to have to lose the right to vote.

I remember learning in law school that one of the tenets when coming to a court of equity—which really the United Nations is—is that one must come in with clean hands. Nations that harbor terrorists do not meet that requirement.

I believe the gentleman from Missouri addressed himself to the question of what is the responsibility of the civilized world, and I am happy to yield to the gentleman from Missouri.

Mr. HALL. I believe the gentleman misconstrued my question. I hope, on reading the literal RECORD back—and he will note that I have not asked to revise and extend my remarks—he will find that he has done so. My question addresses itself simply to a point of information.

What are "all means" that are intended "to cut off from contact with civilized mankind any people who give sanctuary," or perpetrate these other despicable and repulsive actions?

I quite agree with the gentleman that our United Nations, as ineffectual as it has been and will be under its present regulations, should be the one to whom we can all turn for proper restitution, if there is any such, in the judgment of mankind, for such a repulsive act as we witnessed at Munich.

I quite agree that the other side of the question is the question of sanctuary by adjoining nations.

I am just as strong as the gentleman is against the pogroms against these people through too many generations. Like others I went to war to stop some.

My question still, is a point of information—What is meant in the second resolving clause literally and figuratively? Will this be another Tonkin Gulf Resolution which will come back to haunt us because we have not examined the rhetoric on the first day, fraught with emotion, after this dastardly deed? Will we wall off and seal off offending nations?

I simply want to reflect on what civilized mankind can do "to cut off from all contact," any particular errant nation in any one instance.

Mr. ROSENTHAL. I am going to yield to the gentleman from Illinois, but first let me say that I can only offer my own opinion as to what this means.

I also want to affirm that I did not want to misstate or to misread the gentleman's remarks. I believe the question of responsibility to the civilized world and what this resolution means is a very pertinent inquiry. I, for one, am very pleased the gentleman brought that up.

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

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

Mr. YATES. I would say to the distinguished gentleman from Missouri that I would interpret the meaning of the resolution as stated in my remarks. I said that I would urge the President of the United States to take all steps as might be necessary to carry out this resolution, by all legal means. I used a phrase like "to mobilize the nations of the world to bring an end to the murders." I do not include acts of war, if that is what the gentleman has in mind.

I had in mind that the President would initiate action in the United Nations, before international agencies such as the International Air Association, that he would seek agreements to stop flights into the lands of nations which harbor hijackers and murderers, that he would take steps to call meetings and assemblies of nations of the world to

consider what should be done to stop the murder that is loose.

That is the purpose of this resolution, to obtain action and to urge the Executive to give tangible recognition to the shocking events taking place. Nothing—nothing has been done to date. Something must be done to restore a rule of law between nations by seeking the full cooperation of all nations.

Mr. HALL. Mr. Speaker, with this legislative record, the purpose I sought has been served.

Mr. ROSENTHAL. Mr. Speaker, I yield to the gentleman from California (Mr. BURTON).

Mr. BURTON. I thank the gentleman for yielding.

I would like to commend the gentleman in the well, Mr. ROSENTHAL of New York, for his introduction of this resolution.

Today is a day of mourning. The Olympic stadium, scene of the world's greatest athletic competition was used this day for a memorial service. The Olympic flame still burns but it cannot dispell the darkness which has fallen over the spirit of this Olympiad.

Words are inadequate to express the shock and outrage which I feel, which men of goodwill the world over feel, at that heinous crime which has been perpetrated against the Israeli Olympic team and against human decency itself by Arab terrorists in the past 24 hours.

World opinion must cry out against such deeds. Those who foster terrorists within their borders must bear the responsibility for the acts of those terrorists. The world community, through the United Nations, must condemn this violence and apply necessary sanctions against those who violate not only the sovereignty of Israel and her people but the conscience of all mankind.

The world these days is a very troubled place. The Olympic games have provided the peoples of the world through their countries at least one forum where mankind can get together and compete on honorable terms and to learn a little bit about one another and hopefully to understand one another a little bit better and, therefore, also hopefully, to lay a basis for mankind's resolving its differences amicably rather than by war.

The absolutely unforgivable and mindless terror and killing perpetrated by an element of what is reported to be the Palestinians comes as a shock to every decent man and woman on the face of the earth.

I would hope that not only this House and the other body but also the administration would make not only our views known in terms of words but take whatever effective action is necessary to inhibit and deter any future occurrences of this outrageous nature.

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

Mr. CELLER. I yield to the gentleman.

Mr. FINDLEY. Mr. Speaker, it is my understanding that the procedures we are under right now do not permit the consideration of any amendments. It is my feeling that the language of the res-

olution is not specific enough in regard to the sorrow of the American people concerning the loss of life by the West German policemen as well as the loss of life by the Israeli athletes. Had the procedures permitted the offering of an amendment, I would have offered an amendment to insert after the words "twentieth Olympiad" the words "and two West German policemen" and then in the first resolving clause, after the word "Israel" add the words "and West Germany."

Mr. CELLER. Will the gentleman yield?

Mr. FINDLEY. Of course.

Mr. CELLER. I would think that the wording originally embraces exactly what the gentleman has in mind. It reads as follows:

The deepest sympathy to the people of Israel and to the families of those who so tragically lost . . .

So that the words are all-embracing and would include the families of the Germans as well as the Israelis.

Mr. FINDLEY. I am sure that construction is possible and I am glad to have the author of the resolution clarify that as being his intent.

Mr. BOGGS. Will the gentleman yield?

Mr. FINDLEY. If I have the time, I will be glad to yield.

Mr. BOGGS. Just so that the RECORD might be abundantly clear.

I can say that it is the intention of the authors of this resolution to express the genuine sympathy and sorrow and all of the other expressions contained in this resolution to the West German police officers and their families, who gave their lives in defense of these athletes. That is absolutely the intention of the resolution, and the gentleman does the House a service by making sure that that is made part of the RECORD.

Mr. FINDLEY. I thank the gentleman from Louisiana. The sorrow to the families of those Germans who are lost by this tragedy is certainly no less keen than to the families of the Israeli athletes.

Mr. Speaker, I yield back the balance of my time.

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

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

Mr. DRINAN. Mr. Speaker, the atrocity perpetrated yesterday by Arab assassins upon members of Israel's Olympic team in Munich consumes humanity with revulsion and fear.

We wonder what terrible characteristic of homo sapiens could it be which can devise and execute brutality of this sort. We wonder whether the counterpart of man's capacity for beauty and ennoblement is a capacity for grotesque destruction not possessed by any other species. We fear that no punishment, no retribution can relate to such an act and that we are powerless to respond.

Decent men of every ideology must join together to condemn and prevent such acts as this. I believe, in the words of the resolution before the House today, that all means must be sought by which na-



tions giving sanctuary, sympathy, or support to such acts as these may be cut off from contact with civilized mankind.

I have previously sponsored legislation which would sanction nations which do not prosecute or extradite air hijackers, and I am fully prepared to support similar legislation under which our Nation would take vigorous sanctions against nations which give comfort to Arab or other assassins.

Mr. Speaker, this is not the first time the Olympic games have been a stage for international political activity. Hitler sought to exploit the 1936 Olympics for his own warped purposes.

Nor, as we all recall with horror, is this the first time Jews have been assassinated in Germany.

Nor, as I remember too vividly from being at Lod Airport in Tel Aviv a few hours after that Arab terrorist atrocity, is this the first, or second, or third, or 10th case of terrorist murder by those who associate themselves with Arab guerrilla groups.

I call on every Arab leader in the United States and throughout the world to follow the example of Jordan's King Hussein and exorcise such acts unequivocally.

I urge the United Nations to place the subject of international terrorism on the agenda of its General Assembly for the most effective remedial action the leaders of mankind can devise.

The families of the 11 assassinated athletes, Israel, and Jews throughout the world have suffered an irreparable loss. I mourn for them and with them. But this is not only a loss for them; it is a loss for all of humanity. If international brotherhood has even a shadow of potentiality, then all men must come together to stop these massacres. There is no place within humanity where such creatures as the assassins of Munich can be harbored.

Mr. Speaker, I insert at this point a thoughtful and moving editorial from today's Boston Globe entitled "The Shocking Crime in Munich":

#### THE SHOCKING CRIME IN MUNICH

Civilized people all over the earth have reacted with a deep sense of shock, horror and outrage to the murder of two members of the Israeli delegation to the Olympics in Munich murder of 11 members of the Israeli by an Arab guerrilla vengeance squad.

But shock, horror and outrage are not enough. A way must be found to end such banditry. Eleven hostages are dead.

Avery Brudage, president of the International Olympic Committee, was entirely right to order the suspension of the games for 24 hours or until the hostages are freed, as had been demanded by Israeli Prime Minister Golda Meir. To have let the games continue while this crime went unchecked would have been most callous, not to say reprehensible.

But suspending or canceling the games is not enough, either. Nor is it enough for the perpetrators of this ghastly crime—the eighth Arab guerrilla attack against targets in West Germany in 4 years—to be caught and punished. To deter any repetition, the Arab nations themselves, who have allowed the guerrillas to remain organized ought to make unmistakably clear their refusal to allow them an asylum of any kind.

Failure to make this clear would only antagonize world opinion against them and lose what hope they may have for a settle-

ment of the problem of the Palestinian Arabs.

For the Black September organization responsible for the current atrocities represents nothing but its own small and utterly criminal revenge movement. It was the same organization that engineered the massacre last May 30 at Tel Aviv's Lod International airport, supplying money and arms to three Japanese gunmen who killed and wounded scores of passengers. It also assassinated Jordan's Premier Wasfi Tell in Cairo last November.

Granting any of its outrageous demands could have led only to more such attacks.

The guerrillas are, among other things, airplane hijackers and saboteurs. And perhaps not entirely by coincidence, their latest heinous action came even as delegates of 17 nations were meeting in Washington to discuss a new international treaty to deal with air piracy.

Initially at least, at this conference the Soviet Union opposed a United States-Canadian proposal to require signatory nations to suspend air services with any nation that did not punish or extradite plane hijackers or saboteurs. But the chief Soviet delegate did not object to requiring extradition if the requirement were attached to one of the existing three treaties.

By some such method, or by having the United Nations Security Council impose such sanctions, a way has to be found to end all international plane hijacking, and thus to stop such tragedies as the outrage in Munich before they get started.

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

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

Mr. METCALFE. Mr. Speaker, 3 weeks ago I stood here on the floor of the House of Representatives, talking to members of the U.S. Olympic team. There was a common spirit of togetherness and good will from both sides of the aisle that day as we wished our athletes well and talked anxiously of the XX Olympiad in Munich, Germany.

Today I speak again about the Olympics—not to members of the U.S. Olympic team, but to my colleagues here in the House; and not with the same enthusiasm, but with the solemn knowledge that another country which also wished its athletes well in the Olympics, will not be greeting them when the games are over.

There is so much left to be said and negotiated in settling the whole Middle East conflict, and yesterday's murders in Munich by Arab terrorists make any settlement now seem so far out of reach. And yet, there is nothing that can be said today to quell the exasperation and frustration that was felt yesterday as the world waited in terror to hear the inevitable—the outrageous slaying of 11 members of the Israeli Olympic team.

In all 17 are dead now—two members of the Israeli team killed in the early morning dawn; the other nine killed during an exchange of gunfire with the German police at an airport, where four Arab terrorists were killed, one Munich policeman was killed, and one West German military helicopter pilot. It was indeed an insane 17 hours during the whole terrifying ordeal that has opened up new wounds in this whole Middle East conflict.

The scene in Munich that I heard

about in the news yesterday was such a different one than the one I had just left in West Germany not 24 hours before. All of Munich and West Germany then had been in the festive mood of the 20th Olympiad. I had seen athletes from opposing countries embracing in the ecstasy of victory and there were tears of happiness from some whose months and months of training had finally paid off with a gold, silver, or bronze medal.

Now those tears have turned to pain—the pain of knowing that some fellow Olympians will not even have the chance to test their training, which was why they had come to Munich in the first place. Now they will not even be returning home to Israel alive. And suddenly the gold, the silver, and the bronze are less important.

The cheers of the millions of spectators gathered in Munich to watch the games will not be the same now, I know, as the XX Olympiad continues.

My own personal condolences and heartfelt sympathy are extended to the families of the deceased Israeli athletes, the surviving members of the Israeli team, and to all of Israel.

We can only hope now that these outrageous terrorist tactics will help shock the world back to sanity, where such violence will not be bred and will not be allowed to continue.

Mr. CELLER. I yield to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Speaker, I rise in support of this resolution and urge its adoption. The barbaric act of terrorism which occurred in Munich yesterday literally paralyzes the mind from shock and leaves one in total disbelief that man could be so totally brutal to his fellowman.

The adoption of this resolution merely expresses our outrage at this inhumanity, but it will do little to prevent the recurrence of this shocking terrorism.

I believe the time has come when the free world must examine the relationship of these violent acts of terrorism and the Arab republics from which these terrorists stem.

The world can no longer view in silent indignation this violence against humanity itself.

I am calling upon the President and the American people to lead the way in exploring every shred of evidence which suggests that there is some covert relationship between these terrorists and the countries from which they come or between these terrorists and the Arab governments in their respective countries.

These Arab nations can no longer plead innocence for they have taken no steps to curtail this scandalous exportation of terrorism from within their boundaries.

The United States did not hesitate to sever diplomatic relations with czarist Russia in the 1880's, because of the pogroms against Russia's Jewish citizens.

Nor should we hesitate today to impose the most severe economic sanctions and quarantine against these Arab nations that have played the same role—directly or indirectly—in encouraging this terrorism.

I refuse to believe that the world must learn to live with this new violence against humanity. I believe that Egypt, above all, should be singled out for failing to deal in any manner against these terrorists. Syria and Lebanon fit into the same mold and should be likewise quarantined.

The United States should also examine the relationship of Red China to these guerrillas. It is an open secret that Red China is the principal source of financial aid to the Palestinian terrorists and it occurs to me that if the newly carved friendship between Peking and Washington is to have any meaning, Red China will have to use her influence in persuading the terrorists she finances to abandon their outrageous conduct.

Only by acting firmly to stem this wave of world terrorism can American and the free world survive. For indeed, how secure is our own freedom if the 11 Israeli delegates to the Olympics had to give their lives to the recklessness of these terrorists.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New York (Mr. BADILLO).

Mr. BADILLO. Mr. Speaker, men and women of good will mourn today for the innocent victims of an unthinkable crime committed yesterday at the Olympic Village in Munich. It is appropriate that we mourn. But it is essential that we act.

Society simply cannot afford to continue to permit those who planned this atrocity, the Lod Airport massacre last June, and other terrorist assaults to circulate freely, at liberty to plan and execute further atrocities. They must be found and they must be punished.

How can this be done? The Arab terrorists responsible for yesterday's murders enjoy the safe haven provided by several governments of the Middle East. There is no secret which governments these are: even as today's mourning began, Syria was hailing the Arab murderers as martyrs, and the government of Lebanon, aware of its complicity by openly harboring terrorist groups, was preparing for expected reprisals by Israel. The Black September Movement itself reportedly is financed from Libya.

We can all understand and appreciate the outrage which underlies the movement in Israel for immediate and massive reprisals against the Palestinian terrorists and those nations which encourage and protect them. We must remember that Israel has been under a state of siege from these groups ever since it became a nation. And while the major powers of the world engaged in the politics of oil and spheres of influence, Israel defended herself against those openly pledged to destroy her.

It has long been clear that only firm and concerted action by the nations of the world will bring this campaign of terror to an end. A necessary first step would be an international economic boycott against nations encouraging and supporting Arab terrorist groups and it is appropriate that the United States take the initiative in establishing such a boycott.

We must also press on with the effort to produce strong, uniform international

standards for airline and airport protection, for international travelers remain the prime targets of terrorist groups.

Finally, the United States can and must take the unilateral step of immediately cutting off all forms of assistance to nations failing to seek out and prosecute these terrorists.

This is no time for mere wringing of hands and useless rhetoric. Who knows when the next attack will come or who the targets will be? If we wish to memorialize those members of the Israeli Olympic team who died at Munich yesterday, we must make certain that their lives are the last to be lost because of international apathy toward the Arab terrorists.

Mr. BURKE of Massachusetts. Mr. Speaker, I know all the Members of this House share my sadness over yesterday's tragic events in Munich, Germany, the host city during this, the XX Olympiad. Eleven Israeli participants in this year's Olympics were cut short in the prime of their lives, unwitting victims of international politics at its worse at a time and in a place where politics was supposed to be absent. This latest display of the depth of human depravity and man's inhumanity to man must shock the sensitivity of men of good will the world over, whatever their political persuasion and whatever their views about the Middle East controversy. Our hearts go out to the families and to the nation which has endured this tragic loss of some of these best exemplars of that nation's youth.

The reaction in some circles to this tragic turn of events has been to demand the termination of the Olympics as a gesture of world outrage; however, such a reaction it seems to me is to play into the hands of those who perpetrated this dastardly deed and to give them a recognition which they do not deserve. Once the idea gains a foothold, that terrorists and international renegades, whether they be hijackers, bombers, kidnappers, or just ruthless murderers, can bring any nation, much less the world, to a halt then their sick appetites for publicity and power to influence the course of events will be whetted and encouraged. In this case, the guerrillas will have achieved one of their immediate objectives of interrupting an international event which has the attention of the whole world.

At a time like this, it is well to remember what spirit still clings to the tradition of the Olympics, as a period of time set aside when nations often in disagreement and in opposition send their best examples of physical accomplishment to compete, man against man and team against team, in an atmosphere free of international and national politics and considerations. In other words, at a time when the transcendental human element which is so often lost sight of in the human race because of national differences is supposed to reign supreme. None of us are naive enough to feel that any Olympics has ever really lived up to this almost impossible goal but in the very shortcomings and occasional displays of national pettiness one can feel that the world is better off for having

tried and the goal looms the nobler for all the shortcomings and failures to achieve it. I am convinced that the world needs this goal before it today more than ever and that there is still much to be gained and little to be lost from continuing the Olympics and in doing so, heigher: the disgust and utter revulsion that men the world over, including the Middle East, will feel toward actions of such ruthless depravity. In classic Greek terms, the evil that was perpetrated, the obvious innocence of the victims, the genuine horror of the nations of the world, adds an element to the drama unfolding at Munich which captures for mankind all the forces afoot in the world today—the good and the evil, fate and selfcontrol, victory and defeat, the greatness and the baseness that is life itself.

Mr. O'NEILL. Mr. Speaker, the incidents of yesterday in Munich marring the games of the XX Olympiad are tragic illustration of the savagery and barbarism which a few dedicated fanatics can bring to entire nations, and indeed the world. That such an attack should occur at the Olympic games, one of the last vestiges of true international cooperation and spirit, makes the crime even more heinous. It is fitting and proper for us to mourn the deaths of the 11 Israeli athletes, who came to Munich to compete in contests of skill and strength, not to engage in armed battle with Arab extremists. However, such unnecessary and inhuman carnage cannot be allowed to pass without declaring the need for greater efforts on the part of all nations to curtail and control such terrorist activities.

The Arab nations cannot be excused for their blatant complicity in the murder of the defenseless, unarmed Israeli competitors. It is unfortunate that at a time when Arab-Israeli relations were entering a new phase of hope, the Arab governments thought it unnecessary to take the requisite measures to flush out these deranged radicals. It is inexcusable that while West German officials sought to negotiate for the lives of the Israeli hostages, no assistance of any kind was offered by the Arab world.

Contrarily, the Egyptians announced that they would refuse to discuss the release of the hostages with anyone but the guerrillas, and the Syrian Government has already termed the slain terrorists martyrs. This type of response can only guarantee continued bloodshed and violence.

Until the Arab countries make it abundantly clear that they intend to control and eradicate guerrilla operations stationed within the safety of their borders, reprisals are inevitable, and within the rounds of escalating retaliation: So vanishes the hope of peace in the Mideast.

If we have come to the juncture in history when a few extremists can control the destinies and lives of millions of people then we must take steps to insure that these individuals are never allowed to activate their plans for worldwide anarchy and destruction.

I join my colleagues in mourning for the slain athletes and their bereaved



families and I call on the Arab world to indicate through positive action its intention to rid the Middle East and the world of these senseless terrorists.

Mr. MACDONALD of Massachusetts. Mr. Speaker, I sent the following telegram to all rabbis in the Seventh District of Massachusetts:

The appalling tragedy in Munich has stunned everyone in the civilized world and I want to extend to you and your congregation my deepest sympathy for the death of the Israeli competitors in the Olympic Games.

It is especially bitter that this outrage was committed on the eve of the high holy days, and especially tragic that it was committed against representatives of a brave people who have demonstrated the qualities of independent spirit to which all Americans have responded. We must search diligently and wisely for ways to banish from civilized lands these outlaws who debase human dignity with their killings and kidnappings. We must reject the standard which sanctifies violence and bloodshed and we must elevate the goals of peace and understanding among men of all nations. I pledge you my support in the effort to prevent any recurrence of these terrible crimes.

TORBERT H. MACDONALD,  
Member of Congress.

Mr. DULSKI. Mr. Speaker, I join my colleagues in supporting wholeheartedly the pending resolution of condemnation.

The violence at the Olympic games in Munich yesterday was despicable.

Words really are inadequate to describe my sorrow and disgust that this great international athletic event should be marred in any way, let alone by the violent disruption which occurred during those long hours on Tuesday.

There has been no evidence of politics or unrest in the Olympic events themselves. The participants are there for one purpose: To compete in their athletic specialty against the best athletes from around the world. Their goal was victory—for themselves, for their team, and for their country.

Eleven members of the Israeli delegation to the Olympics are dead as a result of the day of terror. What a sickening tragedy.

I commend the leadership for giving first priority to the pending resolution which should be adopted by acclamation.

Mr. SCOTT. Mr. Speaker, the entire House will want to support this resolution. No one believes in senseless killing, certainly when the victims are the cream of the youth of their country.

In recent years we have had domestic tragedies; acts of violence committed without any rhyme or reason; public officials and others the victims of unbalanced minds sometimes brought about by extreme hatred.

This is more than a tragedy for one nation or one people. All the world shares a common concern for lawlessness and a disregard for the lives of others. We must find to way to maintain the rule of law both domestically and at the international level.

I am sure the people of Virginia join others throughout the world in condemning this vicious act and extending our sympathy to the families of those who lost their lives.

Mr. COUGHLIN. Mr. Speaker, as it has come to their ancestors down through

the centuries, there was a knock at the door of the apartment where Israeli athletes and coaches were staying at the XX Olympic games in Munich.

That knock followed by the crashing of the door and a barrage of machine gun fired by Arab terrorists set in motion a tragedy of immense proportions which leaves humanity grieved and humiliated.

Eleven Israeli athletes and coaches, the pride of their youth of whom so many others had died in defending their country, are dead in the aftermath of a day of horror and revulsion. The spirit of the Olympic games, where political and nationalistic antagonisms were put aside, is shattered. Even in barbaric days of old, Olympic contestants were provided safe passage to compete in the games.

All the civilized world sorrows—for the families and friends of the dead Israelis, for the depraved murders and kidnappings that demean human life, and for the misguided guerrillas whose actions so irreparably set back the cause for which they seek purported justice.

The knock on that door in Olympic Village reminded us only too forcefully we are a finely-honed razor's edge away from events which could trigger much diwerviolence and bloodshed.

For the German people, atoning for the 1936 Nazi-tainted Olympics, the killings came as an even greater shock. In their compassion and good will, they had worked to make the Munich events a new and honorable chapter to remember against Auschwitz, Buchenwald, and Dachau.

For the world community, the glimmerings of a peace agreement between Israel and Egypt abruptly have been dimmed in an orgy of bloodshed. The uneasy truce in the Middle East again faces another setback.

What more can be learned from this tragedy? We have witnessed skyjackings and shootouts, kidnappings, and blackmail, and the horrendous massacre at the Lod Airport.

Regardless of vast political differences, all nations of the world must unite to deny sanctuary to skyjackers, kidnapers, and blackmailers who commit international crimes. The United Nations must end its cynical favoritism of cliques of nations to condemn forcefully and unequivocally the latest outrage, to salvage its fast-sinking prestige and, to seek immediate international agreements for the extradition of criminals.

While Israel and its people grieve, I know they have faced adversity and sorrow before and will find renewed strength and inspiration in the deaths of their countrymen. The spirit of Israel, which so impressed me when I visited there last year, will rise above this terrible grief.

As the Jewish High Holy Days approach with the start of Rosh Hashana at sundown Friday, I join with men of good will everywhere to extend my sympathy to Israel and its citizens on the deaths of these fine 11 young men. I hope and pray that this convulsive tragedy will, in some way, bring much closer the day when nations of the world and conflicting political antagonists can

resolve their differences without resort to war and to violence.

Mr. BROTMAN. Mr. Speaker I rise in support of this resolution. What happened in Munich was a tragic incident perpetuated by a group of madmen. Their actions should be abhorrent to every decent person in the world community. This depravity will accomplish nothing possible for those who unleashed it, and worse yet, it nearly wiped out the small, but gallant team of splendid young Israeli athletes who devoted so many years of their lives qualifying themselves for Olympic competition. We extend our heartfelt sympathy to their loved ones, and to the families of the West German policemen who gave their lives.

Mr. FULTON. Mr. Speaker, the indescribable act of barbarism committed at Munich yesterday has brought tragedy mourned by the entire world.

A group of fanatical murderous bandits, for no sane or rational purpose, committed an atrocity for political purposes as base and vile as one might imagine.

Our hearts and prayers today go out to the families of those innocent Israeli Olympiad performers and their families just as they did yesterday in the future hope that they might be released unharmed.

These were random innocents who were caught in a web of fanatic madness which they had no hand in weaving and for which they had absolutely no responsibility.

Their only crime, in the eyes of their murders, was that they were Israelis, nationals of a nation which has valiantly and vigorously fought to justly defend its political and geographical integrity against full scale invasions and untold military aggressions.

In a political context this tragedy demands an immediate settlement of the Middle Eastern conflict. In recent days there have been reports and indications that a settlement was, until yesterday, possibly imminent. At least the climate was reported to have improved markedly.

The Munich tragedy must not be permitted to destroy this climate though a deterioration would certainly be understandable.

Hopefully it will demonstrate, particularly to the Arab nations, that the fanatical elements within their borders which they seemingly are unable to control do not serve their national interests but militate against them.

The Olympic games will and should continue; not simply in the spirit of free sport but as a memorial to the Israeli athletes and their sacrifice as well as a demonstration that acts of madness will not cower or intimidate peoples throughout the world who hold firmly to the belief that all political or other differences between nations or groups and individuals within nations should be settled by reason, logic and law rather than wanton, merciless and irrational violence.

Mr. FRENZEL. Mr. Speaker, it would be hard to find a person who would not support this resolution. The atrocity at Olympic Village in Munich has shocked and shamed the entire world. The next act of terrorism may take place in our country or on our aircraft.

Arab Nations who harbor, nurture, and finance these guerrilla terrorists must accept the responsibility for their murders and piracy. We, and other nations of civilized world, must draw the line now, or see chaos rule the world.

All possible methods must be used from U.N. sanctions, to unilateral sanctions, to international embargoes on air traffic. Our inaction—our tolerance of guerrilla murders, bombings and terrorism—has only encouraged more terrorism.

This is a fine resolution, but words and resolutions won't do anymore. If this country is not willing to initiate action, and demand similar action from other nations, the resolution will remain just words. I favor the resolution, but I favor, even more strongly, immediate actions which will demonstrate our outrage, clearly and economically, to those Arab nations who have sponsored these acts of terrorism and murder.

Mr. SEIBERLING. Mr. Speaker, of course, I support the resolution. Surely, it is the least any of us can do. But none of us can help feeling, along with our grief, a deep sense of frustration. It is not only that we cannot restore to life the spirited young men so senselessly cut down at the very peak of their vitality. That is tragedy enough, God knows.

What is especially frustrating, however, is the apparent inability of established institutions to prevent this type of barbarous act that seems to be occurring with increasing frequency. Perhaps, if the recommendations in this resolution are followed, we will be able eventually to start reversing this trend.

But going beyond the prospect of better enforcement measures, surely the time has come for a concerted effort by all nations—a "crash program"—to end the festering Palestinian refugee problem. One can hope that a genuine offer of a massive program of resettlement and economic assistance would, if effectively presented, appeal to the mass of refugees and isolate the fanatics and opportunistic politicians who thrive on the refugees' misery and hopelessness. Certainly the United States, which took the lead for all of Western Europe in developing the Marshall plan, should be able to assume leadership in developing a way out of the Palestinian refugee morass.

Mr. Speaker, for years we have tended to believe that a solution of the Palestinian refugee problem could only take place as part of an overall settlement of the Arab-Israeli conflict. But is it not just possible that a massive effort now to resettle the refugees could win a breakthrough toward settlement of the larger conflict? Certainly it is worth a try.

We might even be so bold as to hope that a successful effort to solve this problem could, by its example of fruitful non-violent action, help bring an end to the violence that is every day cutting down the lives of young and old alike in Indochina, in Northern Ireland, and elsewhere.

If men of goodwill can unite, in this moment of common shock and sorrow, to reassert their common humanity, then truly those dead Olympians shall not have died in vain.

Mr. NIX. Mr. Speaker, the terrorist murders of Israeli athletes in Germany yesterday is an attack on the entire civilized international community.

In 1 day the Olympic games whose history goes back to ancient times when nations declared truces in their wars in order to hold the games, has been endangered as an institution.

In 1 day peace in the Middle East and negotiations for such a peace has been set back years. Such setbacks in the Middle East threaten the peace of all of us.

In 1 day, international travel, communication, and commerce between civilized nations have been endangered because all tourists of every nation are endangered, the irrational followers of causes may pick on the citizens of any nation to gain attention for themselves.

This is an intolerable situation. If and when the surviving terrorists reveal their intended destination, the civilized international community must be prepared to take steps against that nation who may have given encouragement for such an act.

Piracy was not ended as a threat on the high seas until all nations agreed to treat piracy as an international crime. Such agreements were reached when the nations of the world realized that such acts were a threat to all of them.

The publicly stated determination of the United States to enter into common action with other nations on the diplomatic front can encourage other nations to join with us.

I extend my condolences to the families of the Olympic martyrs. Their loss is a loss to each of us. The world is a sorer place today because of the events of September 5.

Mr. KING. Mr. Speaker, I rise in support of the resolution introduced by the gentleman from New York (Mr. CELLER) expressing profound sympathy to the families of the Israeli Olympic team who were murdered during the Arab guerrilla attack at the Olympic games in Munich.

The vicious attack by the Arabs was indeed a crime against the world society. The attack has made an indelible blemish upon an ideal that is a symbol to the world—an ideal of nations coming together every 4 years to compete in fairness and good sportsmanship. As far as I am concerned, Mr. Speaker, there can be no conceivable excuse or reason for these murders. There are no differences so great as to justify this kind of wanton disregard for the lives and safety of young men who were in Munich only for the sake of athletic competition.

I join with President Nixon and all Americans in expressing my heartfelt sympathy and condolences to the people of Israel and to the families of the Israeli Olympic team who were murdered in Germany this week.

Mr. Speaker, I also want to express my condolences to the good people of West Germany who worked long and hard to make the 1972 Olympics a showcase to the world. They had succeeded impressively until the outrageous attack by the Arab terrorists. Unfortunately for the Germans, the 1972 Olympics will always be remembered most of all for the terrorists' attack by the Arabs.

Mr. RODINO. Mr. Speaker, I rise in support of House Resolution 1106. Yesterday, immediately upon learning of the initial attack of the Black September terrorist organization and the shocking murder of two members of the Israeli Olympic team, I expressed my deep distress and extreme frustration at this uncivilized brutal behavior. I stated in the RECORD:

Once again, Arab terrorists have taken innocent lives and used them for protests and for pawn.

But the subsequent events which occurred since 4:30 a.m. have left me unable to merely emphasize my personal alarm and my own sorrow at this tragedy.

Eleven men have been killed. The lives of 11 men have been destroyed by the seething fanaticism of armed terrorism. I therefore join my thoughts and feelings with the sentiments of all those in this Chamber today and am proud to cosponsor House Resolution 1106. The chorus of our voices speaks loud and clear to the rest of the world and I pray that the depth of our commitment and the trembling anger of our words will help bring an end—a final end—to such outrageous acts.

Mr. DERWINSKI. Mr. Speaker, I join in support of House Resolution 1106 which expresses the deep sympathy we all feel at the death of the Israeli athletes who were participating in the Olympics at Munich, Germany. The expeditious processing of this resolution by the House leadership is recognition of the feeling in the Congress when we heard of the tragedy perpetrated by the Arab terrorist group.

There is nothing but condemnation that anyone could possibly feel for the actions of such a wild band. I join Members of the House in expressing deepest regrets to the families of the slain Israeli athletes and to all the Olympic participants who are so appalled and shocked by this tragedy.

In addition, Mr. Speaker, I must express my dismay at statements made by officials of the radical governments in Syria and Iraq in which they attempt to defend and legitimize this barbaric and senseless action by the terrorist group. There can be no doubt of the political and moral bankruptcy of the present Iraqi and Syrian regimes as evidenced by their public pronouncement of their support of the perpetrators of this tragedy.

This tragedy also demonstrates the obstacles that lie in the path of the efforts to produce permanent peace in the Middle East. We are all aware of the continuing diplomatic efforts of the administration to bring about a permanent solution to the Middle East crisis. Certainly, extreme emotionally motivated crimes such as these senseless killings demonstrate the continuing problems that lie ahead.

Mr. Speaker, all the athletes participating in the Olympics have been called upon to renew their dedication to the noble spirit and great traditions of the Olympic program and, certainly, as witnesses to this tragedy they will honor and respect the memory of the slain Israeli athletes. They certainly join all of us in the hope and prayer that further tragedies like this, under any circum-



stances or at gatherings, can and must not take place.

Mr. McCLODY. Mr. Speaker, I rise in strong support of the resolution (H. Res. 1106) offered by my distinguished colleague from New York (Mr. Celler).

Mr. Speaker, as I join in shocked disbelief of the events in Munich which brought death and terror at the scene of the XX Olympiad—I pray that from this tragedy there may arise a spirit of renewed faith in mankind—and an era of calm.

Mr. Speaker, the treachery evidenced in today's world which has reached a peak in the infamous murders of members of the Israeli Olympic team—is revolting to the entire civilized world.

Mr. Speaker, Jews and Gentiles alike in our Nation mourn the death of those who have suffered from the guerrilla warfare waged in the Olympic village. We mourn for their families—and we extend sympathy to all whose lives are darkened by this stark tragedy.

Mr. STRATTON. Mr. Speaker, like every other Member of this House I am deeply shocked and saddened by the tragic events that have taken place at the Olympic games in Munich during the past 24 hours. I fully favor the pending resolution as an expression of our deep distress and concern as a national legislative body.

The loss of these Israeli athletes and their trainers and coaches in connection with an historic international event intended to encourage friendship and understanding has profoundly upset all Americans.

One searches with extreme difficulty for a formula that would vent this kind of insane terrorism and violence from disrupting the normal procedures of our civilized society. Yet the truth is that so far no such formula has been found. For years now our international airplanes have been harassed by increasingly wild and violent actions, some of them perpetrated by the same group that was responsible for Munich. Yet the nations of the world are still unable to reach basic agreement on how to deal even with international hijackers.

It is equally difficult to know how to prevent this desperate, insane brand of Arab terrorism which has struck again in Munich—without turning the world into a virtual fortress.

But perhaps the enormity of the events in Munich will have in the long run a beneficial result. Perhaps now at long last the whole world will find itself sufficiently revolted by what has happened to begin moving to put an end to the sanctuaries that have thus far given these terrorist groups the chance to operate. Because what happened yesterday in Munich could happen tomorrow in New York or London or Rome. Until now there has been hesitation on the part of many states to believe that these terrorist organizations in their insane drive against Israel posed any real threat to their own security. Yesterday's events have demonstrated how completely wrong that assumption is.

So Mr. Speaker, as we mourn the loss of the Israeli team members in the senseless Munich tragedy, let us hope that

their death will prove to have speeded the day when the civilized, law-abiding nations of the world will join hands to outlaw once and for all the senseless, destructive, violent actions of international, outlaw, terrorist groups that brought on this tragedy.

Mr. WILLIAMS. Mr. Speaker, the ancient Greeks gave us the splendid spirit which is the basis of the Olympic games. They also gave us the great tragedies. Yesterday, in a wanton display of total disregard for human life and the Olympic spirit, a band of political assassins merged the high endeavor of the Olympics and the deepest of tragedy in a chain of events that has shaken the world.

There are no words to describe the international feeling of grief following the senseless death of 11 Israel athletes who were brutally murdered. I saw one news account which referred to a "daring commando attack." Mr. Speaker, an armed attack on athletes who have gathered in peace and brotherhood cannot be called daring. It was treacherous, it was cowardly, it was murderous but, it was in no way daring. Even the ancient Greeks respected the Olympic spirit so much that athletes on their way to compete were given safe passage through the ranks of warring armies.

Mr. Speaker, no civilized nation can condone such barbaric behavior. Today, I call upon the Soviet Union to meet its obligations to the community of nations. The Russians have fostered an air of anti-Semitism both within their own nation and throughout the Middle East. They have aided Arab extremists with financial and military aid. Their own actions have buttressed the totally unreasonable demands of Palestinian guerrilla organizations. It must stop. The Communists must exert whatever powers they have to bring these animalistic attacks on unarmed civilians to a stop.

There have been recent recommendations that all international air service be halted to any nation which gives refuge or help to any air pirate. Mr. Speaker, today I suggest that the U.S. Olympic Committee introduce a motion with the International Olympic Committee calling for each nation to repudiate all acts of violence, and, specifically, this repulsive attack against the Israeli team in Munich, which are contrary to the Olympic spirit. I further suggest that any nation which does not adopt this motion and issue a censure against these terrorist acts, and, specifically, the current one, be barred from all future participation in Olympic competition.

Let there be no mistake, the civilized world cannot ignore this situation in hopes that it will go away. We cannot count on the pressure of international world opinion to resolve this question. In recent years we have all seen that Arab terrorists do not care that they are operating contrary to all accepted norms of civilized conduct. They do not hesitate to slaughter innocent civilians wherever they may be. International flights are subject to hijackings or bombings as long as these fanatics are allowed to exist. Innocent travelers are liable to be gunned down without warning. And, now we

see that even international gatherings for peaceful purposes are subject to these terror tactics.

Mr. Speaker, mark my words, it will not end. John Donne said it long ago, "no man is an island, no man stands alone." We are all the targets of these terrorists acts, we are all the victims. Thirty years ago the world stood by while unarmed European Jews were being slaughtered. Now, the Arabs are attacking Israelis, but they do not stop from killing innocents, no matter what their nationality or religion. We must band together with all other civilized nations to eradicate this new plague before it strikes terror into every corner of the world.

Mr. BROOMFIELD. Mr. Speaker, the tragedy at Munich is an outrage and an act of piracy against the entire civilized world. We can only hope that magnified as it was by worldwide television coverage and coupled with the growing monotony of violence in Northern Ireland it will serve to open the eyes of the world.

The bloody interruption of the international Olympic games and the desecration of their concept of brotherhood is a direct and bold challenge to all of the organized governments and civilized people of the world.

It calls for an equally direct and clear reply.

Everyone of those governments and peoples must express outrage in the strongest possible language and follow with actions which will isolate and destroy those who act as outlaws against mankind.

Since the Olympic games are an international event the United Nations should take the lead in this action. In the past the U.N. has been quick to condemn Israel and by its actions has given the green light to Arab terrorists and their impersonal violence.

Now is the time for the world organization to take a strong stand against Arab intransigence and Arab support of these emissaries of violence. This sort of action should have been taken the last time we witnessed such a slaughter just a few months ago in the massacre at the Tel Aviv Airport. The non-Israeli world was characteristically noncommittal then and some officials of the Arab world even expressed sympathy with the terrorists.

That is the kind of irresponsibility that encourages further international tragedies of the sort we witnessed in Munich.

The civilized world must clearly condemn these senseless murders for what they are; but we must not make more of them than that.

It would only compound the tragedy to mistake the action of these few psychopaths for the will of millions of non-violent Palestinians.

It would be an equally tragic mistake to allow this senseless act of violence to affect the steadily improving relations between Israel and the Arab-Palestinian world.

In the past year or two great progress has been made toward peaceful coexistence between Israel and the Arab nations, especially along the Jordan River.

The routine two-way commerce that has developed across that river and the

summer visits of some 150,000 Palestinians to Israeli-occupied territories are clear evidence of this progress.

The real message is that kidnapping and murder of Israelis in Munich is not going to win sympathy for the Palestinian refugees in Syria or Lebanon. It is and must be counterproductive and it has in fact, reduced the sympathy which has existed.

There are legitimate grievances among the Palestinian refugees just as there are legitimate grievances among the peoples of Northern Ireland. But violence only delays, not advances, recognition and redress of these grievances.

Mr. PRICE of Illinois. Mr. Speaker, words cannot express the feelings I have over the outrageous killings of the Israeli Olympic team members.

This cowardly and dastardly attack on humanity has no explanation beyond the fact that a few sick minds have reigned terror on an already beleaguered people.

That the Olympic games, the world symbol of intense but peaceful competition, have been reduced to the spectacle of bloodshed and violence is tragic. But the real tragedy is the blatant hostility of the terrorists whose distorted views have taken the lives of men who have worked so hard to represent their nation with honor and dignity.

There is no question that the Games must continue as a memorial to the courageous spirit of the Israeli Olympic team. The games now symbolize the brave dedication of the Israeli athletes to the ideas of peaceful competition and sportsmanship.

What has occurred underscores the importance of the U.S. commitment to Israel. If terror can be inflicted on an Israeli athletic compound at the Olympic village in Bavaria, there is little doubt that Israel's hostile neighbors could feel emboldened. Israel must maintain her security and vigilance and the United States must continue to meet her moral commitment to the integrity of the State of Israel and her noble people.

In closing, Mr. Speaker, I extend my sincere condolences to the people of Israel and the families of the slain Israeli athletes.

Mr. MAZZOLI. Mr. Speaker, in common with all Members of this body, I rise to express my shock and dismay at the mass murder of 11 members of the Israeli Olympic contingent by Arab guerrillas in Munich yesterday. That the setting of the Olympic games should have provided an opportunity for a barbaric act of this kind to be committed, makes the crime all the more incomprehensible and heinous.

More than any other world event, the Olympic games have provided an opportunity for the citizens of all nations to meet in friendship. Athletes from Communist-bloc nations have met in friendly competition with those of the western democracies. And until yesterday, those of Israel and the Arab nations had enjoyed similar experiences.

This tradition of competition among the states and nations of the world in the Olympic games has persisted for more than a thousand years. The memorial service for the 11 slain Israelis,

attended by more than 80,000 persons in the Olympic stadium in Munich, testifies to the extent and depth of this tragedy.

It is to be hoped that calls for revenge against the Arab nations as a means of mitigating the loss of the Israeli athletes will go unheeded and that the issue will be resolved in the knowledge that further bloodshed and terror cannot rectify the dastardly act.

Crimes of this magnitude call for action by all the nations of the world—not only in the condemnation of such acts, but in taking the required steps to halt such barbarism. In this instance the Arab nations should be the first to initiate efforts to halt international terrorism.

As has been already been pointed out by some of our colleagues, crimes by guerrilla bands, whether they be murder, piracy, the skyjacking of aircraft, and the taking of passengers as hostages, can be halted only when all nations deny refuge to such criminals. Undoubtedly, it is the knowledge that certain nations will grant sanctuary to them that encourage terrorists to undertake such crimes.

I am hopeful that the United States will take the lead, as we have endeavored to do in the cases of air piracy, to secure the international outlawing of such atrocities.

Mr. ADDABBO. Mr. Speaker, I rise in support of the resolution to express the shock and outrage of this Chamber over the tragic and senseless killings in Munich, Germany. The members of the Israel Olympic team will be remembered and memorialized in many forums in every corner of the world and the passage of House Resolution 1106 will place this body on record in that respect.

Beyond expressing our feelings, however, I hope that we will redouble our efforts to find a way to bring an end to the violence which has characterized world events during the past decade. The mass murder of Jewish people, or any other people, is not only uncivilized but must be met with firm and determined action to prevent any possible recurrence.

Specifically, I am planning to ask the chairman of the House Committee on Appropriations on which I serve, to order an immediate review of all U.S. assistance to nations in the Middle East which harbor or give help to any kind of terrorists. Such a review could lead to legislation requiring that all U.S. economic or military assistance to such nations be terminated immediately upon a determination by the President that a foreign country has failed to cooperate in international efforts to prevent terrorist activities of the type which occurred in Munich this week.

Similar fund cutoffs could also be applied to nations which give sanctuary to skyjackers or others who attempt to cause international terrorism. It is time to make it clear to those nations of the world, particularly those in the Middle East, that decent people in all parts of the world will no longer tolerate the vicious, destructive acts of international madmen. I hope that by taking this action, we will shock the Arab nations into

reality and cause them to enter direct negotiations with Israel to bring about a just and lasting settlement of the Middle East crisis.

Mr. ROUSH. Mr. Speaker, I would like to express my deep regret, my profound sympathy, and my serious concern over the recent slaying of the Israeli athletes who came to the Munich Olympics to celebrate international cooperation and found instead a partisan, nationalistic sentiment that resulted in their untimely deaths.

It is a tragic irony. The plot organized and carried out by the Arab terrorists was outrageous. I offer my profound sympathy first to the families of those slaughtered athletes, and then to the courageous people of Israel who sent them to so ably represent their nation. Their future achievements, their contributions have been brutally cut off. My deep regret is that their lives have been needlessly, senselessly, and uselessly taken. The nation of Israel as well as their families suffer an irreparable loss. So do we all.

My serious concern is also for the shock rendered people all around the world who traditionally look upon the Olympics as a unique arena for displaying the nobility of competitive spirit, the physical prowess of men and women from all over the world, and the universal enthusiasm associated with the Olympic games through thousands of years of human development. Instead of celebrating the oneness of mankind, the brotherhood of all demonstrated through athletic competition, the site of the Olympics has been turned into a mass murder scene and a blot upon the history of mankind.

It is my hope that these events will long be remembered as a warning to us all lest a rigidly and aggressively partisan spirit take hold of any; and my hope that the original goals of the Olympic games will not be lost or tarnished. We owe this as a debt to the people of Israel. That we can scarce do without this important contribution to universal human understanding.

Mr. DE LA GARZA. Mr. Speaker, it is tragically true that the horrors of the dark ages are being matched by the cruelties of the 20th century. We think of this as a civilized world, but the concept applies in the face of the fact that this century has brought about two global wars, innumerable attacks on one nation by another, bloody civil conflicts, assassinations of world leaders, and constantly recurring acts of group and individual violence.

Against this background, free men everywhere feel with deep concern the brutal, savage, and inhuman act of the so-called Palestine guerrillas, against the members of the Israeli team to the XX Olympiad. The whole civilized world should condemn this action.

We extend our heartfelt sympathy to the people of Israel, to the families of the fallen martyrs who went to Munich in peace, to compete as free men, and to participate as individuals and as a nation, like the members of our country's team, to further the cause of peace by friendly competition.

Mr. PATMAN. Mr. Speaker, it was some



30 years ago that a great Republican statesman who was a candidate for the Presidency wrote a book called "One World," the theme of which was that all the people of earth are sons of the Father, bound together in one human family and inhabiting one small planet. I have never forgotten the words spoken by this man, Wendell Wilkie, about anti-Semitism in America—he called it a criminal movement and considered every anti-Semite a traitor to America.

The Arab terrorists who killed 11 Israelis in Munich are traitors to all humanity. It was evil and wicked, a murder so shameful that people talking about it unconsciously avert their eyes with a sense of mass guilt. A crime of this magnitude and horror touches each of us with the blood of martyrs, and cracks the shell of hypocrisy like an earthquake whose lethal warning is that our one world is foul with hate. Mr. Speaker, we in America have seen the work of the assassin, we know the anguish of the Israeli people and our hearts go out to them in sympathy.

Mr. Speaker, it is my belief that all the diverse populations of this earth are today united in sorrow and commiseration with this small nation bereaved of its stalwart Olympians, and that with the Lord's guidance we will yet come to an era of universal understanding—One World with liberty, justice, and peace for all.

Mr. PICKLE. Mr. Speaker, there are times that the words of mankind are not adequate to express the emotional reaction to uncivilized acts. We can use the usual words, such as "horror," "shocked," or "repulsed," to refer to the murder of the Israeli athletes, but these words somehow ring hollow.

This is why I want to add my voice in supporting House Resolution 1106.

Because this resolution expresses the collective sense of individuals of highly diverse views, and indirectly, of all Americans, it is more than just words.

All Americans are numbed by the barbarous murder of the Israeli athletes. Our hearts cringe and grow weak at the thought that, when the strongest and most talented athletes of the world come together in friendly competition, the world of hate and violence to destroy them.

Some say that the Olympics are naive in trying to create an atmosphere of universal cooperation and tranquility. Now that the world of hate and violence have brought the spirit of the Olympics to its knees, does this mean that we are to stop seeking our dream of world harmony because such a dream is naive. Let us affirm that it does not.

And let us also affirm that in this maddening world of political assassinations, and of attempts to kill and terrorize whole populations, that the tendency to dismiss murder and sorrow as commonplace will never overcome the ability for people to have collective grief and pain.

Let us pray that these young people are forever remembered in reverence, and in a spirit of rededication to trying to make the dream of the Olympics a reality.

Mr. Speaker, for now, we can only lower our heads and try to show our sor-

row—not only has the proud nation of Israel been attacked, but so has humanity.

Mr. BINGHAM. Mr. Speaker, there are times when words seem inadequate to express our feelings. This is such a time.

I share with my colleagues a sense of outrage, indeed a sense of shame, that human beings should be capable of such cruel and senseless evil. One is even tempted to ask whether such creatures deserve to be called human.

One of the tragic ironies of this massacre is that it should have happened in Germany—the scene of incredible and abominable massacres of Jews in the past. In fairness, however, one must salute the gallantry of those German officials who offered to become hostages in place of the Israelis, though such gallantry might well have been unnecessary had German officials in the first place provided proper security for the Israeli team, particularly in the wake of apparent intelligence reports that a terrorist attack was possible.

Supporters of the Arab cause against Israel may essay to absolve the Arab leaders of guilt, arguing that the commandos were members of a small lunatic fringe. Yet it is significant that as of this afternoon—Wednesday, September 6—only King Hussein of Jordan, of all the Arab leaders, has made a statement condemning and disavowing the acts of the terrorists.

I can find only one small grain of comfort in what has happened: certainly the killings by Palestinian terrorists, especially in the setting of the Olympics, will not serve the Arab cause, but will, on the contrary, give rise to worldwide sympathy for the Israelis.

So for the Israelis themselves and their friends, the Munich massacre will only strengthen their resolve to take all feasible steps in the future to thwart the evil designs of such international bandits as the Palestinian terrorists.

Mr. GUDE. Mr. Speaker, yesterday's tragic and shameful events in Munich have stunned and saddened all of us. Our deepest condolences go out to the families and friends of the victims of such senseless killings. Indeed, we must mourn for ourselves as well, for in a larger sense, we shall all bear the burden of this massive blow to the cause of international brotherhood and peace. How ironic it all seems that such an outrage should occur at what is perhaps the one world event which up to this time has symbolized international cooperation and harmony. How horrifying it is that such an outrage might occur at all.

I join with my colleagues in the deepest sense of grief. I join with the President in his repudiation of these international outlaws and murders who take pride in the destruction of life. I call upon the Arab countries who continue to harbor these terrorists to take decisive action against them once and for all. The killing must stop. The hatred and fear must end.

Mr. FLOOD. Mr. Speaker, no words are sufficient to express the feelings of this body, the sorrow and anger mixed, toward what has transpired in Munich;

and if I may be permitted a personal note, I am deeply saddened as a member of the human race by these events.

What has transpired, the deaths of 11 innocent men at the hands of armed thugs, will live in infamy. These Israeli men who dedicated their lives to the peaceful pursuit of athletic competition cannot be allowed to have died in vain. The profound feelings of regret we all feel today cannot be allowed to wither into an apathy tantamount to forgiveness for the murderers and their cohorts. This Nation, and the community of nations around the world, must dedicate themselves to eradicating the poison within our midst. It is with this sense of dedication that I support the resolution calling for the civilized world to cut off from contact with civilized mankind any people or any nation giving sanctuary, support, sympathy, aid, or comfort to acts of murder and barbarism such as those just witnessed at Munich. I urge in the strongest possible terms the quick elimination of all means of support for these international outlaws.

If the murderers are brought to trial and justice is meted out in measure to their heinous crimes—it will not suffice us. If the guerilla training camps are disbanded and children returned to the practice of games and not war—it will not suffice us. If the countries which harbor these assassins become pariahs of the international community—it will not suffice us. We shall only be satisfied when all vestiges of the criminals, their crimes, and their apologists are wiped clean from the sullied face of the earth.

Let us not forget, these were men who died needlessly. Men with families, with wives, and children—innocent men who were victims of madness and who were victims of an ancient quarrel which had been distorted into modern insanity by a band of godless fanatics. It is perhaps a sad commentary for us all that the solution is ancient as well as the quarrel. The solution is brought to mind by these words one sage penned long ago:

And he shall judge among the nations, and shall rebuke many people; and they shall beat their swords into plowshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more.

Mr. Speaker, I say amen.

Mr. BIESTER. Mr. Speaker, within a matter of hours, we have witnessed the heights and depths of the state of world affairs and human interrelationships.

For the past week, we have seen the nations of the world exercising national pride on the playing fields of the Olympic games at Munich. All races, religions and political ideologies have been represented. The competition has been fierce and spirited, but it has been friendly and good-natured. The Olympic games had been reassuring to us all—that the peoples of the world could come together as strangers to compete and then depart as friends. While not distracting us entirely from our search for solutions to the everyday problems that continue to perplex us on both the national and international levels, the Olympics had provided a comforting thought—that international rivalries could be

measured in seconds run, kilos lifted and points scored rather than in indices of human destruction.

Then, during that tragic 24-hour period in Munich, all the good that this quadrennial event can accomplish—both now and in the future—was jeopardized and challenged by the actions of a group of ultraradical terrorists.

But what is more, the senseless murder of the members of the Israel Olympic team has damaged the fragile piecing together of peace in the Mideast. The failure of most Arab leaders to denounce the action can only serve to make more tenuous all our efforts toward world peace.

The dilemma faced by the authorities at Munich, in attempting to save the hostages without giving into the extremists' demands, is one which is confronting more and more governments. Airplane hijacking has become a key factor in attempts to obtain money or achieve political ends through the use of human hostages. Until the nations of the world agree on international sanctions to deter such extremist groups and misguided individuals from even considering such acts, political blackmail of the sort that struck at Munich is encouraged to continue. It must be made absolutely clear that such actions will not be condoned in any manner by any country. When no haven exists, when no place of escape is available, then, hopefully, this intolerable situation will be no more.

But, Mr. Speaker, it is my belief that what is best in the human spirit will endure. The spirit of international understanding will survive this shock of terror. Also, the force of the tragedy itself, by the horror of the example will lead those who have been its witness to recoil from violence and find a new collective identity and brotherhood in peace in the wake of these tragic events.

Mr. Speaker, one is never certain that he speaks for all of his constituents on any matter of public concern. But in this instance I know each family, each person, in my congressional district would wish me to speak for them in supporting this resolution and to express our condolence and sorrow to the grieving families of these fine men whose memories must live long after the triumphs and contests this week in Munich.

Mr. WIDNALL. Mr. Speaker, about noontime yesterday, during the television commentary from Munich, one of the reporters made a very trenchant observation about the Arab terrorists. Having himself been held prisoner last April by these thugs, he recited the series of hijackings and kidnappings this gang had attempted through the years. He observed that, as hours passed during each of those past incidents, the chances of survival for the hostages and of failure for the thugs increased. For in the end, he reported, the Arab guerrillas never had the courage to be fully committed.

This time these loathsome people repeated their act and again tried to get out of town, their demands unmet. But the police gave them no choice at a nearby military airport. The thugs died, in shooting initiated and ended by the police. These self-appointed revolutionaries who represent no one but their

small, sick, and cowardly cadre did not then stop at two deaths, as one of their pack, in a final note of mindlessness, hurled a grenade into a helicopter filled with bound hostages.

A group of gangsters have outraged the world by attempting to defile a contest of athletics which purports to bring people of the world together. They deserve no more mention on the floor of this House than a total condemnation and a warning to their cowardly group that the world rises in revulsion of their goals and their tactics.

These are not revolutionaries, they are murderers. They do not believe in a cause but feed upon the blood of innocents and the terror of captives. We must recognize these Arab terrorists for what they are: a small group of demented murderers. Let their heinous act go not further in its significance and import.

Of course, I support House Resolution 1106, which expresses our deep sympathy for the victims who were members of the Israel Olympic team for their families and for their great nation.

Mr. PEPPER. Mr. Speaker, this Nation must take immediate steps to bring to justice those who give aid and comfort to the perpetrators of such an outrageous act of barbarism as has occurred at the 20th Olympiad.

Eleven fine, young Israeli athletes and their coaches are now dead, victims of a senseless crime. We cannot bring them back to life.

But we can serve notice here and now on any country harboring associates of these villains that they will no longer be permitted to enjoy the respect of the world community of nations.

It is a well-known fact that the Black September terrorists operate out of bases in Egypt and Lebanon. These terrorist bases must be uprooted and the criminals brought to justice. Sufficient pressure must be brought to bear on both countries to see that they take whatever steps are necessary to eliminate these bases of operation.

Today I offer a resolution which would cut off all relations with any country aiding this terrorist group or permitting it to operate. There have been rumors that we may resume diplomatic relations with Egypt, and we do have an ambassador in Lebanon.

This legislation will cut off direct loans and grants to such nations, whether military or economic.

This legislation will prohibit American-owned aircraft and ships from landing or putting into ports of such nations.

This legislation calls on the United Nations to declare sanctions and embargoes against such nations.

This legislation provides that all means shall be sought by which the civilized world may cut off from contact with civilized mankind any peoples or any nation giving sanctuary, support, sympathy, aid, or comfort to acts of murder and barbarism such as those just witnessed at Munich.

Let us set a policy from this day forth that outlaws will find refuge only in outlaw nations.

Mr. GIAIMO. Mr. Speaker, I am join-

ing Representative EMANUEL CELLER and Representative SIDNEY YATES today in introducing House Resolution 1106, a resolution condemning the killing of Israeli athletes by Arab terrorists in the Olympic village at Munich, and extending sympathy from the United States to the State of Israel and to the families of the deceased.

It was with a great sense of outrage that I heard of this news, Mr. Speaker. The previous acts of terrorism perpetrated by this particular Arab group—the hijacking of a Belgian airliner, the assassination of the Prime Minister of Jordan, the multiple attempts to have hundreds of hardened Arab terrorists released from jails in Israel—have all been wrapped in tragedy and have all seemed to originate in warped, sadistic, uncivilized minds.

What can we offer the people of Israel in such times as this? Our official sympathy as a nation, of course, but also our resolve to stand with them—to do whatever has to be done, be it economic, military or diplomatic action, to isolate those people or nations who would give sanctuary or support to Arab terrorists.

I feel in my heart, Mr. Speaker, that this killing was so barbarous, so incredible, that nothing this body or even the Government of our Nation can do will ever erase its memory. So close to the seemingly dormant memories of Dachau and Buchenwald, Munich has again been the scene of a persecution of Israeli people, and there is little of consolation or reparation that we can find.

Our resolve, however, to stand by Israel, and to eradicate the presence and influence of Arab terrorists, must be stronger than ever, and it is that resolve, as well as our official sympathy, which this resolution is intended to foster and strengthen. I urge that it be adopted by this House of Representatives.

Mr. RIEGLE. Mr. Speaker, I find myself at a loss for words to describe the grief I feel over the senseless murder of the Israeli Olympic athletes. I can only join my colleagues here in Congress and the millions of shocked Americans to express my outrage over such terrorist tactics—and my deepest heartfelt sympathy for the families and countrymen of the fine young athletes who died yesterday.

For me, the Olympics have always stood out as a high water mark in international efforts of cooperation and peaceful relations. That they should be marred by politically-motivated lunatics is a tragic development which not only casts a dark shadow over the 1972 Olympics, but also leaves a deep mark of sorrow in the hearts of people all over the world.

The ironic tragedy of this event is that it occurred at a time when there appeared some prospect of a peaceful resolution of the Israeli-Arab differences. So I urge all people in the world to condemn the use of such terrorist activities and to work together peacefully to help solve our urgent international problems.

Mr. ANNUNZIO. Mr. Speaker, it is with heartfelt sorrow that I join my colleagues in the House of Representatives today to express my shock and deep concern over the Olympic tragedy.



The massacre of 11 members of the Israeli Olympic team participating in the XX Olympiad at Munich by the Palestinian terrorists is an act of moral depravity that can be regarded only with universal contempt and revulsion. That the Arab terrorists chose the Olympic games—which over the decades have been regarded as a symbol of world cooperation and friendship—to carry out this violent deed only compounds the tragedy.

For too long Arab terrorists have found refuge and sanctuary in countries such as Syria, Algeria, and others. Those nations that permit this sanctuary share the heavy guilt for the bloodshed that took place yesterday at Munich. The fanatical and tyrannical acts of a band of outlaws can no longer be condoned or tolerated by those countries in the free world which are committed to world peace and tranquility.

I want to commend my distinguished colleagues, Honorable EMANUEL CELLER, and Honorable BENJAMIN ROSENTHAL, from New York, for their action in introducing a resolution in the Congress today resolving that all means be sought by the civilized world to cut off from contact with civilized mankind any nations giving sanctuary to acts of murder and barbarism such as those we have just witnessed at Munich. I am in complete agreement with these sentiments and urge our Secretary of State to implement this resolution through appropriate diplomatic channels.

With a heavy heart, I extend my deepest sympathies to the people of Israel and to the families and friends of those who so tragically lost their lives at the 1972 Olympic games.

Mr. RHODES. Mr. Speaker, the terrible and tragic events that took place yesterday in Munich are hard to believe and impossible to understand.

In any setting the irresponsible, barbaric acts of the Arab revolutionaries would have outraged the public conscience. Yet, this was not just any setting; this terrorism took place at the Olympic games, where men from all over the world had come to compete peacefully and respectfully in athletic events.

These terrorists desecrated not only the Olympic concept of brotherhood, but also the elementary basics of humanity.

It is particularly obscene that these sick barbarians interrupted an international event that has been a sign of hope for peaceful international exchange. Their acts of terror must sicken and outrage the people of the world.

Whatever actions need to be taken to stop this type of dastardly crime must be taken. Unfortunately, however, whatever is to be done cannot return the victims of yesterday's inexcusable brutality. The victims, dedicated individuals who worked and sacrificed to gain membership on the Israeli Olympic team, are gone. My prayers and sympathy go out to the families of the innocent victims, and to the survivors of the Israeli team, who have lost close friends and teammates.

Mr. DONOHUE. Mr. Speaker, yesterday, I joined with my colleagues in publicly expressing my horror upon learning

of the tragic acts of barbarism and murder perpetrated by an armed band of Arab terrorists at the Israeli quarters of the Olympic Village in Munich, Germany.

As the outrage of the tragedy at Olympic Village continued, it was my fervent hope that such senseless terrorism would be speedily resolved without any further loss of life among the innocent and decent members of the Israeli Olympic team and security people involved.

Today, my hope, and the hopes of civilized people around the world were tragically shattered by the announcement that the barbarous actions of the Arab terrorists had resulted in the terrible murder of all nine Israeli hostages.

Mr. Speaker, this baseless crime is a revolting violation of every law of human decency. It is a crime against every nation in the world. The mindless fanatics who have visited this savage intrusion upon the world can only bring shame and outrage public conscience of nations everywhere.

Those who have turned the Olympic games from a drama of wholesome and peaceful athletic competition into a drama of blood and savagery demand that all of us, as civilized people, resolutely determine that never again will innocent persons be forced to pay the horrendous price of such outlawry.

Mr. Speaker, as we express our heartfelt sympathy to the families and loved ones of the innocent victims of this awful crime, it is only right and proper that all nations join with the people of Israel in a resounding declaration that a common and united way must be and will be found to prevent any recurrence of such an inhuman visitation of brutal piracy and murder upon any group of innocent persons in peaceful assembly anywhere in the civilized world.

Mr. GROSS. Mr. Speaker, I join with the many others on the House floor this afternoon in protesting the outrage that has been perpetrated at Munich. I will support the resolution although I regret its final proviso which is too broad in its demand for sanctions.

I believe this is a matter for the President and the State Department. It would have been much better had there been the opportunity to consider at greater length and amend the resolution. However, the murder of innocent people, citizens of Israel and Germany, cannot be condoned under any circumstance and I say again that under the circumstances I will support the resolution.

Mr. McDADE. Mr. Speaker, we have witnessed yesterday the most tragic and despicable spectacle which has ever intruded upon the peace of the Olympic games.

The brutal attack of the Palestinian guerrillas upon the Olympic team of the nation of Israel is deserving of the condemnation of the entire world.

I know every Member of Congress and, indeed, the whole American people will join in extending their deepest sympathies to the families of those Israeli athletes who were so tragically slain and to the families of those who were killed or wounded in the vain attempt to rescue the athletes.

No words could adequately express our feelings at this outrage. We can only mourn with the rest of the world.

Mr. PRICE of Texas. Mr. Speaker, the record of the 1972 Olympics games at Munich, Germany, has been stained with shame and with the blood of 11 young athletes whose only ambition had been to win honor for their nation through peaceful competition on the sports field.

This year, 1972, has been the year when politics have captured center stage at the Olympics. We first witnessed the humiliating and disgraceful expulsion of young Rhodesian athletes, not because they lacked enthusiasm or the spirit of sportmanship, but because their government was branded a leper by others who were in no position to judge.

Yesterday the grief of reasonable men everywhere was added to greatly by the unbelievable and barbaric murder in coldblood of 11 young Israeli athletes who also wished to represent their country at the games.

Mr. Speaker, the Bible warns us that those who live by the sword shall perish by the sword. If we have only violence and hatred to look forward to each time men of different backgrounds and persuasions draw together, how can the world hope for peace?

I join in extending my deepest sympathies to the families of the slain athletes and to their countrymen who have been the victims of a terrible crime. Our words cannot bring back to life those who have been murdered; but can those deaths perhaps shock and shame us into realizing the fragility of the thread upon which world peace hangs and the daily monumental task facing each of us to work and pray for its preservation?

Mrs. HECKLER of Massachusetts. Mr. Speaker, there is, it seems, no sanctuary from horror and blood, even at the Olympic games.

Cannot the nations of the world gather together for sport without the Horsemen of Death taking part?

Cannot Israel exist as a nation, peacefully, as a haven for people too long terrorized, without its right to exist constantly challenged and without its athletes murdered on one of the world's most festive stages?

Cannot Israel participate in the world community without its every effort bathed in blood?

It seems not.

This is the larger meaning of yesterday's barbarism in Munich. This is what we should ponder as we condemn the savagery for what it is.

Pondering this, I propose that the leaders of all the nations gathered in the Olympic Village go there, and before their young people, answer these questions.

I propose they use the spotlight and the place and the moment in history to bring to trial man's violence and to reach a verdict of peace.

Mr. HORTON. Mr. Speaker, I rise to join in supporting the resolution which is before us, offering an expression of national shock at the inhuman acts which occurred yesterday at the Olympic games in Munich. Our sympathy, while sincere, cannot bring back the lives of the

Israeli athletes and the German personnel who died. Our expressions of disgust and anger will not, unfortunately, do anything to change the outlook or the tactics of the Palestinian guerrillas who somehow feel that their terroristic tantrums will avenge the decision of the United Nations nearly 25 years ago to permit the formation of the State of Israel.

The invasion of the Olympic compound and the seizure of members of the Israeli Olympic team will have no good repercussions, not for the institution of the Olympic games, not for the German Government, not for Arab nations which have willingly harbored Palestinian radicals—not for anyone.

Yet, there is a continuing lesson in this brand of Arab terrorism, last exemplified in the senseless attack carried out at Lod Airport in Israel. The lesson is that these people are so bound up, so entranced by the terrorist dogma they have been fed, that they have lost any instincts for survival. They will stop at nothing to kill, to disrupt, or to destroy—even at the risk of certain death for themselves.

The entire law enforcement, crime prevention, and national defense systems of the civilized world are based on the assumption that all human beings will look after their own survival—even one's mortal enemies. But where we must deal with mentalities which feel they have nothing to lose—or worse yet, are anxious to sacrifice their own lives for some twisted cause, the task of preventing death and destruction at the hands of such persons is an overpowering one.

Mr. Speaker, the language of the resolution before us now does suggest one means of dealing with this terrorist insanity. I quote:

*Resolved*, That all means be sought by which the civilized world may cut off from contact with civilized mankind any peoples or any nation giving sanctuary, support, sympathy, aid or comfort to acts of murder and barbarism such as those just witnessed at Munich and that the Clerk of the House be directed to communicate these sentiments and expressions to the Secretary of State.

The fact that some nations in the Arab world are willing to harbor the very groups who train, arm, and educate these terrorists is anathema to the human conscience. The fact that terrorists such as these who killed the Israeli athletes, and those who slaughtered innocent civilians at Lod Airport are held up as national heroes in some Arab lands is even more despicable.

The only way these terrorists can survive and continue their mission of death is to continue receiving aid and comfort from civilized governments which either support them or willingly look the other way as they carry on their insanity. These governments must be made to feel the brunt of world opinion in the form of sanctions against them in the world community.

The political pressures from within, which have kept Arab leaders from denouncing these terrorists must be equalled and exceeded by political, diplomatic, and economic pressures from the outside world. These countries must be made to pay a price for their willingness

to condone the sick heroics of these suicidal Arab terrorists.

I hope, before the impact of the initial shock of this tragedy is lost on the people of the world, that all nations will have some better understanding of the situation that the State of Israel is up against. The people of this small nation must face the prospect of this brand of terrorism every day of every year. Any Israeli citizen, or any Jew, for that matter, may consider himself a potential target of these groups when circumstances fit the whim of the terrorists. This is why it is so vital that any peace which is finally arrived at in the Middle East be one where Israel can be assured of some real security from the death, destruction, and uncertainty which she has been forced to live with and expect since her birth as a nation.

Thus, Mr. Speaker, I will enthusiastically support this resolution, and I will follow up my support by urging the administration to act quickly to seek ways to sanction those nations who have allowed these sick minds to take root and to flourish on their soil.

Mrs. ABZUG. Mr. Speaker, it is difficult to find words to express my feelings in this moment of sorrow and anger. A dozen innocent people—part of the thousands of individuals gathered together for a nonpolitical celebration of international amity and physical endeavor—have become the victims of a senseless and wanton act of violence.

While the act itself was apparently that of a few desperate individuals, there is little doubt that they and their fellows have received and continue to receive aid and comfort from a number of Arab Governments. As the text of this resolution indicates, the United States and the other nations of the civilized world must take action to compel these host countries to put an end to Arab terrorist activities within their borders. As I have previously indicated, our own country can and should take such actions as cutting off direct foreign aid funds, particularly military funds, to such host countries, by prohibiting the entry of their goods into the United States, by prohibiting American-flag ships and planes from landing within their borders, and by seeking sanctions and embargoes on the part of the United Nations.

How many times must we and the rest of the world wring our hands at this sort of banditry before we insist that it be brought to an end? Nor need we answer violence with violence. The steps which I have outlined above are stringent and are certain to have the desired effect, yet all are economic in nature. I think that they are not only advisable, but necessary, and I hope that we will act to implement them as soon as possible. As we mourn this loss, let us make sure that it is the last.

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

The previous question was ordered.

The SPEAKER. The question is on the resolution.

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

Mr. YATES. Mr. Speaker, I object to

the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 346, nays 0, not voting 85, as follows:

[Roll No. 352]

YEAS—346

Abbott	Davis, S.C.	Jarman
Abernethy	de la Garza	Johnson, Calif.
Abourezk	Delaney	Johnson, Pa.
Adams	Dellenback	Jonas
Addabbo	Dellums	Karth
Alexander	Denholm	Kastenmeier
Anderson,	Dennis	Kazen
Calif.	Derwinski	Keating
Anderson,	Devine	Keith
Tenn.	Diggs	Kemp
Andrews, Ala.	Donohue	King
Andrews,	Downing	Kluczynski
N. Dak.	Drinan	Koch
Annunzio	Dulski	Kuykendall
Archer	Duncan	Kyl
Arends	du Pont	Kyros
Ashbrook	Eckhardt	Landgrebe
Aspin	Edmondson	Landrum
Badillo	Edwards, Calif.	Latta
Baker	Ellberg	Lennon
Barrett	Erlenborn	Lent
Begich	Esch	Link
Belcher	Eshleman	Long, Md.
Bell	Evans, Colo.	McClary
Bennett	Fascell	McCloskey
Bergland	Findley	McClure
Betts	Fisher	McCollister
Bevill	Flood	McCormack
Biaggi	Flowers	McCulloch
Blester	Flynt	McDade
Bingham	Foley	McFall
Blanton	Ford, Gerald R.	McKay
Boggs	Ford,	McKevitt
Boland	William D.	McKinney
Bolling	Forsythe	Macdonald,
Bow	Fountain	Mass.
Brademas	Fraser	Madden
Bray	Frelinghuysen	Mahon
Brinkley	Frenzel	Mallory
Brooks	Frey	Mann
Broomfield	Fulton	Martin
Brotzman	Garmatz	Mathis, Ga.
Brown, Mich.	Gaydos	Matsunaga
Brown, Ohio	Gettys	Mayne
Broyhill, N.C.	Gialmo	Mazzoli
Broyhill, Va.	Gibbons	Meeds
Buchanan	Goldwater	Melcher
Burke, Fla.	Gonzalez	Metcalfe
Burke, Mass.	Goodling	Michel
Burleson, Tex.	Grasso	Miller, Ohio
Burlison, Mo.	Gray	Mills, Ark.
Burton	Green, Ore.	Mills, Md.
Byrne, Pa.	Griffin	Minish
Byrnes, Wis.	Griffiths	Minshall
Byron	Gross	Mitchell
Cabell	Grover	Mizell
Caffery	Gubser	Montagan
Carey, N.Y.	Gude	Montgomery
Carlson	Haley	Moorhead
Carter	Hall	Morgan
Casey, Tex.	Hamilton	Moss
Cederberg	Hammer-	Murphy, Ill.
Celler	schmidt	Murphy, N.Y.
Chamberlain	Hanley	Myers
Chappell	Hanna	Natcher
Chisholm	Hansen, Idaho	Nedzi
Clancy	Harrington	Nelsen
Clark	Harsha	Nix
Clausen,	Harvey	O'Hara
Don H.	Hastings	O'Konski
Clawson, Del.	Hays	O'Neill
Clay	Hechler, W. Va.	Passman
Cleveland	Heckler, Mass.	Patman
Collier	Heinz	Patten
Collins, Ill.	Helstoski	Perkins
Collins, Tex.	Hicks, Mass.	Pettis
Conable	Hicks, Wash.	Pickle
Conte	Hogan	Pike
Conyers	Holifield	Poage
Cotter	Horton	Podell
Coughlin	Hosmer	Powell
Crane	Howard	Preyer, N.C.
Culver	Hungate	Price, Tex.
Curlin	Hunt	Pryor, Ark.
Daniel, Va.	Hutchinson	Pucinski
Daniels, N.J.	Ichord	Purcell
Danielson	Jacobs	Quie



Quillen	Seiberling	Thone
Randall	Shoup	Tiernan
Rangel	Shriver	Udall
Rees	Sikes	Ullman
Reid	Skubitz	Vigorito
Reuss	Slack	Waggonner
Rhodes	Smith, Calif.	Waldie
Riegle	Smith, Iowa	Wampler
Roberts	Smith, N.Y.	Ware
Robinson, Va.	Snyder	Whalen
Robison, N.Y.	Staggers	Whitehurst
Rodino	Stanton	Whitten
Roe	J. William	Widnall
Rogers	Steed	Williams
Roncallo	Steele	Wilson, Bob
Rooney, Pa.	Steiger, Ariz.	Wilson,
Rosenthal	Steiger, Wis.	Charles H.
Roush	Stephens	Wolff
Russelot	Stokes	Wright
Roy	Stratton	Wyatt
Roybal	Stubblefield	Wyder
Runnels	Stuckey	Wylie
Ruth	Sullivan	Wyman
St Germain	Symington	Yates
Sandman	Talcott	Yatron
Sarbanes	Taylor	Young, Fla.
Satterfield	Teague, Calif.	Young, Tex.
Saylor	Teague, Tex.	Zablocki
Scheuer	Terry	Zion
Schneebeli	Thompson, Ga.	Zwach
Scott	Thompson, N.J.	
Sebelius	Thomson, Wis.	

—NAYS—0

#### NOT VOTING—85

Abzug	Hagan	Obey
Anderson, Ill.	Halpern	Pelly
Ashley	Hansen, Wash.	Pepper
Aspinall	Hathaway	Peyser
Baring	Hawkins	Pirnie
Blackburn	Hébert	Price, Ill.
Blatnik	Henderson	Rallsback
Brasco	Hillis	Rarick
Camp	Hull	Rooney, N.Y.
Carney	Jones, Ala.	Rostenkowski
Colmer	Jones, N.C.	Ruppe
Conover	Jones, Tenn.	Ryan
Corman	Kee	Scherle
Davis, Ga.	Leggett	Schmitz
Davis, Wis.	Lloyd	Schwengel
Dent	Long, La.	Shipley
Dickinson	Lujan	Sisk
Dingell	McDonald,	Spence
Dorn	Mich.	Springer
Dow	McEwen	Stanton
Dowdy	McMillan	James V.
Dwyer	Mailliard	Van Deerlin
Edwards, Ala.	Mathias, Calif.	Vander Jagt
Evins, Tenn.	Mikva	Vanik
Fish	Miller, Calif.	Veysey
Fuqua	Mink	Whalley
Gallfanakis	Mollohan	White
Gallagher	Mosher	Wiggins
Green, Pa.	Nichols	Winn

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this resolution.

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

There was no objection.

#### APPOINTMENT OF CONFEREES ON H.R. 14896, AMENDING NATIONAL SCHOOL LUNCH ACT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 14896) to amend the National School Lunch Act, as amended, to assure that adequate funds are available for the conduct of summer food service programs for children from areas in which poor economic

conditions exist and from areas in which there are high concentrations of working mothers, and for other purposes related to expanding and strengthening the child nutrition programs, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I could not hear the title of the bill.

The SPEAKER. The Clerk will read the title of the bill.

The Clerk read the title of the bill.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? The Chair hears none, and appoints the following conferees: Messrs. PERKINS, PUCINSKI, HAWKINS, MEEDS, QUIE, ASHBROOK, and RUTH.

#### CONFERENCE REPORT ON S. 3442, COMMUNICABLE DISEASE CONTROL AMENDMENTS OF 1972

Mr. STAGGERS submitted the following conference report and statement on the bill (S. 3442) to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance, and for other purposes:

#### CONFERENCE REPORT (H. REPT. 92-1376)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3442) to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

SECTION 1. This Act may be cited as the "Communicable Disease Control Amendments Act of 1972".

#### TITLE I—COMMUNICABLE DISEASE CONTROL PROGRAMS

SEC. 101. Section 317 of the Public Health Service Act (42 U.S.C. 347b) is amended to read as follows:

#### "GRANTS FOR VACCINATION PROGRAMS AND OTHER COMMUNICABLE DISEASE CONTROL PROGRAMS"

"Sec. 317. (a) The Secretary may make grants to States and, in consultation with the State health authority, to agencies and political subdivisions of States to assist in meeting the costs of communicable disease control programs. In making a grant under this section, the Secretary shall give consideration to (1) the relative extent, in the area served by the applicant for the grant, of the problems which relate to one or more of the communicable diseases referred to in subsection (h) (1), and (2) the design of the applicant's communicable disease program to determine its effectiveness.

"(b) (1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary. Except as provided in paragraph (2), such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe.

"(2) An application for a grant for a fiscal year beginning after June 30, 1973, shall—

"(A) set forth with particularity the objectives (and their priorities, as determined in accordance with such regulations as the Secretary may prescribe) of the applicant for each of the programs he proposes to conduct with assistance from a grant under this section;

"(B) contain assurances satisfactory to the Secretary that, in the fiscal year for which a grant under this section is applied for, the applicant will conduct such programs as may be necessary to develop an awareness in those persons in the area served by the applicant who are most susceptible to the diseases referred to in subsection (h) (1) of the importance of immunization against such diseases, to encourage such persons to seek appropriate immunization, and to facilitate access by such persons to immunization services; and

"(C) provide for the reporting to the Secretary of such information as he may require concerning (i) the problems, in the area served by the applicant, which relate to any communicable disease referred to in subsection (h) (1), and (ii) the communicable disease control programs of the applicant.

"(3) Nothing in this section shall be construed to require any State or any agency or political subdivision of a State to have a communicable disease control program which would require any person, who objects to any treatment provided under such a program, to be treated or to have any child or ward of his treated under such a program.

"(c) (1) Payments under grants under this section may be made in advance on the basis of estimates or by way of reimbursement, with necessary adjustments on account of underpayments or overpayments, and in such installments and on such terms and conditions as the Secretary finds necessary to carry out the purposes of this section.

"(2) The Secretary, at the request of a recipient of a grant under this section, may reduce such grant by the fair market value of any supplies (including vaccines and other preventive agents) or equipment furnished to such recipient and by the amount of the pay, allowances, travel expenses, and any other costs in connection with the detail of an officer or employee of the Government to the recipient when the furnishing of such supplies or equipment or the detail of such an officer or employee is for the convenience of and at the request of such recipient and for the purpose of carrying out the program with respect to which the grant under this section is made. The amount by which any such grant is so reduced shall be available for payment by the Secretary of the costs incurred in furnishing the supplies or equipment, or in detailing the personnel, on which the reduction of such grant is based.

"(d) (1) There is authorized to be appropriated \$11,000,000 for the fiscal year ending June 30, 1973, \$11,000,000 for the fiscal year ending June 30, 1974, and \$11,000,000 for the fiscal year ending June 30, 1975, for grants under this section for communicable disease control programs for tuberculosis.

"(2) There is authorized to be appropriated \$6,000,000 for the fiscal year ending June 30, 1973, \$6,000,000 for the fiscal year ending June 30, 1974, and \$6,000,000 for the fiscal year ending June 30, 1975, for grants under this section for communicable disease control programs for measles.

"(3) There is authorized to be appropriated \$23,000,000 for the fiscal year ending June 30, 1973, \$23,000,000 for the fiscal year ending June 30, 1974, and \$23,000,000 for the fiscal year ending June 30, 1975, for grants under this section for communicable disease control programs other than communicable disease control programs for which appropriations are authorized by paragraph (1) or (2).

"(4) Not to exceed 50 per centum of the amount appropriated for any fiscal year under any of the preceding paragraphs of this subsection may be used by the Secretary for grants for such fiscal year under (A) programs for which appropriations are authorized under any one or more of the other paragraphs of this subsection if the Secretary determines that such use will better carry out the purposes of this section, and (B) section 318.

"(e) The Secretary shall develop a plan under which personnel, equipment, medical supplies, and other resources of the Service and other agencies under his jurisdiction may be effectively utilized to meet epidemics of, or other health emergencies involving, any disease referred to in subsection (h)(1). There is authorized to be appropriated to the Secretary \$5,000,000 for the fiscal year ending June 30, 1973, \$5,000,000 for the fiscal year ending June 30, 1974, and \$5,000,000 for the fiscal year ending June 30, 1975, for costs incurred in utilizing such resources in accordance with such plan.

"(f)(1) Except as provided in section 318 (g), no funds appropriated under any provision of this Act other than subsection (d) may be used to make grants in any fiscal year for communicable disease control programs if (A) grants for such programs are authorized by this section, and (B) all the funds authorized to be appropriated under that subsection for that fiscal year have not been appropriated for that fiscal year and obligated in that fiscal year.

"(2) No funds appropriated under any provision of this Act other than subsection (e) may be used in any fiscal year for costs incurred in utilizing resources of the Service in accordance with a plan developed in accordance with that subsection if all the funds authorized to be appropriated under that subsection for that fiscal year have not been appropriated for that fiscal year and obligated in that fiscal year.

"(g) The Secretary shall submit to the President for submission to the Congress on January 1 of each year a report (1) on the effectiveness of all Federal and other public and private activities in preventing and controlling the diseases referred to in subsection (h)(1), (2) on the extent of the problems presented by such diseases, (3) on the effectiveness of the activities, assisted under grants under this section, in preventing and controlling such diseases, and (4) setting forth a plan for the coming year for the prevention and control of such diseases.

"(h) For the purposes of this section:

"(1) The term 'communicable disease control program' means a program which is designed and conducted so as to contribute to national protection against tuberculosis, rubella, measles, Rh disease, poliomyelitis, diphtheria, tetanus, whooping cough, or other communicable diseases (other than venereal disease) which are transmitted from State to State, are amenable to reduction, and are determined by the Secretary to be of national significance. Such term includes vaccination programs, laboratory services, and studies to determine the communicable disease control needs of States and political subdivisions of States and the means of best meeting such needs.

"(2) The term 'State' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Virgin Islands, and the District of Columbia.

"(i) Nothing in this section shall limit or otherwise restrict the use of funds which are granted to a State or to an agency or a political subdivision of a State under provisions of Federal law (other than this Act) and which are available for the conduct of communicable disease control programs from being used in connection with programs assisted through grants under this section."

SEC. 102. The amendment made by section 101 of this title shall apply to grants made under section 317 of the Public Health Service Act after June 30, 1972, except that subsection (d) of such section as amended by section 101 shall take effect on the date of enactment of this Act.

#### TITLE II—VENEREAL DISEASE PREVENTION AND CONTROL

SEC. 201. This title may be cited as the "National Venereal Disease Prevention and Control Act".

SEC. 202. (a) The Congress finds and declares that—

(1) the number of reported cases of venereal disease has reached epidemic proportions in the United States;

(2) the number of patients with venereal disease reported to public health authorities is only a fraction of those treated by physicians;

(3) the incidence of venereal disease is particularly high among individuals in the 20-24 age group, and in metropolitan areas;

(4) venereal disease accounts for needless deaths and leads to such severe disabilities as sterility, insanity, blindness, and crippling conditions;

(5) the number of cases of congenital syphilis, a preventable disease, in infants under one year of age increased by 33½ per centum between 1970 and 1971;

(6) health education programs in schools and through the mass media may prevent a substantial portion of the venereal disease problem; and

(7) medical authorities have no successful vaccine for syphilis or gonorrhea and no blood test for the detection of gonorrhea among the large reservoir of asymptomatic females.

(b) In order to preserve and protect the health and welfare of all citizens, it is the purpose of this Act to establish a national program for the prevention and control of venereal disease.

SEC. 203. Part B of title III of the Public Health Service Act is amended by adding immediately after section 317 thereof the following new section:

#### "PROJECTS AND PROGRAMS FOR THE PREVENTION AND CONTROL OF VENEREAL DISEASE"

"SEC. 318. (a) The Secretary may provide technical assistance to appropriate public authorities and scientific institutions for their research, training, and public health programs for the prevention and control of venereal disease.

"(b)(1) The Secretary is authorized to make grants to States, political subdivisions of States, and any other public or nonprofit private entity for projects for the conduct of research, demonstrations, and training for the prevention and control of venereal disease.

"(2) For the purpose of carrying out this subsection, there is authorized to be appropriated \$7,500,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"(c)(1) There is authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years, to enable the Secretary to make grants to State health authorities to assist the States in establishing and maintaining adequate public health programs for the diagnosis and treatment of venereal disease. For purposes of this subsection, the term 'State' means each of the several States of the United States, the District of Columbia, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of Puerto Rico.

"(2) Any State desiring to receive a grant under this subsection shall submit to the Secretary a State plan for a public health program for the diagnosis and treatment of venereal disease. Each State plan shall—

"(A) provide for the administration or supervision of administration of the State plan by the State health authority;

"(B) set forth the policies and procedures to be followed in the expenditure of the funds paid to the State under this subsection;

"(C) provide that the public health services furnished under the State plan will include the provision of Statewide laboratory services (including dark field microscope techniques for the diagnosis of both gonorrhea and syphilis), which services will be provided in accordance with standards prescribed by regulations, including standards as to the scope and quality of such services;

"(D) contain or be supported by assurances satisfactory to the Secretary that (i) not less than 70 per centum of the funds paid to the State under this subsection will be used to provide and strengthen public health services in its political subdivisions for the diagnosis and treatment of venereal disease; (ii) such funds will be used to supplement and, to the extent practical, to increase the level of funds that would otherwise be made available for the purposes for which the Federal funds are provided under this subsection and will not supplant any non-Federal funds which would otherwise be available for such purposes; and (iii) the plan is compatible with the total health program of the State;

"(E) provide that the State health authority will from time to time, but not less often than annually, review and evaluate its State plan approved under this subsection, and submit to the Secretary appropriate modifications thereof;

"(F) provide that the State health authority will make such reports, in such form and containing such information, as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary finds necessary to assure the correctness and verification of such reports;

"(G) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds paid to the State under this subsection; and

"(H) contain such additional information and assurances as the Secretary may find necessary to carry out the purposes of this subsection.

The Secretary shall approve any State plan and any modification thereof which meets the requirements of this paragraph.

"(3) (A) Grants under this subsection shall be made from allotments to States made in accordance with this paragraph. For each fiscal year the Secretary shall, in accordance with regulations, allot the sums appropriated under paragraph (1) for such year among the States on the basis of the incidence of venereal disease in, and the population of, the respective States; except that no State's allotment shall be less than \$75,000 for any fiscal year.

"(B) Any amount allotted to a State (other than the Virgin Islands, American Samoa, Guam, the Trust Territory of the Pacific Islands, and the Commonwealth of Puerto Rico) under subparagraph (A) for a fiscal year and remaining unobligated at the end of such year shall remain available to such State, for the purposes of which made, for the next fiscal year (and for such year only), and any such amount shall be in addition to the amounts allotted to such State for such purpose for such next fiscal year; except that any such amount, remaining unobligated at the end of the sixth month following the end of such year for which it was allotted, which the Secretary determines will remain unobligated by the close of such next fiscal year, may be reallocated by the Secretary, to be available for the purposes for which made until the close of such next fiscal year, to other States which have need therefor, on such basis as the Secretary



deems equitable and consistent with the purposes of this subsection, and any amount so reallocated to a State shall be in addition to the amounts allotted and available to the States for the same period. Any amount allotted under subparagraph (A) to the Virgin Islands, American Samoa, Guam, the Trust Territory of the Pacific Islands, or the Commonwealth of Puerto Rico for a fiscal year and remaining unobligated at the end of such year shall remain available to it for the purposes for which made, for the next two fiscal years (and for such years only), and any such amount shall be in addition to the amounts allotted to it for such purposes for each of such next two fiscal years; except that any such amount, remaining unobligated at the end of the first of such next two years, which the Secretary determines will remain unobligated at the close of the second of such next two years, may be reallocated by the Secretary, to be available for the purposes for which made until the close of the second of such next two years; to any other of such named States which have need therefor, on such basis as the Secretary deems equitable and consistent with the purposes of this subsection, and any amount so reallocated to any such named State shall be in addition to any other amounts allotted and available to it for the same period.

"(4) The amount of any grant under this subsection for public health programs under an approved State plan shall be determined by the Secretary, except that no grant for any such program may exceed 90 per centum of its cost (as determined under regulations of the Secretary). Payments under grants under this subsection shall be made from time to time in advance on the basis of estimates by the Secretary or by way of reimbursement, with necessary adjustments on account of previous underpayments or overpayments.

"(d)(1) The Secretary is authorized to make project grants to States and, in consultation with the State health authority, to political subdivisions of States, for—

"(A) venereal disease surveillance activities, including the reporting, screening, and followup of diagnostic tests for, and diagnosed cases of, venereal disease;

"(B) casefinding and case followup activities respecting venereal disease, including contact tracing of infectious cases of venereal disease;

"(C) interstate epidemiologic referral and followup activities respecting venereal disease;

"(D) professional and public venereal disease education activities; and

"(E) such special studies or demonstrations to evaluate or test venereal disease control as may be prescribed by the Secretary.

"(2) For the purpose of carrying out this subsection, there is authorized to be appropriated \$30,000,000 for the fiscal year ending June 30, 1973, and for each of the next two succeeding fiscal years.

"(e)(1) Grants made under subsection (b) or (d) of this section shall be made on such terms and conditions as the Secretary finds necessary to carry out the purposes of such subsection, and payments under any such grants shall be made in advance or by way of reimbursement and in such installments as the Secretary finds necessary.

"(2) Each recipient of a grant under this section shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant was given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(3) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients of grants under this section that are pertinent to such grants.

"(4) The Secretary, at the request of a recipient of a grant under this section, may reduce such grant by the fair market value of any supplies or equipment furnished to such recipient and by the amount of pay, allowances, travel expenses, and any other costs in connection with the detail of an officer or employee of the United States to the recipient when the furnishing of such supplies or equipment or the detail of such an officer or employee is for the convenience of and at the request of such recipient and for the purpose of carrying out the program with respect to which the grant under this section is made. The amount by which any such grant is so reduced shall be available for payment by the Secretary of the costs incurred in furnishing the supplies, equipment, or personal services on which the reduction of such grant is based; and, in the case of a grant under subsection (c), such amount shall be deemed a part of the grant to such recipient and shall, for the purposes of that subsection, be deemed to have been paid to such recipient.

"(5) All information obtained in connection with the examination, care, or treatment of any individual under any program which is being carried out with a grant made under this section shall not, without such individual's consent, be disclosed except as may be necessary to provide service to him. Information derived from any such program may be disclosed—

"(A) in summary, statistical, or other form, or

"(B) for clinical or research purposes, but only if the identity of the individuals diagnosed or provided care or treatment under such program is not disclosed.

"(f) Except as provided in section 317(d)(4), no funds appropriated under any provision of this Act other than this section may be used to make grants in any fiscal year for programs or projects respecting venereal disease if (1) grants for such programs or projects are authorized by this section, and (2) all the funds authorized to be appropriated under this section for that fiscal year have not been appropriated for that fiscal year and obligated in that fiscal year.

"(g) Not to exceed 50 per centum of the amounts appropriated for any fiscal year under subsections (b), (c), and (d) of this section may be used by the Secretary for grants for such fiscal year under section 317.

"(h) Nothing in this section shall be construed to require any State or any political subdivision of a State to have a venereal disease program which would require any person, who objects to any treatment provided under such a program, to be treated or to have any child or ward of his treated under such a program."

#### TITLE III—PROJECT GRANTS AND CONTRACTS FOR FAMILY PLANNING SERVICES

SEC. 301. Section 1001(c) of the Public Health Service Act is amended by striking out "\$90,000,000" and inserting "\$111,500,000" in lieu thereof.

And the House agree to the same.

HARLEY O. STAGGERS,  
PAUL G. ROGERS,  
DAVID E. SATTERFIELD,  
ANCHER NELSEN,  
TIM LEE CARTER,

Managers on the Part of the House.

EDWARD M. KENNEDY,  
HARRISON WILLIAMS,  
GAYLORD NELSON,  
TOM EAGLETON,  
ALAN CRANSTON,  
HAROLD E. HUGHES,  
CLAIBORNE PELL,  
WALTER F. MONDALE,  
RICHARD SCHWEIKER,  
JACOB K. JAVITS,  
PETER H. DOMINICK,  
BOB PACKWOOD,  
J. GLENN BEALL, JR.,  
ROBT. TAFT, 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 amendment of the House to the bill (S. 3442) to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

#### I. AUTHORIZATION OF APPROPRIATIONS FOR COMMUNICABLE DISEASE PROGRAMS

The Senate bill provided a single authorization of appropriations for section 317 communicable disease programs, as follows:

\$90 million for fiscal year 1973.

\$90 million for fiscal year 1974.

\$90 million for fiscal year 1975.

\$90 million for fiscal year 1976.

\$90 million for fiscal year 1977.

The aggregate amount of the House amendment's authorization of appropriations for section 317 communicable disease programs was—

\$85 million for fiscal year 1973;

\$85 million for fiscal year 1974; and

\$85 million for fiscal year 1975.

The authorizations of appropriations for each of the 3 fiscal years are made in the House amendment in the following manner:

(1) \$50 million for grants for communicable disease control programs for venereal diseases.

(2) \$10 million for grants for such programs for tuberculosis.

(3) \$5 million for grants for such programs for measles.

(4) \$20 million for grants for such programs for other diseases.

Up to 1/2 of the amount appropriated for any fiscal year for grants under one category of programs could be used for grants under other categories of programs.

The conference substitute authorizes appropriations for three fiscal years for communicable disease programs. Authorizations are separately made for the following three categories of communicable disease programs: Programs for tuberculosis, programs for measles, and programs for other communicable diseases. The amounts authorized to be appropriated for each of the three fiscal years are—

(1) \$11 million for grants for communicable disease programs for tuberculosis,

(2) \$6 million for grants for such programs for measles, and

(3) \$23 million for grants for such programs for other diseases. The aggregate amount authorized to be appropriated for each of the three fiscal years is \$40 million. No funds are authorized to be appropriated under section 317 for programs respecting venereal disease since the conference substitute adopts the Senate bill's provisions for a separate program of assistance for such programs. The conference substitute adopts

the provision of the House amendment which permits up to one-half of the amount appropriated for any fiscal year for grants under one category of programs to be used for grants under other categories of programs. (See item IX infra).

#### II. GRANTS TO POLITICAL SUBDIVISIONS

The Senate bill replaces the requirement in existing law that the State health authority must give its approval before a grant may be made to political subdivisions of the State with a requirement that the State health authority must be consulted before such a grant may be made.

The House amendment has no comparable provision.

The conference substitute adopts the provision of the Senate bill.

#### III. CONSIDERATION OF LEVELS PERFORMANCE IN PREVENTING AND CONTROLLING COMMUNICABLE DISEASES

The Senate bill replaces the requirement in existing law that the Secretary in making a grant is to consider the levels of performance in preventing and controlling communicable diseases with a requirement that he consider the design of the public health program to assure effective performance in preventing and controlling such diseases.

The House amendment has no comparable provision.

The conference substitute requires the Secretary to consider the design of an applicant's communicable disease program to determine its effectiveness.

#### IV. APPLICATION REQUIREMENTS

The House amendment requires applications for grants to contain such information as the Secretary may require; and, in addition, requires an application for a grant for any fiscal year after fiscal year 1973 to—

(1) set forth the objectives (and their priorities) of each program for which assistance is sought;

(2) contain assurances that the applicant (A) will conduct appropriate programs to develop in persons most susceptible to communicable diseases an awareness of the importance of immunization, (B) will encourage such persons to seek immunization, and (C) will facilitate access by such persons to immunization services;

(3) contain assurances respecting venereal disease programs; and

(4) provide for making certain reports to the Secretary.

The Senate bill has no comparable provision.

The conference substitute is the same as the House amendment, except that to conform to the adoption of a new separate program of assistance for venereal disease programs the required assurances relating to venereal disease programs is omitted.

#### V. EDUCATION PROGRAMS

The Senate bill provides that the Secretary may make grants and contracts for projects to make persons aware of the consequences of communicable diseases and of the availability of programs for immunization against such diseases. \$5 million is authorized for fiscal year 1973 and for each of the next 4 fiscal years.

The House amendment and the conference substitute require applicants for grants to give assurance that they will carry out such programs (see item IV supra).

The conference substitute is the same as the House amendment.

#### VI. PLANNING FOR EPIDEMICS AND OTHER HEALTH EMERGENCIES

The House amendment directs the Secretary to develop a plan for utilization of Federal resources under his jurisdiction to meet epidemics and other health emergencies involving communicable diseases. \$5 million

is authorized for fiscal year 1973 and for each of the next 2 fiscal years for costs incurred in utilizing such resources in accordance with the Secretary's plan.

The Senate bill has no comparable provision.

The conference substitute adopts the House amendment.

#### VII. LIMITATION ON SOURCE OF FUNDS FOR COMMUNICABLE DISEASE CONTROL PROGRAMS

The Senate bill provides that no funds appropriated pursuant to any provision of the Public Health Service Act (other than section 317) may be used for any program for which funds appropriated under section 317 may be used, except that venereal disease programs could be funded under the new section 318 as well as section 317.

The House amendment has no comparable provision.

The conference substitute is the same as the Senate bill except that (1) up to 50 percent of the funds appropriated under section 317(d) may be used for venereal disease programs under section 318 and up to 50 percent of the funds appropriated under section 318 may be used for communicable disease programs under section 317, (2) the limitation is extended to apply to funding of costs incurred by the Secretary in meeting epidemics and other health emergencies (see item VI supra), and (3) the limitation is not to apply in a fiscal year if all funds authorized to be appropriated for that fiscal year have been appropriated and obligated. The conferees intend to prohibit the making of grants under other sections of the Public Health Service Act principally for, or limited for use in, communicable disease control programs. The conferees do not, however, intend to preclude the award of grants under other sections of the Act for use in programs that involve communicable disease programs as ancillary or subsidiary features.

#### VIII. ANNUAL REPORT

The Senate bill provides that the Secretary's annual report is to cover the effectiveness of all activities (not just those assisted under section 317) for the prevention and control of communicable diseases.

The House amendment revises the reporting requirement to require (1) the report to be submitted on January 1 of each year, (2) the report to contain an assessment of the problems presented by communicable diseases and the effectiveness of the programs assisted in preventing and controlling such diseases, and (3) the report to set forth a plan for the coming year for the prevention and control of communicable diseases.

The conference substitute combines the provisions of the Senate bill and the House amendment.

#### IX. VENEREAL DISEASE PROGRAM

The Senate bill adds a new section 318 to title III of the Public Health Service Act to authorize the Secretary (1) to conduct and render assistance for research and training in, and for public health programs relating to, the prevention and control of venereal disease, (2) to make project grants for the conduct of research, demonstrations, and training with respect to the prevention and control of venereal disease, (3) to make grants to States for establishing and maintaining public health programs for the diagnosis and treatment of venereal disease, and (4) to make project grants to States and, in consultation with the State health authority, to political subdivisions for the conduct of certain venereal disease prevention and control programs. For the grants described in clause (2) there is authorized to be appropriated \$15 million for fiscal year 1973 and for each of the next 2 fiscal years; for the grants described in clause (3) there is au-

thorized to be appropriated \$30 million for fiscal year 1973 and for each of the next 2 fiscal years; and for the grants described in clause (4) there is authorized to be appropriated \$30 million for fiscal year 1973 and for each of the next 2 fiscal years.

The House amendment contains no separate program for assistance for venereal disease under communicable disease programs.

The conference substitute is the same as the Senate bill except that—

(1) it is made clear that the assistance described in clause (1) of the description of the Senate bill is technical assistance only.

(2) the authorization of appropriations for the project grants described in clause (2) of such description is set at \$7.5 million for each fiscal year.

(3) the authorization for the program grants described in clause (3) of such description is set at \$25 million for each fiscal year.

(4) the authorization of appropriations for the project grants described in clause (4) of such description is set at \$30 million for each fiscal year.

(5) a provision in section 317 protecting the right of persons to refuse treatment under programs for which assistance is authorized is made applicable to venereal disease programs assisted under this section, and

(6) the provision in section 317 placing a limitation on the source of funds for programs is made applicable to funding for the venereal disease programs for which assistance is authorized.

#### X. PROJECT GRANTS AND CONTRACTS FOR FAMILY PLANNING SERVICES

The Senate bill increases the authorization of appropriations for project grants and contracts for family planning services under title X of the Public Health Service Act for fiscal year 1973 from \$90 million to \$127,300,000.

The House amendment contains no comparable provision.

The conference substitute adopts the provision of the Senate amendment, except that the authorization of appropriations for fiscal year 1973 is set at \$111.5 million.

#### XI. PROJECT GRANTS FOR HEALTH SERVICES DEVELOPMENT

The Senate bill increases authorization of appropriations under section 314(e) of the Public Health Service Act for fiscal year 1973 from \$157 million to \$179 million for grants under that section to cover part of the cost of (1) providing services to meet health needs of limited geographic scope or of specialized regional or national significance, or (2) developing and supporting for an initial period new programs of health services.

The House amendment and the conference substitute contain no comparable provision.

HARLEY O. STAGGERS,  
PAUL G. ROGERS,  
DAVID E. SATTERFIELD,  
ANCHER NELSEN,  
TIM LEE CARTER,

#### Managers on the Part of the House.

EDWARD M. KENNEDY,  
ALAN CRANSTON,  
HARRISON WILLIAMS,  
TOM EAGLETON,  
GAYLORD NELSON,  
HAROLD E. HUGHES,  
CLAIBORNE PELL,  
WALTER F. MONDALE,  
RICHARD SCHWEIKER,  
JACOB K. JAVITS,  
PETER H. DOMINICK,  
BOB PACKWOOD,  
J. GLENN BEALL, JR.,  
ROBERT TAFT, JR.,

#### Managers on the Part of the Senate.



# MEMORIAL IN HONOR OF SEABEES OF U.S. NAVY

Mr. NEDZI. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H.J. Res. 55) proposing the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the Seabees of the U.S. Navy, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 3, line 3, strike out "Interior." and insert: "Interior, or, if the memorial is erected on public grounds belonging to or under the jurisdiction of the District of Columbia, the government of the District of Columbia."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

## PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN REPORTS

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

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

There was no objection.

## WHEAT RESEARCH AND PROMOTION

Mr. YOUNG of Texas. Mr. Speaker, on behalf of the Committee on Rules, I call up House Resolution 1093 and ask for its immediate consideration.

The Clerk read the resolution of follows:

H. Res. 1093

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13514) to enable wheat producers, processors, and end-product manufacturers of wheat foods to work together to establish, finance, and administer a coordinated program of research, education, and promotion to maintain and expand markets for wheat and wheat products for use as human foods within the United States. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas (Mr. YOUNG) is recognized for 1 hour.

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

Mr. Speaker, House Resolution 1093 provides an open rule with 1 hour of general debate for consideration of H.R. 13514 for wheat research and promotion.

As wheat production throughout the world increases, our export of wheat products declines. Due to the keen competition the total volume of wheat exported is gradually reducing.

The purpose of H.R. 13514 is to provide a program to expand the market for wheat products for human consumption within the United States.

A wheat industry council would be established, composed of 15 voting members and seven additional members, one of whom shall be a USDA official. The members are to be appointed by the Secretary of Agriculture.

The council will be a nonprofit, non-government, tax-exempt organization. Its purpose will be to develop research, education, and promotion plans to expand the use of wheat for human consumption here at home.

Its expenses and costs of administration within the USDA will be paid from assessment funds, to be imposed on each hundredweight of processed wheat intended for human use within the United States: 1 cent per hundredweight the first year and not more than 2½ cents in subsequent years; the amount of assessment to be added as a separate item to invoice by initial and subsequent processors. However, a processor shall not pay an assessment if the buyer certifies that the wheat will not be used within the United States.

The council has authority to collect assessments, including court costs and attorneys' fees, and is to conduct or contract for projects. It will be responsible to and subject to audit by the Secretary of Agriculture.

Processors, who shall serve without pay as collection agents, shall make a monthly report to the council.

It is estimated that approximately \$2.6 million will be raised the first year and no more than \$6 million in each succeeding year.

Cost to the USDA is estimated at \$55,000 per year for each of the next 5 years.

Mr. Speaker, I urge the adoption of the rule.

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

House Resolution 1093 provides for open rule with 1 hour of debate on H.R. 13514 to establish a program for research and promotion to expand markets for wheat markets.

The bill establishes a Wheat Industry Council composed of 15 voting members and seven additional members, appointed by the Secretary of Agriculture. The voting members must be selected from nominees chosen by the Wheat and Wheat Foods Foundation, a private industry organization representing wheat producers, processors, and end-product manufacturers. The purpose of the Council is to administer the program and collect

assessments, which are to be levied on processed wheat. For the first year, the assessment will be 1 cent per hundredweight of processed wheat, which is expected to raise about \$2,600,000.

The cost to the Government as a result of this bill is about \$55,000 for administrative costs per year. However, it is expected that the Government will be reimbursed from assessments, according to a letter from the Department of Agriculture.

Mr. Speaker, I support this legislation, and support the rule, and urge its adoption.

Mr. Speaker, I yield 2 minutes to the gentleman from California, (Mr. TEAGUE).

Mr. TEAGUE of California. Mr. Speaker, in the past I have supported bills similar to this proposal now before us dealing with other commodities such as cotton, potatoes, and other farm crops. However, all of those bills had an important feature that this bill does not have, and that is that they all provided for a referendum whereby the farmers themselves were given an opportunity to vote whether they wanted to engage in such a program. So, Mr. Speaker, in its present form I am opposed to this bill. I understand there will be an amendment offered that requires a referendum. If that were to be adopted the bill would be greatly improved, although there are some other features that I do not particularly like, and which I will discuss at a later time.

Mr. Speaker, I thank the gentleman for yielding.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PURCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13514) to enable wheat producers, processors, and end-product manufacturers of wheat foods to work together to establish, finance, and administer a coordinated program of research, education, and promotion to maintain and expand markets for wheat and wheat products for use as human foods within the United States.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. PURCELL).

The motion was agreed to.

### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13514, with Mr. Roush in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. PURCELL) will be recognized for 30 minutes, and the gentleman from California (Mr. TEAGUE) will be recognized for 30 minutes.

Mr. TEAGUE of California. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this speech that I am about to make is really an attack on the bill in its present form.

I very much hope that the bill will be amended in such a way so that some of the remarks I am now about to deliver will not be applicable to the bill in its final form.

Mr. Chairman, I rise in opposition to H.R. 13514.

This bill, which would place an additional and unnecessary burden on the already overburdened pocketbooks of American consumers, is certainly not needed at this time.

We all know that wheat prices are rising and that bread, cookies, cake, and other wheat products are rising right along with them.

Wheat processors in fact have asked the Price Commission for authority to raise prices on these foods even further.

Now the House has before it the opportunity to express itself clearly on the question of whether we are in favor of imposing another \$2 to \$6 million annually on the consuming public for the purpose of financing further wheat research, sales, and promotion efforts.

I say the answer to that question should be a resounding "No" because of three reasons.

First, the bill duplicates the efforts of an existing wheat promotion and research agency created just 2 years ago by Public Law 91-430. This agency, called the National Wheat Institute, has over \$2.5 million now available to it for carrying out the same kind of programs as described by this bill.

The National Farmers Union pointed out this fact during the hearings on the bill when Mr. Barton of that organization said:

Third, the National Wheat Institute, financed by inverse subsidies on wheat exports, is a functioning agency charged with the same objectives as the agency to be created in the proposed legislation. This group is totally under the control of producers. If there is need for any additional research and promotion, it would be preferable to expand the funds available to the National Wheat Institute rather than to create a rival competing administrative structure with identical objectives.

Second, the bill does not give individual producers or processors the chance to either express their disapproval of the program or to apply for a refund of any assessments made against them.

This feature, which was rejected by the committee on a 19 to 13 vote, makes this program different from the research and promotion programs that now apply to such commodities as potatoes, cotton, dairy products, and marketing order crops.

Mr. William Kuhfus, president of the American Farm Bureau Federation, stated his organization's position on this matter as follows:

Accordingly, we believe that it would be an injustice to wheat producers to institute the proposed program without a two-thirds favorable vote in a producer referendum.

We also believe that it would be undesirable to depart from the precedent followed in the Cotton and Potato Promotion Acts which provide for refunds to producers who do not wish to participate.

Mr. Joseph Creed, representing the Biscuit and Crackers Manufacturing Association of America, stated his organization's position as follows:

The Association's membership believes the financing of such a program should be on a voluntary basis or alternatively, if assessments are levied by law, each end product manufacturer should have the option to have his assessment refunded.

Mr. D. M. Mennell, president of the Mennell Milling Co. of Fostoria, Ohio, stated his view as follows:

Additionally, this bill is unique in that there is no provision for any kind of referendum, and there is no means of escaping the tax if you are opposed to it. Bills similar to this one, such as the recent potato act, contain both of these features.

Yes, Mr. Chairman, this bill denies individual choice—it creates an excise-tax structure in the hands of private citizens which in and of itself is of questionable constitutional validity—and it prevents both farmers and processors from any effective channel of opposition to the plans that the Wheat Industry Council may conceive.

My third and final reason for opposing this bill is that two major farmer organizations, the Farm Bureau and the Farmers Union, which more often than not fail to agree, do agree that the bill in its present form is unsatisfactory.

Thus, if the farmers do not want the bill and consumers derive no benefit from it, why in the world should the House approve it?

I say we should not.

Mr. PURCELL. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, in partial answer to the statements made by my distinguished colleague and my dear friend, the gentleman from California (Mr. TEAGUE), I would say this bill does not in more than the slightest way compare with the cotton checkoff in which the producer is paying a checkoff. In this instance the producer is not paying. In this instance the flour mill is the point where the so-called checkoff is occurring and the money is collected. As far as the amount of money is concerned, that is in the National Wheat Institute. This was a one-opportunity situation in which the money that was created by the inverse subsidy was in the Department of Agriculture, which was one amount of money which was given to the National Wheat Institute for basically the purposes we are speaking of here. This fund does not replace itself and, therefore, would not be a reliable source of money to rely upon.

My distinguished friend, I think, indicated that there were organizations against this. I would like to have the record show the charter members of this organization. I would say that this concept of self-help, this desire to have a united effort in research to show that wheat has the kind of nutrition that it actually has, this effort in order to try to have a complete understanding across all segments of the wheat industry, has been in process for over 10 years.

These are some of the organizations that are for this bill: the National Association of Wheat Growers; Western

Wheat Associates, Inc.; the Great Plains Wheat, Inc.; the U.S. Durum Growers Association; the Kansas Association of Wheat Growers; the Montana Grain Growers Association; the Nebraska Wheat Growers Association; the Oklahoma Wheat Growers Association; the South Dakota Wheat Producers, Inc.; the Texas Association of Wheat Growers; Wyoming Wheat Growers Association; Oregon Wheat Growers League; Washington Association of Wheat Growers; Idaho State Wheat Growers Association; Kansas Wheat Commission; Nebraska Wheat Commission; North Dakota State Wheat Commission; South Dakota Wheat Commission; Colorado Association of Wheat Growers; Colorado Wheat Administrative Committee; Oregon Wheat Commission; Washington Wheat Commission; Idaho Wheat Commission. Those are the producers.

The processors, some of which are these: the Bulgur Associates; the Millers' National Federation; National Association of Flour Distributors; National Soft Wheat Millers Association.

Then the end-product manufacturers—some of the organizations that are for this bill are these: Associated Retail Bakers of America; American Bakers Association; Biscuit and Cracker Manufacturers' Association; National Macaroni Manufacturers Association.

Mr. Chairman, these organizations and others have worked on this legislation. They do understand the effect of it.

We have the most universal support across the board in the entire industry of wheat and of the food industry that has ever been seen before.

I would urge the consideration of the facts I have just given.

I reserve the remainder of my time.

Mr. TEAGUE of California. Mr. Chairman, I yield 2 more minutes to the gentleman from Texas for the purpose of answering some questions.

It is not clear to me who is going to pay this \$6 million annual assessment if the housewife is not going to pay for it at the grocery store. Can the gentleman please explain to me who is going to pay it?

Mr. PURCELL. Yes, I will be very glad to explain it. The assessment will be at the point where the wheat is milled into flour—either 1 cent or not more than 2½ cents per hundredweight. It will not exceed 150th of a penny.

The figures, I believe, are universally accepted as explaining the relationship of the cost of the wheat to the cost of the bread, that it takes right at 60 cents per bushel increase in the cost of the price of wheat to legitimately add one penny to the legitimate cost of the wheat in the loaf of bread.

So this is one one-hundred-fiftieth of a penny that is added. This is a long, long way from 60 cents. So it will be paid by the millers. It will be absorbed by them, or it cannot be passed back to the producer, as I view it.

I do not believe it is a legitimate argument to say that the cost to the consumer is going to be of such a nature that it can ever be noticed legitimately.

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



Mr. PURCELL. I yield to the gentleman from Missouri.

Mrs. SULLIVAN. I thank the gentleman.

I should like to ask this question: I realize this tax or assessment is not going to be put back on the farmer or on the producer of wheat, because this is being charged to the miller, but who is going to pay for the increased cost of the flour they mill?

Mr. PURCELL. As I just said, the actual increased cost of the flour is so infinitesimal that my belief is the miller will pay for it. If it is passed on, again it is so infinitesimal I believe it will not be noticed, because of the necessary increase in the cost of wheat to the tune of about 60 cents a bushel, which would be so much more.

Mr. TEAGUE of California. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. Price) for the purpose of directing some questions to the gentleman from Texas (Mr. Purcell).

Mr. PRICE of Texas. Mr. Chairman, I should like to ask the chairman of the subcommittee this question: In the bill, as we passed it out of the subcommittee, there was an amendment adopted which gave the producer the right to vote. Then the bill went to the full committee, where this was stricken from the bill. That is correct, is it not?

Mr. PURCELL. The gentleman is a member of the committee. His recollection is as good as mine.

Mr. PRICE of Texas. Right. What I wanted to find out was, if the actual producer does not have the opportunity to vote upon this legislation, it would seem to me we were cramming this down their throats without giving the wheat producers the opportunity to vote upon something which affects them.

Mr. PURCELL. I will say to the gentleman, this objection was raised in the subcommittee and again in the committee. In the committee it did not prevail. So the gentleman's views are the same, and the prevailing view of the committee is the same.

Mr. PRICE of Texas. I have a further inquiry, Mr. Chairman.

On page 14 of the bill, in section 17, it says:

The council shall, subject to the provisions of section 9, develop and submit to the Secretary for his approval, research, education, and promotion (including paid advertising) plans or projects for wheat and wheat foods, to encourage and make more efficient the growing, distribution, and marketing of wheat and wheat foods, and to stimulate expanded sales and uses thereof.

It would seem to me, for legislative history, we should ask: Would this include research in new forms for livestock feed, also? It seems to me we are missing the point here in expanding the use of wheat, as to livestock feed. Will this research constitute promotion of the use for livestock feed?

Mr. PURCELL. I will say to the gentleman, his recollection of the proceedings is as good as mine, but the entire purpose of the bill is spelled out in the early paragraphs of it, for human domestic use.

Mr. PRICE of Texas. Yes. I, for one, would like to consider offering an amendment which would include, research for livestock feeds also after all this research is done, that there be some research done as to use for livestock feed, because of the grain produced above our domestic consumption, almost 14 to 17 percent of the ration in livestock feed is now being fed wheat. I hope that the research, for history here, will show some of this research would go for that.

Mr. PURCELL. I do not know what the research of history would show, but the point of processing is where this money is collected. I do not know of any livestock feed that is made as the result of the milling of flour, other than shorts or by-products. If the gentleman has in mind a bill for the development of wheat as livestock feed, I believe it would have to be done in a different way from what this bill provides.

Mr. PRICE of Texas. I thank the gentleman.

Mr. PURCELL. Mr. Chairman, I yield to the distinguished chairman of the committee, the gentleman from Texas, whatever time he may consume.

Mr. POAGE. Mr. Chairman, I think it should be kept in mind that this legislation is legislation designed simply to develop and publicize the uses of wheat as human food. It is a great human food; it is one of the best human foods, and it has been recognized as the staff of life since Biblical times.

It is still the staff of life. The public should know it, and we should have a way of enabling the public to know it. This bill provides that way.

It does not impose a burden upon anyone. This talk about how this is going to increase the cost of bread is based upon a complete failure to understand the wheat market and the bread market. There is about 2½ cents worth of wheat going into a loaf of bread today that will sell at anywhere from 25 to 30 cents. In other words, less than 10 percent of the cost of a loaf of bread is accounted for by the cost of the wheat that goes into that loaf of bread. This bill at its maximum could only cost 2½ cents per 100 pounds of wheat, and that is about 1½ bushels of wheat. In other words, it could cost about 1½ cents per bushel. A bushel of wheat will make about, I believe, 68 or 69 1-pound loaves of bread. If you divide 1½ cents by 68 or 69, you will find how much extra cost is involved in this. It is something so infinitesimal that even the bakers cannot pass it on.

The bakers are supporting this bill. The gentleman from Texas rightly said that the bakers organization is supporting the bill. The processing organization is supporting the bill, because they want the facts known about the uses of wheat and the fact that it is one of our most acceptable food products. They are willing to pay this infinitesimally small cost. When it is divided into the 1.6 billion bushels of wheat that the United States will grow, you will find you will get about one and one one-hundredth of a cent or something of that kind extra per bushel of wheat. It is just so small an amount that you cannot find any way

of passing it on without grabbing extreme and excessive profits.

Yet who of you, who of you, have stood on this floor and protested when the transportation of those commodities went up in cost?

I am not kicking about it. Possibly the increases were justified but in the last 2 or 3 years the labor production costs have gone up seven or eight times more than this will cost. Who among you have stood here and protested these various wage increases and who has said that it was robbing the consumer? Who among you have stood here and protested that the wages of somebody who worked in some of the steps that make bread have gone up?

I am not suggesting these increases were wrong. Possibly those rate increases were justified, but who stood here and protested when these wages went up? The cost of a loaf of bread is about one-tenth wheat, about one-tenth other ingredients, and about eight-tenths wages. Who stood here and protested and said that the consumer was being robbed? Here, we are trying simply to see that the advantages of wheat can be made known to the public, and we are told, "Oh, it is going to rob the poor people."

I just want you to bear in mind that this thing is not a raid. It is not a burden on the living costs of some poor people. That thing is an effort to enable the producers of one of our great commodities to present that commodity for what it is as one of our finest food products, in the hope that the public will use more bread, more wheat, more of those commodities that give the most for the money that we spend.

If you want to reduce the actual cost of living of the American people, the simplest way to do it—and I wish that those of you who are concerned primarily with that problem—the simplest way to do it is to present the intrinsic value of wheat products. The United States probably eats less bread per capita than almost any other civilized country in the world. The other countries of the world, or most of them, know the value of bread. We do not.

We ought to learn the value of bread, and when we do, our people are going to find that they can have a better standard of living with a lesser expenditure of funds. That is what this bill intends to provide. This is not an anticongress bill. This is a bill that will provide for better distribution of the food resources of the United States.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

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

Mr. PRICE of Texas. Mr. Chairman, since you have been very active on this bill, and like you say—

Mr. POAGE. Where does the gentleman get that idea? He is on both the subcommittee and the full committee, and I am not on the subcommittee. Where did the gentleman get the idea that I have been very active? Did I appear before his subcommittee?

Mr. PRICE of Texas. No, but the gentleman is on the full committee.

Mr. POAGE. Did you ever hear me speak on this before the full committee?

Mr. PRICE of Texas. Does the gentleman want me to ask the question or just sit down?

Mr. POAGE. I have the floor. You want to ask a question. I just asked you where you got the idea that I was very active.

Mr. PRICE of Texas. You were out on the committee, Mr. Chairman, as chairman of the committee.

Mr. POAGE. Did you hear me speak on this bill?

Mr. PRICE of Texas. No, I did not.

Mr. POAGE. That is correct.

Mr. PRICE of Texas. All right, then I would like to ask a question. The Farmers Union of Texas says that here in its present form the estimated \$2.66 million per year cost of the bill would have to be borne by either the farmers or consumers to the extent that the consumers would pay the bill. They state this is not without any resource on the private Wheat Industry Council which would justify this particular promotion scheme to finance this bill in order that the interests of the producers and farmers may not be adequately protected.

That is the whole objection I have to this bill, that it seems to me we are ramming this bill down the throats of the people without giving them the opportunity to say whether they do want it or do not want it. I just wanted to make those remarks.

Mr. POAGE. I am happy to have the gentleman's remarks, and I would like to make some remarks about what the gentleman has had to say.

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

Mr. POAGE. I will but not at this moment. First let me make some remarks about what the gentleman said—and I do not know if the gentleman intends to vote for this bill or against the bill. The gentleman has not said. I did not hear his voice in the committee and I do not know where he stands on the bill.

I did not speak on the matter in the committee but I am for the bill. I think the bill is a good bill. I think the bill will enable the American people to have better food for a less expenditure of money than they can get otherwise.

The Texas Farmers Union—or was it the Bureau? Which does the gentleman refer to?

Mr. PRICE of Texas. The Texas Farmers Union.

Mr. POAGE. The Texas Farmers Union is one of those high-class organizations in our State for which I have a very high regard and respect. They are a general farm organization and they seek to give direction to every commodity in the State. I have not observed the wheat-growers objecting to the bill. The Texas Farmers Union is not a commodity organization. It is a general farm organization, and it finds objection to the bill.

I would not say that the bill could possibly be perfect because I have never known of a perfect piece of legislation to come out of this Congress. After all, we are human beings, and we try to prepare

legislation and no legislation is perfect. But I believe that we have a pretty good bill here, and one that I think will do a great deal of good.

The gentleman has suggested that someone has got to pay. Is the gentleman saying that someone has to pay the \$1.5 million the referendum will cost out of the 1.6 billion bushels of wheat. Each bushel of wheat weighs 60 pounds, so you can make some sort of a calculation by multiplying 1.6 billion by 60, and you can find how much it adds to the cost of a loaf of bread. The gentleman could hardly figure that, it is so small.

Mr. PRICE of Texas. No, I certainly agree that this is not going to cost the consumers anything, because the processors received increases in their bread prices, and that has raised the cost to the buyers.

Mr. POAGE. Let us find out if the gentleman from Texas believes what the Texas Farmers Union says. He says it will not cost the consumers anything, and he just said that the Texas Farmers Union said it is either going to cost the consumers or the producers. Is the gentleman contending it is going to cost the producers of wheat in Texas a substantial amount of money?

Mr. PRICE of Texas. It says that it is going to assess the producers from 1 to 2.5 cents per hundredweight to produce wheat.

Mr. POAGE. That is all the money involved in this bill, about 1.5 cents per hundredweight which is paid by the processors. That is all the money involved now.

Mr. PRICE of Texas. But it will cost—

Mr. POAGE. Wait just 1 minute. The gentleman is citing as authority that in effect, either the consumer or the producer should pay this. He has said now that the consumer is not going to pay it. Are you saying now that the producer is going to pay it?

Mr. PRICE of Texas. It says here that the council will raise it from an assessment of between 1 and 2.5 cents per hundredweight of wheat intended for human consumption, so that does not cost the producer 1 to 2.5 cents per hundredweight.

Mr. POAGE. Does the gentleman say it is going to cost the producer 2.5 cents per hundredweight?

Mr. PRICE of Texas. That is what it says, the council says so itself.

Mr. POAGE. I am not talking about the council, but it is your contention that the bill will cost from 1 to 2.5 cents per hundredweight?

Mr. PRICE of Texas. That is what the council said.

Mr. POAGE. I know what the council said, but I am talking about what Bob PRICE said.

Mr. PRICE of Texas. Yes, it will, because this thing is just being rammed down the throats, and telling the farmers out there that if you are farming this farm, if you do not want to participate we will jam it down your throats and charge you 2.5 cents per hundredweight.

Mr. POAGE. I will give the gentleman

time for further explanation, but is the gentleman saying this will cost the wheat producer 2.5 cents?

Mr. PRICE of Texas. Yes, I think it will.

Mr. POAGE. You think it will? All right, I think it is clear that the processors will pay the bill. It is probably too small to pass on or back.

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

Mr. POAGE. I yield to the gentleman.

Mr. GROSS. It certainly is going to cost somebody something—who is it?

Mr. POAGE. Certainly, it is going to cost some \$2,600,000 when it gets in full operation.

Mr. GROSS. Well.

Mr. POAGE. That somebody is probably going to be—

Mr. GROSS. Going to be who?

Mr. POAGE. The processor and the baker, both of whom are supporting the bill because they recognize that by this kind of program, they will be able to present their product in a better way to the public and, therefore, have a wider distribution of their products—and it becomes a kind of advertising cost to them, and I have often been told that advertising reduces costs.

Mr. TEAGUE of California. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, the colloquy just concluded might lead a spectator to the conclusion that this really is not going to cost anybody anything and that it is going to make money for the American people. If there is any substance to that line of argument, maybe we are pikers in providing just 1 cent to 2½ cents per 100 pounds. Maybe we ought to go to 5 cents or 6 cents and really save the American people a lot of money.

It is my feeling that this bill is ill timed. It comes at a very bad time, with wheat prices rising so substantially, and, secondly, it is a costly item that is not beneficial to the American people, whether in their role as consumers or in their role as producers of wheat.

Further, it is my contention that this is a very regressive measure which will, indeed, hit poor people harder than other people in the population.

The distinguished chairman of the committee in his explanation of the bill said it is simply a bill to authorize promotion, education, and research in wheat and wheat uses.

It certainly is that. But this statement would lead to the conclusion that, first of all, there is no money for research and promotion available through an agency of the Federal Government for wheat research and promotion today. That certainly is not true. There is now more than \$2 million lying in a public account available for wheat promotion and research that has not been spent and it has been available for almost 2 years.

That raises the question as to whether we should rush into an act like this to authorize still more money for wheat research and promotion given the fact that the National Wheat Council established



by authority of legislation passed about 3 years ago by this Congress—that this council has not yet been able to figure out what to do with more than \$2 million for wheat research and promotion.

Secondly, we ought to recognize that the force of law is not required to permit the millers of wheat to assess themselves and spend money for wheat research, promotion, and education. They can do it all on their own without the Congress being involved at all. In fact, that very procedure has been adopted with good effect by several organizations. I think of the livestock producers, also of the American Soybean Institute which 3 years ago established a 1 cent per bushel deduction and which has had good voluntary cooperation among its members in raising money for market development for soybeans and soybean products.

So we do not have to pass a law in order to permit the millers of the United States to raise money among themselves for wheat education, research, and promotion.

The other item I mentioned was the effect of this law upon poor people. I do not think anyone will argue against the contention that I will now make—and that contention is that as the income of the family unit goes down, reliance of the family unit on wheat products goes up. In other words, the poorer the family, the more important are wheat products in the diet of that family.

As pointed out in the colloquy just completed, the affluent people do not use wheat products nearly as abundantly as poor people. So the cost of this program, whatever that cost is, and assuming it is passed on to the consumer—certainly a fair assumption—has to go someplace. The millers are now pleading with the Cost of Living Council for an increase of 1 cent to 3 cents per loaf of bread. It could hardly be expected, therefore, that these same millers will absorb another \$2 million to \$6 million in their balance sheet.

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

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

Mr. WOLFF. Mr. Chairman, as one who formerly was in the baking business I think I could tell the gentleman where this cost of this program can come from. In the first place included in the distribution cost of bread, there is what is known as a "return" policy. In most stores, if the bread is in a retail store for more than one day it is picked up and returned to the bakery. I believe, if included in this bill, a study should be made of the savings that could accrue alone from the elimination of such a policy, no returns, but reduced prices, we could save the consumers of this Nation a minimum of 1 cent to 2 cents a loaf.

Mr. FINDLEY. I will say in response to the gentleman's comment that I believe a study of the distribution system in this country is highly desirable. We have committees and subcommittees of Congress that can very well undertake such a study, but I think the gentleman will also recognize our private sector is high-

ly competitive at almost every level. I believe if savings could be effectuated by the procedure the gentleman has outlined, it would have been done long ago. But nevertheless I want to acknowledge that a study of this question would be entirely appropriate.

Mr. WOLFF. During World War II this practice was eliminated. If we can save 1 cent or 2 cents a loaf, we can certainly accommodate all the costs of this program.

Mr. FINDLEY. If we can save 1 cent or 2 cents a loaf, let us pass that on to the consumer and forget this costly bill now before us.

Mr. WOLFF. That is correct. Let us pass it on to the consumer.

Mr. FINDLEY. Mr. Chairman, I would like to conclude by quoting a gentleman quoted earlier. Mr. D. M. Mennel, president of the Mennel Milling Co. of Fostoria, Ohio, said in his letter to the committee, printed in the hearing record:

I question seriously the moral and ethical nature of taxing the consumer for the purpose of persuading that same consumer to use any specific product. It seems to me such a concept can proliferate into further fragmentation of pressures on consumers in behalf of all sorts of products and pressure groups creating higher costs for the consumer, possibly with nebulous benefits.

Mr. Chairman, the question before the House today is this: Do we want to add \$6 million to the cost of wheat products, while domestic and world prices for wheat are at high levels?

Domestic wheat prices underwent the biggest 1-month price increase in 25 years in the month ending August 15. The price received by farmers jumped 14 percent from \$1.32 a bushel to \$1.51—the greatest 1-month increase since October 1947. Just 1 year ago, the price of wheat was \$1.28.

The futures market also reflects this price increase. Yesterday, March and May wheat futures closed in the \$2.04 to \$2.06 range. Just 2 months ago that figure was 25 to 30 cents lower.

This situation has led to a dramatic increase in the price of flour. On July 7, flour was selling for \$5.35 per hundred-weight. On August 23, it peaked at \$6.15 to \$6.25. The price remains over \$6.

What has caused these prices to increase? In part, we would have to assume the massive sales of wheat to foreign countries has driven prices upward—certainly a desirable situation. The Russian sales have received most of the attention. But other sales have been made to many nations because of the poor crop season in much of the world. As the private domestic companies making the sales have bought in the open market, prices have climbed. Certainly the farmer is entitled to these higher prices. But with costs to consumers climbing—and inflation being the result—there must be a limit. It certainly makes no sense to use the force of law to push wheat—and bread—prices still higher.

The Department of Agriculture unintentionally contributed to this situation by raising the export subsidy on wheat to stabilize world prices. As domestic prices rose, the subsidy was increased.

I opposed this policy and presented my arguments to Department officials. The Department of Agriculture has now altered its position and no longer is supporting the wheat exports at the fixed rate.

With rumors of a world wheat shortage, and a possible depletion of U.S. wheat supply, prices, remain high.

What does this have to do with the bill before us today? Last week, the American Baker's Association asked the Cost of Living Council for an immediate, across-the-board increase in bread prices of 1 to 3 cents a loaf. Clearly, the wheat price situation is contributing to the spiraling increase in the cost-of-living.

The proponents of this bill say that the assessment provided in the bill would result in only a fraction of a cent increase cost to end-product manufacturers of wheat products. They argue that this new expense could be absorbed. But with the current high wheat prices and the baker's request for a price increase pending, it is evident that a new expense will not be absorbed. Adding to the baker's expenses can result only in an increase in price to consumers. The inflationary spiral would go on.

I do not question for a minute the extreme importance of wheat products to our diets. We should all consume more than we do. Nor do I question the farmer's right to receive a fair price for the wheat he produces.

It should be noted that the National Wheat Institute, a board established by an earlier farm bill, now has more than \$2 million in a public fund earmarked for wheat research and promotion. This money has been available for expenditure for some time, but no decision has been made as to how to spend it. The money for this fund came from a tax on wheat exports that was in effect about 3 years ago. It has been available for nearly 2 years. Only \$50,000 has been spent.

Until the Institute has found a prudent way to invest the \$2 million, I see no hurry in establishing another research fund.

This bill would only add to the inflationary problem, a problem we can help solve if we make prudent judgments.

Soon, the House Committee on Agriculture will open hearings on wheat prices. Until the time when a report is filed, a bill that would increase wheat prices should not be considered by this House.

Mr. Chairman, I think the bill ought to be rejected.

Mr. TEAGUE of California. Mr. Chairman, I yield 6 minutes to the gentleman from Kansas (Mr. SEBELIUS).

Mr. SEBELIUS. Mr. Chairman, I rise in support of H.R. 13514, the Wheat and Wheat Foods Research, Education and Promotion Act, and strongly urge its passage.

As the Representative of the congressional district that grows more wheat than any State in the Nation, I want to say that the need for this bill goes to the needs of our Nation.

The purpose of this legislation is to provide for a program of research, education, and promotion for market development and to utilize wheat and wheat

products to eliminate hunger and malnutrition at home and abroad.

This is landmark legislation since it is the culmination of several years' efforts to develop a program acceptable to: First, wheat producers; second, processors, and third, end-product manufacturers of wheat foods. This proposal, the product of industry discussions since the early 1960's, authorizes these three segments of the wheat and wheat foods industry to work together to establish, finance, and administer a coordinated research, promotion, and education program.

Under the bill, a wheat industry council is to be established composed of 15 voting members and seven additional members. The council is to be established to administer the program and collect assessments. The Wheat and Wheat Foods Foundation will submit to the Secretary of Agriculture the names of 15 nominees and 15 alternates for council voting membership; one-third of each group to be selected from producer, processor and end-product manufacturer members. Terms are 1 fiscal year with eligibility for renomination.

Not less than 90 days prior to the beginning of each fiscal year, the council shall recommend to the Secretary of Agriculture the amount to cover the expenses of the council for the fiscal year. To finance the program, the assessment shall be 1 percent per hundredweight of processed wheat, and in each succeeding year the rate of assessment may be increased in relation to the approved budget needs, but the rate of assessment shall not exceed 2½ cents per hundredweight of processed wheat. It is estimated that approximately \$2,600,000 will be raised the first year and the maximum amount for each succeeding year would not exceed \$6 million.

I want to specifically point out that this legislation was not reported by the House Agriculture Committee without considerable discussion and debate. The matter of a referendum for program ratification was suggested. However, it was rejected by the committee due to cost estimated at close to \$1.5 million, almost the level of assessments for the first year and a burdensome Federal expenditure if the referendum was rejected. Also, a national referendum among 1,700,000 wheat growers would be a cumbersome exercise since there is no "check-off" on wheat. The interest of the wheat producer is recognized as a one-third partner with processors and end-product manufacturers in the Wheat Industry Council and in the Wheat and Wheat Food Foundation.

The proposed assessment should in no way be a burden to consumers. At the minimum of 1 cent per hundredweight of flour or processed wheat product, or even at the maximum of 2½ cents per hundredweight, the amount per pound of bread is too small to pass on to consumers. There is no way of adding one one-hundred-and-fiftieth of a cent to the price of a pound loaf of bread. Conceivably, however, the cost at some future time could become part of a rising cost "mix"—ingredients, labor, transportation, packaging, and so forth—sufficient

to justify an increase in price. As a safeguard, the Secretary of Agriculture has the authority to stop the program at any time he feels it does not serve the public interest.

In view of the present wheat surplus and the concern regarding hunger and malnutrition at home and abroad, it is important that we launch a full-scale wheat utilization program. Research in human nutrition extends to almost all dietary and psychological considerations. Nutritional education on high protein wheat foods will extend to all foods and cannot help but benefit consumers, especially those of low income who rely most heavily on products of wheat.

Despite the proven value of high protein wheat in recommended diets, per capita consumption of wheat foods has dropped more than 50 percent in the past 60 years, from more than 200 pounds per person a year to less than 112 pounds.

Studies being presently carried on show that a diet high in carbohydrates, including cereals, serves to lower the levels of cholesterol which is widely accepted as an index to an individual's susceptibility to heart disease. Further work is urgently needed to reevaluate the role of cereal protein in human nutrition.

Mr. Chairman, in summary, I believe quite strongly that the program envisioned by H.R. 13514 will represent an investment, rather than a cost, on the part of wheat producers throughout the Nation. The investment I refer to not only includes the obvious and primary intent of this program—to revitalize the wheat and wheat foods industry and improve the farm income picture—but I think this program can also be of substantial benefit to our efforts to combat hunger and malnutrition and to assist in providing needed nutritional and dietary research relating to heart disease.

This bill will help the consumer get tastier and more nutritious wheat products and will help the farmer who raises the wheat to feed a growing and hungry world. All I ask is that you give it a chance.

I would like to underline one other question my good colleague from Illinois (Mr. FINDLEY) has raised, and that is the value of a referendum, and I should like to bring it to your attention specifically.

In my district, which encompasses 57 counties, I have approximately 35,000 Farm Bureau members, somewhere around there. I do not know how many members of the National Farmers Union there are in my district. I did want to emphasize this, because it is very important when they say what the national group of any organization says, because we want the grassroots reaction.

Of these 35,000 Farm Bureau members, not one has said one word to me in opposition to this bill. Neither have their State organizations. I think that speaks well on the subject of what the people out there who are working with the problem and the project have to say.

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

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

Mr. KEMP. Mr. Chairman, I should like to congratulate the gentleman on

his remarks and support him on this legislation.

At a time when America is divided on so many issues, it is indeed encouraging that wheat producers, processors of wheat, the millers, and end-product manufacturers, the bakers, are finding common agreement with unions serving those industries on the urgent need for our approval of the Wheat and Wheat Foods Research, Education and Promotion Act. The legislation represents a new kind of American ingenuity in solving a common problem in the public interest.

The 150,000 members of the Bakery and Confectionery Workers' International Union of America as well as grain millers and maritime trades are very much concerned that H.R. 13514 be passed as reported out by committee.

I have worked with representatives of unions, of industry, and producers on this legislation and know that western New York and Buffalo workers have a vital stake in its passage. Their welfare, job security and future of this great industry are involved.

Not only the bakery and confectionery workers are concerned, but also the grain millers, the maritime trades, and all those concerned with the processing and shipping of wheat. Hopefully we will be able to extend the shipping season on the Great Lakes in order to take greater advantage of the purpose of this act—to provide for research, education, and promotion of expanded markets for wheat.

Devoted men in labor and management have spent 10 years developing a unique concept dedicated to the goal of improving popular diet through research, education, and promotion. The proposed measure gives adequate representation to all concerned—yet serves a pressing, universal consumer need for improved popular diet. The cost of this effort would not be charged to government or to taxpayers, but to the industry itself—through an assessment on processed wheat products; that is, flour in an amount so small—one one-hundred-and-fiftieth of a cent per loaf of bread—that it cannot be passed on to consumers nor back to farmers. Yet the revenues thus accumulated would accomplish untold benefit for those immediately concerned as well as the public—benefits in nutrition research, consumer education, and in the better use of our agricultural bounty.

It is one thing for the wheat producer, the miller, or the baker to cite the urgent need for research, education, and promotion on behalf of wheat products. But it is quite another to hear Dr. Mark Hegsted, professor of nutrition at Harvard and Chairman of the Food and Nutrition Board, National Academy of Sciences, National Research Council. Here is what Dr. Hegsted says:

Increased cereal consumption in this country would be beneficial and cereals provide the major hope for feeding the world now and in the future. Yet we are grossly unprepared to make many crucial decisions because we simply do not know enough about human nutrition and the role cereal products can play in meeting nutritional needs. Most current research focuses on the negative aspects of cereals in human nutrition. This current tendency to downgrade



cereals will not be changed unless an appropriate body of knowledge is developed. . . .

Earlier, in testimony on the act, Dr. Hegsted said:

Cereal products have been taking a beating repeatedly in the public press in regard to their nutritional content. Certainly, much of this criticism is invalid. Nevertheless, this has weakened the confidence of the public in cereal products in general. I think one of the primary problems is that the cereal industry has relatively little ammunition to combat these kinds of attacks.

I think they need an aggressive research program.

Mr. Chairman, what is the promise in the Wheat and Wheat Foods Research, Education and Promotion Act for the public good? Let me quote Dr. Olaf Mickelsen, professor of nutrition, Michigan State University. The key word here is "indicates," meaning simply that signs point in the directions cataloged by Dr. Mickelsen, but more work needs to be done. Dr. Mickelsen says:

Work carried out in recent decades indicates that: (1) wheat has an ameliorating effect on blood cholesterol which may be important in reducing cardiovascular deaths; (2) wheat reduces the incidence of dental caries in children; (3) wheat contains proteins of such high biological value that normal young men can be maintained in excellent health for long periods when wheat is their only source of protein; (4) wheat lowers the blood urea level which may be efficacious in the reduction of renal (kidney) diseases; and (5) wheat provides and economical and adequate means of providing a nutritious diet for large numbers of people now that food is considered a critical factor in human survival.

If Dr. Mickelsen is right—and his view is supported by many other scientists—what more do we need to approve an act already supported by wheat producers, millers, bakers, and macaroni manufacturers—an act in which they would foot the bill for such research? In this day when we ponder billion dollar budgets, the amount involved in the act is not great. But more importantly, it would generate its fund for research, education, and promotion without cost to the Government or the taxpayer.

Mr. Chairman, there are those who may ask—in the light of massive wheat sales to Russia—whether we need this measure providing for a domestic program of research, education and promotion. If anything, the purchases by U.S.S.R. reflect the high regard of wheat in that country—contrasted to the low esteem in which the product is held by many Americans. Russia, according to the press, plans a campaign in this year of drouth and possible famine to remind its citizens of the value of breadstuffs.

The role of wheat as a civilizing influence has long been recognized. Now it again becomes an instrument of foreign policy and international friendship. What better proof do we in this country require to demonstrate the urgent need for our approval of the Wheat and Wheat Foods Research, Education and Promotion Act?

The sale of wheat to Russia does not diminish but rather heightens the points of argument in favor of H.R. 13514. Bread is important in Russia and the rest of the world—as a source of essen-

tial nutrients, as a food for both masses and classes, as a cornerstone of good diet. This measure will help make wheat important again in the United States—where per capita consumption has continued to drop—from more than 200 pounds per person 60 years ago to about 110 pounds today—while disease and mortality attributed to such changes in diet have increased.

Mr. Chairman, this measure will help make American wheat important again the world over.

The export potential which is very real to us in Buffalo, points up the great benefits to be derived by opening up and developing the St. Lawrence Seaway as the means to export wheat on a year-round basis from the Great Lakes region.

I think it is also important to point out that the agreement to ship 50 percent of the grain in American bottoms is presently the topic of trade discussions still underway as a result of Secretary Peterson's recent visit to Russia and Poland. On May 11, 1972, in a floor speech I called attention to the remarks of Thomas W. "Teddy" Gleason, president of the International Longshoremen's Association. I said:

Mr. Gleason's address was particularly timely, in that it expressed his union's concern with possible United States-Soviet trade agreements which may result from President Nixon's planned trip to Russia later than month.

Mr. Gleason won sustained applause when he reported his union has informed the administration that longshoremen will "gladly" work Soviet ships, "if for every ship we work, they will release three prisoners of war."

Thus, this leader of dockworkers joined our President in linking a North Vietnamese Communist response to Soviet influence.

Mr. Gleason also reported that our President was aware of a similar ILA stance when he visited China.

Mr. Gleason declared: "We are not going to work those Communist ships unless we can buy something for our people."

I believe as Mr. Gleason does, that the workers and all the people of this country should obtain the fullest, possible benefits from this trade.

I also support the ILU's effort to win an agreement to ship surplus commodities overseas on "a 50-50 basis," that is 50 percent of the grain and other commodities on ships carrying the American flag and 50 percent on ships carrying flags of other nations.

Mr. Chairman, I shall urge Secretary Peterson to continue to press for this agreement.

Last year, in 1971, not even a million tons of general cargo were exported from the United States directly through the Seaway. We think this probably is one-fifth of potential. If we could just double this tonnage, the value to the U.S. companies involved could be estimated at well over \$25 million a year. Professor Schenker\* of the University of Wisconsin, in his paper of January 1972, used \$24/ton as the savings. His paper shows so clearly other benefits and, in fact, multiplying effects for the Nation derived from these savings.

Again, I think of wheat in terms of its great export potential and think what

\*Reference: Special Report No. 15, Extending the St. Lawrence Seaway Navigation Season: A Cost Benefit Approach by Eric Schenker.

an open seaway can do for us to reduce the costs of getting our goods to foreign markets and thereby making them more competitive in more places. Here is a real opportunity to enhance our export position and create more prosperity and more jobs in Buffalo and in the country.

Mr. TEAGUE of California. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. HOSMER).

Mr. HOSMER. Mr. Chairman, I rise in opposition to this legislation.

I ask that the Members of the House examine just what is being sought here. What is being sought is authority to contract out to some private council, which is to be created by this legislation, the power to tax—the power to tax anywhere from 1 cent the first year to 2½ cents per hundredweight of wheat after that which passes through the processors.

This is the kind of thing which even back in Biblical days created a tremendous amount of trouble recorded in the Good Book, contracting out to somebody else the sovereign power to tax.

After that is done by the bill before us, it would further compound the felony by contracting out the expenditure. The money which is to be raised under the color of the sovereign power of the U.S. Government being prostituted by some council would then be permitted to be expended by that same nongovernmental body for such purposes within the limits of the legislation as it may see fit. Fifteen percent of the expenditure could conceivably go right smack out the back door to advertising agencies as commissions.

That simply does not make sense.

There is not even a provision in the proposed bill, as the gentleman from Illinois (Mr. FINDLEY) would provide, to let the people who do not want to take part in this flim-flam scheme out of it.

When somebody comes on the floor and says this is not going to cost the Government anything, I say first that in the report it is stated it is going to cost \$50,000 or \$55,000 a year just to set up this privilege in the private hands of the wheat council to raise and expend millions of dollars. That is the direct cost to the Department of Agriculture. Then there is the cost to the people of this money that is going to be spent, the \$2.6 million to \$6 million. That is not going to come out of a pump. None of these people in this business will pay it, so it is obviously going to come out of the pockets of the fellow who is the end of the line, the buyer, the consumer. It is another tax on the consumer. It is in the nature of a value added tax that adds no value.

This is a tax we are asked to let somebody who is not even a responsibly elected official impose. I simply cannot see that. Nor can I understand the argument of the gentleman from Kansas that this has something to do with improving dietary practices. If the gentleman wants to practice medicine, let him go to a hospital, and let him practice medicine after he gets a medical degree.

When people tell me that to eat wheat will reduce cholesterol, I can also say that it will lay on fat and do a lot of other things to the body.

But neither one of us should be in the Houses of Congress practicing medicine, and we certainly should not be legislating for a program that will let some advertising agency go out to sell something to somebody which might do a lot of medical harm.

I never approved this cotton council thing, but one does not eat cotton.

I never approved this potato council thing, and one does eat potatoes, which makes it worse. But the very worst of all is this Wheat Council thing which is totally dictatorial.

Mr. FINDLEY. Will the gentleman yield?

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

Mr. FINDLEY. There is a precedent for a tax of this sort. The gentleman just alluded to it under the cotton checkoff. However, under the cotton checkoff program the people involved, namely, the producers who have the most direct cost to bear by such a program, are permitted a referendum. Furthermore, they are permitted the opportunity for a referendum.

Mr. COTTER. Mr. Chairman, I rise in total opposition to H.R. 13514.

The bill is designed to promote the sale of wheat, but the legislation is particularly ill-timed and seemingly unnecessary. The demand by the Soviet Union for U.S. wheat and the reports of the Chinese interest in purchasing U.S. wheat leads me to conclude that there is very little reason for this wheat promotion program.

Some Members object to this legislation because farmers and grain processors have very little choice in participating in this program. This is a very real concern and one that I share.

My main concern, however, is that the cost of this program will be passed on to the U.S. consumer.

My opposition is further prompted by the bureaucratic foulup over the Soviet grain agreement. This agreement was held by our Government as a constructive means of reducing the U.S. wheat surplus. After the agreement went through, it was discovered that the Soviet Union wanted more wheat than we had available. One result of this shortage was that the price of wheat increased and bakers and flour manufacturers petitioned for an increase in price of such food products as bread, and baked goods. So instead of protecting the American consumer, which should be the highest priority of our Government during the wage-price controls, the Department of Agriculture entered into an open-ended agreement with the Soviet Union without any consideration of the effect on the American consumer.

I have written to Secretary Butz urging him to put unused wheatfields into production. The U.S. taxpayer currently pays over \$1 billion to wheat farmers not to grow wheat. Further, I have asked the President to hold up the Soviet wheat agreement until he can assure the U.S. consumer that he will not pay higher prices for bread.

Until I receive concrete assurances from both the President and the Secre-

tary of Agriculture that the U.S. wage earner is protected from higher food prices, I cannot support such programs as embodied in this legislation.

Mr. TEAGUE of California. Mr. Chairman, I have no further requests for time.

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

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Wheat and Wheat Foods Research, Education, and Promotion Act".*

#### LEGISLATIVE FINDINGS

SEC. 2. (a) Wheat and its products are a basic source of the Nation's total supply of human foods. They are sold on the country-wide market, as wheat or wheat products. Substantial quantities thereof move in interstate commerce from producers to consumers. Recurring periodic surpluses impair purchasing power and financial stability of wheat producers, adversely affect farm credit, disorganize and disrupt the agricultural and general economy of the United States, create uncertainty for consumers, impinge on the general welfare, and burden interstate commerce. The production, processing, manufacturing, and marketing of wheat and its products within the United States directly affect the welfare and security of the Nation.

(b) It has long been found to be in the public interest to have a reasonable balance between the supply and demand for wheat and wheat products produced and sold in this country for use as human foods. Increasing need for food adds a humanitarian dimension and a note of urgency. The distribution, manufacture, and sale of wheat and wheat foods have become major instruments of national policy as well as important factors in the nutrition of consumers.

(c) In order to increase demand for wheat and wheat foods, and to advance the public interest, it is necessary to establish a research, education, and promotion program which will provide:

(1) Research: coordinated and programed to amplify and to extend, without duplication, existing research programs for the purpose of exploring in the public interest such areas as: the nutritional values of wheat and wheat foods and the possibility of new and improved wheat foods which by the nature of research will contribute to knowledge of nutrition in general and understanding of all wheat foods in particular, or increase their value; improved techniques of production and distribution of wheat and wheat foods; and market research, including consumer attitudes.

(2) Education: to communicate existing and new product knowledge, uses, and values in nutrition; nutrition education; in the establishment of school or community nutrition programs; in the preparation and distribution of materials for food editors and writers in all media, leaders of government, and school authorities.

(3) Promotion: including public relations, advertising, trade advertising, merchandising projects, and events and programs for special market areas and market research to determine the most effective methods of presentation of the consumer benefits to be derived from wheat and wheat foods as human foods.

(d) The implementation of such research, education, and promotion will, among other things, (1) contribute to professional and public knowledge, understanding, and appreciation of wheat foods and their relationship to other human foods in approved diet; (2) improve the market for wheat and wheat foods; (3) stimulate appreciation of the

need for, and greater use of, wheat and wheat foods as an essential part of a balanced diet; (4) reduce and strive to eliminate the need for regulatory controls on the production and marketing of wheat; (5) help improve the effectiveness of world food programs through better utilization of wheat foods; and (6) contribute to those sectors of the National and State economies dependent in whole or part on the industrial vitality of those associated with the production, processing, and end product manufacture of wheat and wheat foods.

#### DECLARATION OF POLICY

SEC. 3. It is therefore declared to be the policy of the Congress and the purpose of this Act (1) to authorize and provide for the establishment of an orderly procedure for the development, financing, and carrying out of an effective, continuous, and coordinated program of research, education, and promotion designed to maintain and expand markets for wheat and wheat products for use as human foods within the United States, and (2) to require the Secretary of Agriculture to utilize the services and counsel of industry organizations and groups to the maximum extent in the development and administration of programs of research, education, and promotion under this Act.

#### DEFINITIONS

SEC. 4. For the purposes of this Act—

(a) The term "council" means the Wheat Industry Council established pursuant to section 5 of this Act.

(b) The term "Department" means the United States Department of Agriculture.

(c) The term "end product" means any product in which processed wheat or wheat grown within the United States is a material or ingredient, and which is intended for use as human food within the United States without further processing other than final preparation thereof for consumption by the ultimate consumer on the premises where sold or final preparation by the ultimate consumer for personal, family, or household use.

(d) The term "end product manufacturer" means any person who produces an end product.

(e) The term "person" means any individual or any partnership, corporation, association, or other business entity.

(f) The term "processed wheat" means any substance produced for use as an end product, or as a component of an end product, by changing wheat grown within the United States in form or character by any mechanical, chemical, or other means.

(g) The term "processor" means any person who during the period of twelve months immediately preceding the date as of which the determination is made (1) produced processed wheat from five thousand bushels or more of wheat or from the equivalent thereof in previously processed wheat, or (2) bought for resale to other processors or to end product manufacturers without further processing processed wheat produced from five thousand bushels or more of wheat.

(h) The term "Secretary" means the Secretary of Agriculture, or any officer or employee of the United States Department of Agriculture who is authorized to exercise the powers and perform the duties of the Secretary.

(i) The term "United States" means the several States and the District of Columbia, but does not include any territory or possession.

(j) The term "wheat producer" means any person who grows wheat within the United States for market.

(k) The term "year" or "fiscal year" means the period from the effective date of this Act to the beginning of the next fiscal year of the United States Government and each fiscal year of the United States Government thereafter.



**ESTABLISHMENT OF WHEAT INDUSTRY COUNCIL**

SEC. 5. (a) There is hereby established a nonprofit organization to be known as the Wheat Industry Council (hereinafter referred to as the "council") which shall not be an agency or establishment of the United States Government.

(b) No part of the net earnings of the council shall inure to the benefit of any private person, and it shall be treated as an organization described in section 170(c)(2) (B) of the Internal Revenue Act of 1954 and as an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code.

(c) The Council shall be composed of fifteen voting members and seven additional members. One of the additional members shall be the Secretary or an official of the Department designated by him. The fifteen voting members and alternates therefor shall be appointed by the Secretary from nominees submitted for his consideration as hereinafter provided. The additional members shall meet and confer with the voting members of the council but shall not be entitled to vote or hold any council office.

**PROCEDURES FOR THE NOMINATION AND APPOINTMENT OF MEMBERS AND ALTERNATE MEMBERS TO THE WHEAT INDUSTRY COUNCIL**

SEC. 6. (a) Within thirty days after the enactment of this Act, and not less than thirty days prior to the beginning of each fiscal year in which this Act becomes effective, the Secretary shall request the Wheat and Wheat Foods Foundation, a nonprofit corporation organized and existing under the laws of the State of Illinois, the membership of which is limited to persons who are or who represent producers, processors, or end product manufacturers, to submit the names of fifteen persons for consideration by the Secretary as nominees for appointment to the council as voting members, and the names of fifteen additional persons, each for consideration by the Secretary as a nominee for appointment as an alternate to a designated voting member of the council. Each of said nominees for appointment as voting members or alternates shall be a member of, or an officer, director, or employee of a member of, the Wheat and Wheat Foods Foundation, selected to represent the views and interests of that segment of the industry on whose behalf he was designated, namely producer, processor, or end product manufacturer. Five of the persons so selected as nominees for appointment as voting members of the council and the five persons so selected as nominees for appointment as their alternates shall qualify on the basis of membership in the producer segment, a like number of each on the basis of membership in the processor segment, and a like number of each on the basis of membership in the end product manufacturer segment. Any one or more of said nominees, voting members, and alternates may be a director, officer, or executive committee member of the Wheat and Wheat Foods Foundation.

(b) The additional members, other than the Secretary or his designate, shall be selected at large by the Secretary, two from each of the three segments of the industry referred to in subsection (a) of this section.

**APPOINTMENT OF NOMINEES BY THE SECRETARY**

SEC. 7. (a) (1) Upon receipt of the request of the Secretary for nominees as provided in section 6, the board of directors of the Wheat and Wheat Foods Foundation is requested to choose fifteen nominees and a like number of alternates for consideration by the Secretary for appointment as members or alternates, as the case may be, to the Wheat Industry Council. If any such nominee or alternate nominee is rejected by the Secretary in his discretion, the Secretary shall request the board of directors of the Wheat and Wheat Foods Foundation to

submit the name of another nominee or alternate nominee in lieu of the one rejected, which nominee or alternate nominee, as the case may be, shall be subject to the same eligibility requirements, and shall represent the same segment of the wheat industry (producer, processor, or end product manufacturer), as the nominee or alternate nominee rejected by the Secretary.

(2) An alternate voting member of the council shall act in the place of the member for whom he is an alternate during such member's absence or when designated to do so by the member for whom he is an alternate. In the event both a member and his alternate are unable to attend a council meeting, the voting members of the council present may designate another alternate of the same classification (producer, processor, or end product manufacturer) to serve in such member's place for that meeting. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor for such member is selected and has qualified.

(b) A council member shall be appointed to serve for one fiscal year and his term shall expire on the last day of the fiscal year for which he was appointed, except that each member shall hold office until his successor shall have been appointed and shall have taken office. Council members may be removed for cause by the Secretary. Vacancies for unexpired terms on the council shall be filled by the Secretary in the manner herein prescribed for the appointment of members for a regular term. A member shall be eligible for reappointment if again selected for nomination pursuant to subsection (a) of this section.

(c) Members of the council, and their alternates, shall serve without compensation but shall be paid their necessary travel, subsistence, and other expenses incurred in the discharge of their official duties. The Secretary or other officer or employee of the United States appointed to the council shall serve without compensation in addition to that received by him as an officer or employee of the United States, subject, however, to the provisions of section 18 of this Act relating to reimbursement by the council to the Department for actual administrative expenses incurred by the Department.

**GENERAL POWERS AND DUTIES**

SEC. 8. (a) The council shall meet at least annually and at other times upon call of the chairman. Special meetings of the council may be called at any time upon reasonable notice, as required by its rules and regulations, by a quorum of the members of the council or by the Secretary.

(b) The chairman of the council shall be selected by the voting members of the council and shall hold office at the pleasure of the council or until his membership on the council expires.

**VOTING REQUIREMENTS FOR COUNCIL ACTIONS**

SEC. 9. A majority of the voting members of each of the three groups represented on the council shall constitute a quorum. All decisions, recommendations, or other actions of the council shall require a majority vote of the voting members present from each of the three groups represented on the council (producers, processors, and end product manufacturers). All such decisions, recommendations and actions of the council shall be subject to approval by the Secretary. The Secretary shall not take any action with respect to any matter concerning which the council is authorized to act unless and until such action receives the requisite approval by the voting members of the council as provided in this section.

**AUTHORITY OF COUNCIL TO ISSUE RULES AND REGULATIONS**

SEC. 10. The council may adopt rules and regulations governing the manner in which

its business may be conducted and its powers exercised.

**AUTHORITY OF COUNCIL TO SUE AND BE SUED**

SEC. 11. The council may sue and be sued in the same manner, in the same courts, and to the same extent that a corporation may sue and be sued. Notwithstanding other provisions of law, for jurisdictional and venue purposes the city in which the principal office of the council is located will be considered its official residence.

**AUTHORITY OF COUNCIL TO ISSUE RULES STATES**

SEC. 12. The council may enter into and carry out such contracts or agreements as are necessary or desirable in the conduct of its business, including the borrowing of money for administrative expenses pending the collection of assessments as herein provided. The council shall have no authority to obligate the United States, and none of its notes or obligations shall be guaranteed by or collectable from the United States. Claims against the council shall be enforced only against the assets of the council, and no liability for the debts or actions of the council shall exist against either the United States, or any agency or agent thereof, or any member, officer, employee, or agent of the council in his individual capacity.

**OBLIGATIONS AND EXPENDITURES; SETTLEMENT OF CLAIMS**

SEC. 13. The council shall determine the character of and the necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed, and paid. It may make final and conclusive settlement and adjustments of any claims by or against the council or of the accounts of its officers, employees, agents, and contractors.

**EMPLOYMENT OF PERSONNEL; REQUIREMENT OF PERSONAL BONDS**

SEC. 14. (a) The council may appoint such committees and officers and employ such personnel as it may deem necessary for the conduct of its business; establish conditions of employment, discharge, and leave; fix the amount of and pay their compensation; and define their authorities and duties. All such committees, officers, and employees shall be subject to the general supervision and control of the council and its rules and regulations adopted pursuant to section 10 of this Act, and shall be subject to reimbursements for expenses as prescribed in section 7(c) of this Act. The council may require and pay for bonds for employees, officers, agents, or contractors.

(b) Members of the council, other than the Secretary or his designee, and employees of the council shall not be deemed to be Federal employees for any purpose and shall not be subject to the provisions of laws relating to Federal employment.

**UTILIZATION OF FEDERAL AND STATE FACILITIES AND SERVICE**

SEC. 15. The council may, with the consent of the department or agency concerned, accept and utilize on a reimbursable or non-reimbursable basis, the officers, employees, facilities, services, and information of any department or agency of the United States or of any State or of any political subdivision of any State.

**GENERAL POWERS OF COUNCIL**

SEC. 16. The council shall have such other powers as may be necessary or appropriate for the exercise of the powers vested in it and the effective performance of the duties imposed on it by this Act.

**RESEARCH, EDUCATION, AND PROMOTION PROGRAM**

SEC. 17. The council shall, subject to the provisions of section 9, develop and submit to the Secretary for his approval, research, education, and promotion (including paid advertising) plans or projects for wheat and wheat foods, to encourage and make more

efficient the growing, distribution, and marketing of wheat and wheat foods, and to stimulate expanded sales and uses thereof in present or new forms for use as human food within the United States. Any such plan or project shall be directed toward increasing the general demand for wheat and wheat foods without reference to private brands or trade names and without specific benefit to any individual or restricted group of producers, processors, or end product manufacturers to the exclusion of other individuals or groups within the industry. Funds collected to finance said plans or projects shall be expended on behalf of, and in proportion to, the assessment on the end products represented by such assessment. No research, educational, or promotional effort shall employ false or unwarranted claims in behalf of wheat and wheat foods nor against competing foods and products. Any such plan or project must be approved by the Secretary before becoming effective.

#### COUNCIL BUDGET

SEC. 18. The council shall submit to the Secretary for his approval a budget for each fiscal year showing the anticipated expenses and disbursements of the council in the administration of this Act, including the probable costs of research, education, and promotion plans or projects within the scope of section 17 of this Act. The council will include in such budgets only the actual administrative expenses, as determined by the Secretary, which may be incurred in the performance of assigned, necessary services within the Department in connection with the administration of this Act.

#### AUTHORITY TO INCUR EXPENSES

SEC. 19. The council is authorized to incur such expenses as the Secretary finds are reasonable and necessary to carry out the functions of the council under this Act during any fiscal year. The payment of such budgeted expenses, as well as the costs of the administration of this Act within the Department as provided in section 18, shall be made from funds collected as prescribed in section 20.

#### ASSESSMENTS

SEC. 20. Not less than ninety days prior to the beginning of each fiscal year, the council shall recommend to the Secretary the amount of the pro rata assessment it determines will be necessary to cover the estimated expenses of the council and the Department in administering the provisions of this Act during such fiscal year. In determining the amount of such assessment the council shall take into consideration the total volume of wheat it estimates will be processed during such year for use as human food in the United States. Subject to the approval of the Secretary, such pro rata assessment shall become effective for such fiscal year on the first day of such fiscal year. Such pro rata assessment shall be imposed on persons designated in section 21 with respect to each hundredweight of processed wheat intended for use, or for end product manufacture for use, as human food within the United States. For the first year of council operations the rate of such assessment shall be one cent per hundredweight of processed wheat; and in each succeeding year the rate of assessment may be increased in relation to approved budget needs, but the rate of assessment shall at no time exceed two and one-half cents per hundredweight of processed wheat. Subject to such regulations as may be adopted by the council as provided in section 21, the amount of the assessment shall be added by the processor as a separate item, so identified, to his invoice for the processed wheat at the time of its sale to another processor or to an end-product manufacturer, and any processor to whom it is sold shall likewise add the amount of such assessment as a separate item, so identified, to his invoice at the time

of its sale to another processor or to an end product manufacturer. A processor may accept and rely upon a certificate received by him in good faith from a person to whom he sells processed wheat, certifying in accordance with applicable regulations promulgated as hereinafter authorized, that such processed wheat is not being purchased for use, or for resale for use, or for end-product manufacture for use, as human food within the United States, and upon receipt of such certificate said processor shall be excused from invoicing to said purchaser an assessment with respect to such processed wheat and from paying any assessment with respect thereto.

#### COLLECTION AND RECORD OF ASSESSMENTS

SEC. 21. The pro rata assessment to be imposed pursuant to section 20 with respect to any hundredweight of processed wheat shall be imposed upon and payable by one of the following persons:

- (1) the initial processor or a subsequent processor thereof if the same constitutes, or is a material or ingredient in, an end product produced by said processor; or
- (2) the end product manufacturer who purchases the same from a processor for use as a material or ingredient in producing an end product; or
- (3) the processor who purchases the same from a processor if he does not resell it to another processor, or to an end product manufacturer, or for use other than as human food within the United States.

The amount of an assessment imposed on an initial processor as provided in clause (1) above shall be due and payable to the council within such time, not to exceed sixty days after the sale by him of the end product produced by him, as shall be prescribed by regulation. The amount of an assessment imposed on an end product manufacturer as provided in clause (2) above or on a subsequent processor as provided in clause (1) or (3) above shall be due and payable to the preceding processor from whom the manufacturer or subsequent processor purchased the processed wheat in respect of which the assessment is imposed, within such time, not to exceed sixty days after such purchase, as shall be prescribed by regulation. The amount of an assessment added by a processor as a separate item to his invoice for processed wheat pursuant to section 20 shall not become due and payable by said processor to the council, or, as the case may be, to the processor from whom he purchased the processed wheat, until after receipt thereof by him from the purchaser to whom it is so invoiced by him. Processors shall serve without compensation as collection agents for the council. Each processor who collects an assessment from a purchaser of processed wheat shall be obligated to remit the same to the council, or, as the case may be, to the processor from whom he purchased the processed wheat. The collection and remittance of the assessment in all cases shall be made, reported, and recorded at such times and in such manner as shall be established by rules and regulations adopted by the council and approved by the Secretary.

#### FAILURE TO PAY ASSESSMENT

SEC. 22. (a) The council may maintain in its own name a civil action against—

- (1) any processor who (A) fails or refuses to invoice any subsequent processor or end product manufacturer for the assessment imposed as provided in sections 20 and 21 of this Act; or (B) fails or refuses to record, report, or remit to the council any assessment as provided in sections 20 and 21 of this Act; or
- (2) any subsequent processor or end product manufacturer who fails or refuses to pay the amount of any assessment pursuant to the provisions of this Act,

to recover the amount of any such assessment, and shall be entitled to recover court

costs and reasonable attorney's fees in any such action in which the council prevails.

(b) A processor shall promptly notify the council of the failure or refusal of any person to pay to such processor the amount of any assessment made against such person under this Act.

#### AUTHORITY TO CARRY OUT PROJECTS

SEC. 23. Any approved research, education, or promotion plan or project may be carried out by the council directly or under a contract with an agent or other organization, public or private, including an agent or organization whose officers, directors, employees, or agents are also members, employees, or agents of the council. Any such contracting agent or organization shall be required to maintain accurate financial and other records which will be subject to regular audit and review by the council and the Secretary.

#### COUNCIL RESPONSIBILITIES

SEC. 24. The council shall be responsible to the Secretary for the efficient and effective performance of its duties and functions, including, but not limited to, the collection, handling, safekeeping, disbursement, and accounting of funds, subject to good accounting practice and regular audit of records by the Secretary; the recording of processing statistics that serve as a basis for collections; contracting for necessary services to carry out the approved program; the employment of qualified personnel; the policing of collections; processing information and disbursements; and other responsibilities of good management.

#### REPORTS AND RECORDS

SEC. 25. (a) Whenever a program becomes effective as provided herein, each processor shall, at such times as may be prescribed in regulations promulgated by the Secretary, report to the council, in such detail and on such forms as shall be provided by the council, the total hundredweight of processed wheat intended for use, or end product manufacture for use, as human food within the United States in the immediately preceding month, by types designated by the council. Upon request of the council, made with the approval of the Secretary, each processor shall also furnish to the council, in such manner and at such times as it may prescribe, such other information as may be necessary to enable the council to perform its duties under this Act.

(b) Whenever a program becomes effective as provided herein, each processor shall establish books, records, and other information necessary to the orderly and accurate collection of any assessment duly prescribed, and shall thereafter maintain such books, records, and information for a period of three years, the same to be made available for examination by the Secretary or duly authorized persons on request.

(c) All reports and records submitted by processors to the council and received by it pursuant to the provisions of this section shall at all times be in custody of one or more confidential employees designated by the council. No member of the council, nor any employee thereof, nor any employee of the Department, shall disclose to any person, other than the Secretary upon request therefor, any data or information obtained or extracted from such reports and records which might affect the trade, position, financial condition, or business operation of a particular producer, processor, or end product manufacturer, except that such data and information may be combined, and made available to any person, in the form of general reports in which the identities of individual producers, processors, or end product manufacturers are not disclosed. Such data and information may also be disclosed to any extent necessary to effect compliance with the provisions of this Act and the regulations issued thereunder, including publication of



the name of the processor or his customer who has refused to comply with the requirements of this Act.

#### ACCOUNTING AND CARE OF FUNDS

SEC. 26. (a) Moneys collected, handled, or disbursed by the council shall be handled only by persons under bond, and similar bonds shall be required of all persons or agents, accepting council funds or contracts to carry out council activities, programs, or projects approved by the Secretary. Monthly statements of cash account, quarterly analyses of expenditures, and annual financial statements, the latter in the form of an audited report certified to by a firm of certified public accountants, shall be made to the Secretary by the council. Any periodic statement of audit by the Secretary shall be made available to the council.

(b) The confidential employees of the council referred to in section 25(c) of this Act or any other confidential employee appointed by the council shall serve as treasurer thereof and shall receive all moneys and shall countersign, together with one or more members of the council designated by it for such purpose, all checks in disbursement of moneys. Income in excess of expenditures shall be held in United States Government or federally approved depositories for Government funds, or may be invested for the account of the council in short-term United States Government securities as directed by the council. A working reserve of funds may thus be accumulated but it shall not exceed at any time more than the following year's total estimated expenditures of the council. Should such moneys exceed the annual estimated expenditures of the council, the rate of assessment shall be lowered to maintain the amount held in reserve at a level equal to not more than one full year's annual estimated expenditures. Except as provided in section 23 of this Act, no part of such moneys or the net earnings thereon shall inure to the benefit of any member or employee of the council or private person or individual.

#### PROHIBITION ON USE OF FUNDS TO INFLUENCE GOVERNMENT POLICY OR ACTIONS

SEC. 27. No funds collected by the council under authority of this Act shall be used for the purpose of influencing governmental policy or action.

#### REGULATIONS AND ENFORCEMENT

SEC. 28. The Secretary is authorized to issue such orders, rules, and regulations as may be necessary to carry out the provisions of this Act and the powers vested in him by this Act.

#### COURT JURISDICTION

SEC. 29. The several district courts of the United States are vested with exclusive jurisdiction to entertain suits in the name of the United States or the council, without regard to jurisdictional amount, to enforce, and to prevent and restrain any person from violating this Act, or any order, rule, regulation, or agreement made or issued pursuant thereto. Such action may be brought in any district in which such person may be found. A civil action authorized to be brought under this Act in the name of the United States shall be referred by the Secretary to the Attorney General for appropriate action.

#### ENFORCEMENT AUTHORITY

SEC. 30. Whenever the Secretary has reason to believe that any processor, or his customer, council member, officer, or employee, or a contracting person or contracting agent, or any employee of any of the aforementioned, or any other person or entity subject to this Act, has violated or is violating the provisions of this Act, or any order, regulation, rule, or agreement issued pursuant to this Act, the Secretary shall have the power to institute an investigation. If the Secretary determines therefrom that

there is probable cause for institution of a civil action, he shall refer the matter to the Attorney General for appropriate action. For the purpose of any investigation instituted by the Secretary, he is empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents the Secretary believes relevant to the inquiry; and, if necessary, to invoke the aid of any district court of the United States, within the jurisdiction of which such investigation or proceeding is carried on, to enforce compliance. Any failure to obey an order of any such court may be punished by such court as a contempt thereof.

#### PERSONAL LIABILITY

SEC. 31. No member of the council, or any member serving as trustee as provided in section 32 below, or any employee, representative, or agent thereof shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person, for errors in judgment, mistakes, or other acts, either of commission or omission, as a member, trustee, employee, representative, or agent, except for acts of dishonesty.

#### TERMINATION OF ACT

SEC. 32. (a) Within one hundred and twenty days following the end of five years from the date of enactment of this Act, and, within one hundred and twenty days following the end of each five-year period thereafter (so long as the Act continues in effect), the council shall review the progress made toward attaining the objectives of this Act, whereupon the voting members thereof shall prepare a report of such progress for the Secretary. If the council's report to the Secretary by the voting members thereof does not unanimously recommend the continuation of this Act it shall automatically terminate at the end of such one hundred and twenty days.

(b) Notwithstanding the provisions of subsection (a) of this section, or the amendment or repeal of this Act, in the event of the termination, at any time, of all programs under this Act, the members of the council shall, for the purpose of liquidating the affairs of the council, continue as trustees of all the funds and property then in its possession, or under its control, including claims for any funds unpaid or property not delivered at time of such termination. Any funds collected from assessments and not yet remitted to the council at the time of such termination shall be remitted to the council.

(c) The trustees shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the council and of the trustees, to such person as the Secretary may direct; and (3) upon request of the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person, full title and right to all the funds, property, and claims vested in the council or the trustees pursuant thereto.

(d) Any person to whom funds, property, or claims have been transferred or delivered, pursuant to this section shall be subject to the same obligation imposed upon the council and upon the trustees.

(e) Any funds collected from assessments hereunder and remaining unexpended in the possession of the council or the trustees at or after the termination of all programs, shall be distributed in such manner as the Secretary may direct: *Provided*, That such funds shall be returned on a pro rata basis to the processors who remitted funds to the council, and such processors shall return the funds on a pro rata basis to the other processors or end product manufacturers from whom collected, except that each proc-

essor may retain therefrom an amount which will reimburse him for applicable accounting expenses as determined by the Secretary.

#### PRESERVATION OF RIGHTS

SEC. 33. The termination of all programs under this Act or of any regulation issued thereunder shall not (1) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this Act or any regulation issued thereunder, or (2) release or extinguish any violation of this Act or any regulation issued thereunder, or (3) affect or impair any rights or remedies of the Secretary, or of any other person, with respect to such violation.

#### SEPARABILITY CLAUSE

SEC. 35. There are hereby authorized to be appropriated thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons or circumstances shall not be affected thereby.

#### AUTHORIZATION FOR APPROPRIATIONS

SEC. 35. There are hereby authorized to be appropriated such funds as are necessary to carry out the provisions of this Act. The funds so appropriated shall not be available for payment of the expenses or expenditures of the council in administering any provisions of this Act.

#### COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: Page 6, line 17, strike out the period after the word "market" and insert the following: "and who planted at least 15 acres in the previous year."

Page 29, line 4, strike out the words "35. There are hereby authorized to be appropriated" and insert in lieu thereof the words "34. If any provision of this Act or the application".

The committee amendments were agreed to.

#### AMENDMENT OFFERED BY MR. FINDLEY

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

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: Page 6, line 24, insert the following new section and renumber subsequent sections accordingly:

"Sec. 5. The Secretary shall conduct a referendum among producers, processors, and end product manufacturers of wheat who, during a representative period determined by the Secretary, have been engaged in the production, processing, or manufacture of wheat for the purpose of ascertaining whether the creation and operation of the Council set forth in this Act is favored or approved. No powers shall be exercised under this Act by the Council unless the Secretary determines that the question of the creation and operation of the Council is favored or approved by not less than two-thirds of the producers voting in such referendum and by processors and end product manufacturers who, during such representative period, have engaged in the processing and manufacturing of wheat and have processed or manufactured more than 50 per centum of the total wheat processed or manufactured during such representative period: *Provided*, That in the event both producers and processors favor the creation and operation of the Council as set forth in this Act, the Council shall reimburse the Secretary for all costs incidental to the conduct of the referendum."

Mr. FINDLEY. Mr. Chairman, this amendment is patterned after similar provisions in other commodity check-off authorizations. I offer it as an effort to

make a thoroughly bad bill a little better, but I want to assure my colleagues that I do not feel the acceptance of this amendment makes the bill itself acceptable. It will still be a bad bill for the consumers, and if the attitude of the American Farm Bureau Federation, the farmers union organization, is any guide to the attitude of farmers—and I think it is—it is also a measure that is bad for the farmers as well.

Nevertheless, if this bad legislation ever becomes law, I think it would be a terrible injustice on the part of this body to have the legislation go forward without a provision in it permitting those most directly affected by the check-off which is authorized by this bill to have a voice in either approving or disapproving that check-off.

Now, this provides that two-thirds of the producers who under the terms of the legislation are producers of 15 acres of wheat or more and 50 percent of volume of the processors and end users of wheat must approve of the proposal on establishment of the Council, in other words, before it can have effect. Then it provides further that in the event that approval does not occur, that the cost of the referendum must be borne by the Council. That is paid out of the proceeds of the check-off.

I understand an effort will be made to strike out that proviso, but I hope that that proviso will remain. I think here again it is an act of injustice to the American people to have this benefit which will relieve them of a substantial part of the expense of setting this program into motion, a program that has been advertised as a completely self-financing program. If this proviso is eliminated, I would think—

Mr. PURCELL. Will the gentleman yield?

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

Mr. PURCELL. I would ask the gentleman what would be his idea as to what would happen if his views were to prevail and the referendum failed. Who would then pay for having the referendum?

Mr. FINDLEY. The long-suffering taxpayers of the United States would pay, and I would consider that an injustice. That is why even with this referendum provision I consider the bill—

Mr. PURCELL. But the gentleman is asking that the Government pay for the referendum.

Mr. FINDLEY. The referendum would of course have to be paid for. If the Council is established and created and has resources as it would under this bill, then I think it is only proper that the Council itself pay the bill, but if the referendum fails to authorize the establishment of the Council, then there is no Council, no fund available to the Council, to cover the cost of the referendum.

Mr. PURCELL. Thank you.

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

AMENDMENT OFFERED BY MR. SEBELIUS TO THE  
AMENDMENT OFFERED BY MR. FINDLEY

Mr. SEBELIUS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. SEBELIUS to the amendment offered by Mr. FINDLEY: On page 1 of the amendment, line 16, strike the colon and insert a period and strike out the words "Provided, That in the event both producers and processors favor the creation and operation of the Council as set forth in this Act, the Council shall reimburse the Secretary for all costs incidental to the conduct of the referendum."

Mr. SEBELIUS. Mr. Chairman, I do not want any part of the gentleman's amendment; let me make that clear. I think it is a waste of money, a waste of energy, because of the very smallness of it. We are dealing in fractions; we are dealing in fractions of a cent as far as cost of a loaf of bread. However, it is my opinion that the cost of a referendum will exceed the first year collection. Therefore, under my amendment the Secretary would hold the election, as in so many other programs, he would be the one that conducts it, and the cost paid by the Secretary. I think this would satisfy the National Farm Bureau and the National Farmers Union on the subject that they want the farmers consulted about this even though it is a very, very small thing.

The only other thing they mention is the checkoff, and, of course, the checkoff is in such small sums, that all of the little farmers would not ask for theirs back. A large farmer that has 50 or 60,000 bushels, such as out in my district, some of them would want theirs back, and the little man would be paying for it. I would earnestly urge the adoption of the amendment to the amendment to the gentleman from Illinois.

If we are going to have a referendum, let us have it on the basis of fairness, and let it be handled in that manner.

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

Mr. Chairman, I want to associate myself with what my distinguished colleague, the gentleman from Kansas (Mr. SEBELIUS) has just said. I am opposed to the amendment offered by the gentleman from Illinois (Mr. FINDLEY), but the amendment offered by the gentleman from Kansas (Mr. SEBELIUS) to the Findley amendment would make the original amendment much less objectionable.

I would just point out, Mr. Chairman, that for over 10 years every segment of the wheat industry has been working diligently to reach agreement. This is unique in any industry through history, and I think it is particularly unique among the agricultural industry because these people are independent thinkers.

They are from various parts of the country. They have various backgrounds. Yet they have welded together an idea of a system that they are willing to work under. This does not require a referendum that will cost, if I remember correctly, an estimated \$1.5 or \$1.6 million, about all that the bill itself would ever generate under the first year of operation.

Now there are some farm organizations that are against this bill that have said they would like to have the referendum

and I will not repeat and bore the Members by going over the associations, but I think it is safe to say that every wheat growing association in the United States, every milling association in the United States, and all the end-product associations—of course, there are some individual people and companies that have not been totally for this—but this is the nearest thing to a real and absolute agreement that there could be among the members of the agricultural industry that it has ever been my privilege to know about.

So I would say that this suggestion by my longstanding good friend, the gentleman from Illinois (Mr. FINDLEY) should not be adopted. Although he says it is like the cotton checkoff thing, it really is not because in the cotton program the producers are paying the checkoff. In this the producers are not having the money collected from them, and therefore they do not have the concern. I have not had any single individual other than the officers of two of the farm organizations ask me to oppose this bill because of the referendum factor. The membership—those people who are farmers—people who are wheat farmers across this country, whatever organization they may belong to, are in favor of this bill as far as I can ascertain, as it is.

The referendum would be terribly expensive, it would not be handled at the producer level as far as the money being collected is concerned. So I would urge the defeat of the amendment offered by the gentleman from Illinois (Mr. FINDLEY) and would say then that the amendment offered by the gentleman from Kansas (Mr. SEBELIUS) to that amendment would at least be much less objectionable.

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

Mr. Chairman, what is being asked today is what the Wheat Flour Institute and the Millers National Federation and others have been unable themselves to accomplish by their own effort and you are being asked to do it for them by legislative fiat.

They have been trying to get a promotional deal together and some money to promote the sale of wheat products for quite a time and they have not been very successful at it.

Now they come in today and they want you to bail out their failure by passing a law that establishes a wheat industry council that, by Government fiat, goes out and collects money and spends it for these promotional purposes.

What the gentleman from Illinois wants to do is at least to give some of the people involved in the process of producing the country's wheat an opportunity to vote on it. Those who oppose his amendment do not even want to give them that opportunity. They just want you, by law, to do something they have not been able to do already, give them a wheat tax, and put them in a nice niche here to promote a particular product at consumers' expense.

Now I say to you that at least they ought to give us an opportunity for this referendum to decide whether they want to get into this kind of sticky wicket at all.



But more than that, I say that after defeating the amendment by the gentleman from Kansas and adopting the amendment by the gentleman from Illinois, this legislation certainly ought to be defeated. It violates every single instinct and every single, to my mind, constitutional legality that is involved here.

Even though the previous cotton and potato councils were not attacked on constitutional grounds, certainly it is time that somebody ought to get around to thinking about the fundamental constitutional questions involved here and indeed relegate these things back to free enterprise where they belong.

It is getting to be a habit—every time somebody gets into a free enterprise situation where they lose instead of gain, they come to the Congress and want a law passed to take care of them.

The Lockheed loan was such an instance. I voted against it. And there are other proposals brought in here, when a risk was involved, somebody lost on account of the risk, and now they then run to their Congressmen and Senators and want a law passed to bail them out.

These people in the wheat business want a law passed even before they get into deep trouble. What they ought to be doing, of course, is free enterprising in agriculture in this country and getting out of these subsidies programs altogether and let supply and demand come back into balance.

Then we will have the kind of agricultural industry that can make some money and does not need subsidies, crutches, and promotion gimmicks financed by questionable tax gimmicks like the one before us.

Mr. TEAGUE of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to very briefly express my conviction once more that as bad as this bill is in many respects, it would be improved considerably if the Findley amendment were adopted providing for a national referendum, so I do support the Findley amendment.

I oppose the Sebelius amendment to the amendment on the grounds that if the referendum is to be held, it ought to be paid for by the wheat council rather than the taxpayers. This whole bill is their idea and they ought to be willing to pay the cost of it. So I support the Findley amendment and oppose the Sebelius amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. SEBELIUS) to the amendment offered by the gentleman from Illinois (Mr. FINDLEY).

The question was taken; and on a division (demanded by Mr. SEBELIUS) there were—ayes 22, noes 33.

Mr. SEBELIUS. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY).

The question was taken; and on a division (demanded by Mr. PURCELL) there were—ayes 39, noes 13.

So the amendment was agreed to.

#### AMENDMENT OFFERED BY MRS. SULLIVAN

Mrs. SULLIVAN. Mr. Chairman, I offer a series of amendments, and ask unanimous consent that they be considered en bloc.

The Clerk proceeded to read the amendments.

Mrs. SULLIVAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read. They are all conforming amendments.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Missouri?

Mr. POAGE. Mr. Chairman, the Chair never has ruled on the question, when the question was put, of considering these amendments en bloc. I want to reserve a point of order on that. I have no objection to considering them en bloc if the gentlewoman would drop the one amendment in relationship to page 7 that attempts to establish a private organization as the source of representation for the new members of the council. The rest of the bill places the appointment under the hands of the Secretary and does not give any private organization a right to control any part of the council. By this amendment the one relating to page 7 clearly confines the selection of members of the council, or one-fourth of the council, to those who belong to a particular private organization. I think that is entirely improper, and I would not want to agree to consider that en bloc with the best of the amendments.

The CHAIRMAN. Does the gentleman object to the request of the gentlewoman that the amendments be considered en bloc?

Mr. POAGE. Yes; unless the gentlewoman will withdraw the one.

Mrs. SULLIVAN. I will withdraw my request for unanimous consent to consider the amendments as read.

The CHAIRMAN. The Clerk will read. The Clerk concluded the reading of the amendments.

The CHAIRMAN. Is there objection to the request that the amendments be considered en bloc?

Mr. POAGE. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard. The Clerk will reread the first amendment.

The Clerk read as follows:

Amendment offered by Mrs. SULLIVAN: Page 4, line 25, immediately after "groups" insert "and consumers".

Mrs. SULLIVAN. Mr. Chairman, before I proceed with an explanation of these amendments, because every one dovetails into the next one throughout the entire bill, in order to include a consumer group, I would like to answer—if he would like to have it answered—the gentleman's argument that one is a private group and the others are not.

Mr. PURCELL. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Texas.

Mr. PURCELL. I see no reason why we cannot accept the amendment on page 4, line 25. I have no argument against this.

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

I want to say that I am very much in sympathy with what the gentlewoman from Missouri is attempting to do here. As I interpret it, she is attempting to bring the voice of the consumer into the deliberations of the council, and that is certainly entirely appropriate because of the effect of this program on consumer prices. I do have concern about the selection of an organization known as Consumers Union, or any other organization, to be the official representative of the consumer.

I do not know much about the Consumer Union. I am sure the gentlewoman from Missouri is much more informed about the organization than I. At this moment, I am not prepared to give official sanction to the Consumers Union as the agency best equipped to select the consumer people to serve on this council.

My reason for striking the last word also is to state that this is a complicated situation because of the interrelationship of these amendments. I am not even sure what the amendment now pending would do.

Because of my concern about the designation of the Consumers Union I am constrained to oppose this amendment and the other amendments. I would, however, support the amendment series of the gentlewoman from Missouri if, instead of the Consumers Union, the executive branch could somehow be identified as the agency to make the selection of the consumer representation. This has been done for similar boards and commissions in the past.

Under the circumstances, having not clearly heard the language and not realizing the various interrelationships of the amendments, I am not able to draft amendments to the amendments. Because of that, with deep regret, I am constrained to oppose the amendment.

Mrs. SULLIVAN. Mr. Chairman, I should like to answer the gentleman.

Mr. FINDLEY. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Chairman, the amendments I have offered en bloc do not in any way change the thrust or the purpose of this bill, which is, and I quote:

To enable wheat producers, processors, and end-product manufacturers of wheat foods to work together to establish, finance, and administer a coordinated program of research, education, and promotion to maintain and expand markets for wheat and wheat products for use as human foods within the United States.

My amendments contribute to that purpose and goal. In fact, my amendments seek to improve and fortify this program by trying to insure that the expansion of wheat consumption would be consistent with the nutritional needs of the consumers.

This is new legislation, Mr. Chairman. It does not amend existing law. It provides for the establishment of a council composed of 15 private citizens from three different categories of private groups; wheat producers, wheat processors, and wheat product manufacturers. My amendments add a fourth category of private citizens involved in wheat use who could be represented on this council, and that is, the other consumers

of wheat food products. Certainly it is just as necessary to the purposes of this bill to include in it those who buy and eat the products as it is to include those who grow and process them.

Mr. FINDLEY. May I ask the gentleman a question?

Mrs. SULLIVAN. Yes.

Mr. FINDLEY. Why has the gentleman chosen the Consumers Union to occupy such a prominent role in this process?

Mrs. SULLIVAN. Because it is the only group I know of in the United States which has made a study of consumer needs and consumer problems.

Mr. FINDLEY. But is its membership really sufficiently large so that it could really express the view of the consumer?

Mr. POAGE. Mr. Chairman, I move to strike the last six words.

Mr. Chairman, this is the point I was trying to make with the author of the amendment awhile ago. I find no objection to including consumers in this group. I believe that is a good idea. It is perfectly sound. But the next amendment to be offered by the gentleman from Missouri says that the term "consumer" means any person within the United States who consumes wheat or wheat products.

That is a fair definition of "consumer." It is the actual definition of "consumer." Consumers include more than those who belong to any one group. Now, producers of wheat include more than those that belong to any one farm organization. I do not say that the representatives here that represent producers must be members of the Farmers Union or the Farm Bureau or the NFO or any other farm organization, but what we say here is they must be "producers." Period.

Mrs. SULLIVAN. Will the gentleman yield?

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

Mrs. SULLIVAN. Who would choose the wheat producer representatives on the Council?

Mr. POAGE. The Secretary of Agriculture. And I think he should choose your consumers, too.

Mrs. SULLIVAN. Does he know every Tom, Dick, and Harry who produces wheat? He would just take the recommendations of this private foundation; would he not?

Mr. POAGE. He might very well, but still this gives the Secretary the authority to make the selections and not some nonofficial group. I think we must keep our Government within the range of designated authorities. I do not think you can go out and say some group—and I do not care whether it is yours or mine or someone else's—has the right to control and dictate the regulations of any of these programs of the U.S. Government. Of course, any member of any commission is going to belong to something. He may belong to the Knights of Columbus or he may belong to some other organization, but he is appointed not because of his membership in some private organization but, rather, because of his familiarity with and his background in the work for which he is appointed.

Mrs. SULLIVAN. Will the gentleman yield again?

Mr. POAGE. Surely.

Mrs. SULLIVAN. The wheat processors and the producers and the end-product manufacturers are going to recommend names to the Secretary?

Mr. POAGE. Doubtlessly. And so can the consumers group.

Mrs. SULLIVAN. That is exactly what the Consumers Union would do under my amendment. It would recommend names.

Mr. POAGE. Certainly they can.

Mrs. SULLIVAN. The Secretary would make the selections from the names submitted by Consumers Union.

Mr. POAGE. I have no objection to the Consumers Union or Ralph Nader recommending names. But I do not believe the Secretary ought to be instructed by law to say that only members of a certain organization can represent the people of the United States. I just think when we get into that situation we are going to say they have to belong to the Baptist Church.

Mr. HOSMER. Will the gentleman yield?

Mr. POAGE. Yes.

Mr. HOSMER. I think the gentleman should understand that he is not talking about the U.S. Government or any arm thereof. What they are appointing members of here is the Wheat Industry Council, a nonprofit, non-Government, tax-exempt organization. I was bothered in the beginning by this business about the Consumers Union, too. When I examined it and learned of this council being outside the Government, which, incidentally, has the power to tax up to \$6 million a year on the production of wheat, then I figured we have let the doors open and the floodgates wide open to anything. So I would suggest that the gentleman from Missouri has a perfect right to have the consumers industry or associations or anybody else she chooses to name to be nominees for these appointments to this nonprofit, non-Government, tax-exempt organization.

Mr. POAGE. May I ask the gentleman what is his question. I yielded for a question. What is the gentleman's question? I have been listening attentively.

Mr. HOSMER. My question is does the gentleman know what he is talking about?

Mr. POAGE. I hope I know what I am talking about, but I find I never know—

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. POAGE. I have found from a good many years of experience that I never know all there is to be known about what is being talked about on the floor.

I find very few Members who do. There are those who feel that they do know all about any subject. I am not one of that group. I do know that the bill as presented proposes to have the Secretary of Agriculture select 15 members. The gentleman from Missouri has suggested 20, and I am willing to accept the 20. The Secretary would appoint them. They come from different groups; they do not come from private organizations, and the third or fourth of her amendments would require that this group come from a particularly named private organiza-

tion. I just think that is a very bad practice for this legislative body to get into, to name private organizations to carry out these programs.

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

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

Mr. WOLFF. Would it be advisable to amend the recommendation made by the gentleman in having the people, the consumers appointed by the consumers advising the President?

Mr. POAGE. I think they should be appointed just like the rest of the members are appointed, by the Secretary of Agriculture. I see no reason why they should be appointed differently from the other members of the Council.

I am perfectly willing to accept the gentleman's suggestion that we have consumers on this Council, all of her amendments except the one which names the particular group that is going to name one-fourth of the members. If you will bring that amendment into the same rules I am willing to accept all the others.

Mrs. SULLIVAN. The bill now gives the Secretary the right to name the industry members to the Council, but from a list to be submitted to the Secretary by these three private interest groups represented in the Foundation named in the bill. In my amendment, another private group, Consumers Union, would make the nomination of the consumer representatives. The wheat producers and growers and manufacturers are all private groups. The Council set up by the bill is a private group. I thank the gentleman from California for emphasizing that point.

Mr. POAGE. The difference is this: Those are groups that are formed by virtue of the business in which they are engaged, and the lady very fairly defines "consumer" in her second amendment. I think it is a factual definition, and having defined it as being any person in the United States who consumes wheat products, I think it should apply to the rest of the bill.

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

The CHAIRMAN. The gentleman from North Dakota is recognized for 5 minutes.

Mr. LINK. Mr. Chairman, I find myself pretty much in accord with the amendment offered by the gentleman from Missouri. I would hope that we can reach an accord here and take cognizance of the fact that as I understand her amendment it merely provides that Consumers Union recommend appointees to the Secretary of Agriculture in the same manner that the Wheat and Wheat Food Foundation submit names as provided under sections 6 and 7 of the bill.

In that respect her amendment does not substantially differ from the procedure that is outlined in the bill for the process provided for establishing the composition of the Commission.

So, it is on that point that I think there is sufficient safety, to insure that a private organization does not have undue influence in the make up of the council.

If, in the wisdom of the Secretary, he does not find that the recommendations



by Consumers Union are acceptable, he does not have to appoint them. In my understanding of the gentlewoman's amendment, it does not carry that the appointees recommended by Consumers Union are necessarily members of Consumers Union, but that Consumers Union be designated as a consumer representative group for the purpose of recommending nominees.

I have personal knowledge of the work, quality, and organization of Consumers Union for many, many years. I am satisfied that they would be an acceptable consumers' group to recommend to the Secretary those nominees who would be available for his consideration in recognizing consumers' interests on the final council that we are setting up here this afternoon.

I would like to be in a position to support this kind of an amendment. I think this is good legislation, and adds to the strength of the total bill.

Mrs. SULLIVAN. Mr. Chairman, would the gentleman yield?

Mr. LINK. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Chairman, what I object to in this bill is that the consumer pays for this whole program, and let us not kid ourselves about it; he or she pays the bread tax to raise the money to mount the propaganda campaign, and has no say whatsoever in how the money will be spent, what research is to be undertaken, how the facts are to be presented in preparing handout material for food editors, writers, and to all the media, or what advertisements will be purchased to propagandize the consumer benefits. That is the reason that I was asking to have the consumer interests represented.

If I may have the attention of the Chairman for a moment, in this amendment where we say that each of such nominees appointed as voting members or alternates shall be put forth by the Consumers Union, I would not mind changing that, if it would meet his objections, by changing it to the Consumer Federation of America, which is a federation of consumer groups throughout the Nation.

In other words, we want people appointed who we feel will speak for the consumers. The Consumer Federation could provide a list of names to be selected by the Secretary as voting and nonvoting consumer members of this Council.

The Federation has affiliates in most States and in almost every city in the country, representing consumer interests.

I wonder if the gentleman from Texas would object to that?

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

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

I would like to ask the gentlewoman from Missouri (Mrs. SULLIVAN) some questions.

First, why pick out just the Consumers Union? And who are these people? Could the gentlewoman enlighten us on that?

Mrs. SULLIVAN. I could not give the gentleman one name representing the Consumers Union, except that they get out a Consumer's Report every month on the testing that they have made on a myriad of things that are produced, including products. The Consumers Union is a nonprofit corporation, and their money is obtained through the sale of subscriptions to the magazine.

Mr. PRICE of Texas. In all fairness, what would we do about possibly other organizations such as some of the consumers federations of America, and organizations of that nature? Why pick out just this group?

Mrs. SULLIVAN. Because these are the people who have devoted time to study consumers' affairs, and they would be just as appropriate to name members to serve on this council as those who are interested in producing wheat, and the wheat processors.

Mr. PRICE of Texas. Will the gentlewoman from Missouri answer one other question, then? Under her amendment would the consumers' bloc have a vote over specific projects undertaken by the wheat council?

Mrs. SULLIVAN. I think they would have the same vote, their vote would be of the same value as those of the wheat council.

Mr. PRICE of Texas. Would they have the veto power?

Mrs. SULLIVAN. If others had the veto power, this group would have the veto power. They would have the same powers.

Mr. PRICE of Texas. Mr. Chairman, I thank the gentlewoman from Missouri.

Mr. QUIE. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I see the gentleman from Illinois here who has his referendum amendment adopted. I was wondering if he will now offer an amendment to include consumers as part of the referendum as well, and it would be necessary for two-thirds of them to support it also?

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

Mr. QUIE. I yield to the gentleman.

Mr. FINDLEY. I am afraid that would up the cost of the referendum considerably above the \$1½ million estimate that has been referred to here today and I would add further that I think the Members of this body actually should see themselves as representatives of consumer interests and vote accordingly when the time for the passage of this bill comes. When that time comes, I hope the vote will be "No."

Mr. QUIE. I have supported the concept of this legislation. I think the concept is good. I know there is some problem about the referendum of producers and processors and manufacturers, and that has been adopted.

But when, as has been indicated, you pick one consumer group to select nominees, I would oppose such an amendment. Consumers should benefit from research of this nature but all consumers should have a voice, not just one group.

It seems to me, from what the Cotton Council has done in research, and what

has been done by some of the other fibers and what has been done by the dairy industry, has been of benefit to consumers and not a detriment to them. Wheat certainly is a wholesome food.

I think this is just going beyond an effort to make this a good piece of legislation, but to try and bog it down so that it will never be able to function.

So I would think if people are opposed to the legislation, this might be a way of making certain that it goes down to defeat.

As I said before, I liked the concept of this bill and would have supported it as it came from the committee. My reasons are this:

Never before in our history has there been such widespread interest in food components and nutritive value of various foods. Nutritional needs vary with age. Historically, wheat has been consumed in different products from infancy through old age.

It is being suggested by some eminent nutritionists that wheat contains certain proteins which are of great importance to youth, that wheat can lower cholesterol, and that it is helpful in reducing kidney disease. Unbiased research is necessary to confirm these anticipated benefits.

One of my many concerns is adequate nutrition for schoolchildren. It is ironic that in an age of unprecedented affluence, children suffer some of the effects of malnutrition. It is essential that children and adolescents be taught the importance of eating a proper diet. Having five children of my own, I know how difficult a task it is to convey this information to children.

This bill would authorize the use of funds to try to educate children as well as other age groups of the benefits from eating wheat and wheat products.

Under the language of the bill, the Secretary of Agriculture would have to approve all of the plans and proposals for wheat research, education, and promotion so that the public interest would be protected even though no tax dollars are involved directly.

I favor self-help programs of this type and am pleased that the Wheat and Wheat Foods Foundation comprised of producers, processors, and manufacturers have been able to reach agreement on this self-help program. Members may recall that I opposed the Legal Services Corporation because the selection of the Board of Directors would have been removed from the authority of the President. In that instance, the Board of Directors would have had control over the use of tax dollars. In this instance, the Wheat Industry Council will be using funds assessed upon processors, so I do not object to the method of selecting the Council.

Mr. DE LA GARZA. Mr. Chairman, I move to strike out the last word.

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

Mr. POAGE. Mr. Chairman, I have just been discussing this matter with the gentlewoman from Missouri and the chairman of the subcommittee, the gentleman from Texas, and I believe this thing can be worked out satisfactorily to

everyone with the language that the gentlewoman now suggests—of allocating a national association of consumers to make the nominations.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield?

Mr. DE LA GARZA. I yield to the gentlewoman.

Mrs. SULLIVAN. I understand that the name "Consumers Union" may not be familiar to everyone in this Congress, so I suggest a change in the amendment to "Consumer Federation of America"—which means consumers and their representatives all over the United States.

I would be perfectly happy to amend my amendment by changing the words "Consumers Union" to "Consumer Federation of America."

Mr. POAGE. I would think, and I understand that is satisfactory with the chairman of the subcommittee, that with that change we could accept all the amendments and do it en bloc.

Mrs. SULLIVAN. Mr. Chairman, I ask unanimous consent to amend my amendment by changing the name from Consumers Union to Consumers Federation of America.

The CHAIRMAN. The Chair would like to clarify the situation.

Pending before the Committee at the present time is one amendment offered by the gentlewoman from Missouri which occurs on page 4, line 25. This is the only amendment presently pending before the Committee.

The Chair will at this time put the question on that amendment.

The question is on the amendment offered by the gentlewoman from Missouri (Mrs. SULLIVAN).

The amendment was agreed to.

#### AMENDMENTS OFFERED BY MRS. SULLIVAN

Mrs. SULLIVAN. Mr. Chairman, I offer the remaining amendments at the desk and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mrs. SULLIVAN: Page 5, line 5, immediately after "Industry" insert "and Consumer", and on page 6, line 20, strike out "(k)" and insert in lieu thereof "(i)" and immediately after line 19, insert the following new subsection:

"(k) The term 'consumer' means any person within the United States who consumes wheat or wheat products."

Page 6, line 24, immediately after "industry" insert "and consumer" and on line 26, immediately after "industry" insert "and consumer", and on page 7, line 10, strike out "fifteen" and insert in lieu thereof "twenty", on line 11, strike out "seven" and insert in lieu thereof "nine", and on line 13, strike out "fifteen" and insert in lieu thereof "twenty".

Page 7, line 21, immediately after "industry" insert "and consumer", and on page 9, line 1, strike out "(b)" and insert in lieu thereof "(c)", on line 4, immediately before the period insert "and two from consumers as referred to in subsection (b) of this section", and immediately above line 1, insert the following new subsection:

"(b) Within the same time period specified in subsection (a) of this section, the Secretary shall request Consumers Union, a nonprofit corporation organized and existing under the laws of the State of New York, to submit the names of five persons for consideration by the Secretary as nominees

for appointment to the council as voting members, and names of five additional persons, each for consideration by the Secretary as a nominee for appointment as an alternate to a designated voting member of the council. Each of such nominees for appointment as voting members or alternates shall be selected and put forth by Consumers Union on the basis that he or she is qualified to serve the legitimate interests of consumers of wheat products, in his or her capacity on the Wheat Industry and Consumer Council. Any one or more of such nominees, voting members, and alternates may be a director, officer, or executive committee member of Consumers Union."

Page 9, line 8, strike out "is" and insert in lieu thereof "and Consumers Union are", on line 9, strike out "fifteen" and insert in lieu thereof "twenty", on line 12, immediately after "industry" insert "and consumer", on line 15, immediately after "foundation" insert "or consumers Union, whichever is applicable", on line 19, strike out "segment of the wheat industry" and insert in lieu thereof "classification", and on line 20, strike out "or" and immediately after "manufacturer" insert "or consumer", and page 10, line 4, strike out "or" and immediately after "manufacturer" insert "or consumer".

Page 11, line 18, strike out "three groups" and insert in lieu thereof "four classifications (producer, processor, end-product manufacturer, or consumer)", on line 21, strike out "three groups" and insert in lieu thereof "four classifications", on line 22, strike out "and", and on line 23, immediately after "manufacturers" insert "and consumers".

Page 1, above line 1, amend the title to read as follows: "A Bill to enable wheat producers, processors, end-product manufacturers, and consumers of wheat foods to work together to establish, finance, and administer a coordinated program of research, education, and promotion to maintain and expand markets for wheat and wheat products for use as human foods within the United States, to the extent consistent with nutritional needs of consumers."

Mr. ABBITT (during the reading). Mr. Chairman, the amendments having been read one time, I ask unanimous consent that they be considered as read and printed in the RECORD.

The CHAIRMAN. The Chair will advise the gentleman that there has been a change in one of the amendments.

Mr. ABBITT. I did not know that.

The CHAIRMAN. Is there objection to the request that the amendments be considered en bloc as read?

The Chair hears none.

The Chair would like to clarify this once more. Is there objection to the request that the amendments be considered en bloc?

Mr. GROSS. Mr. Chairman, reserving the right to object, I should like to ask the gentlewoman by how many members will her amendment increase the Council?

Mrs. SULLIVAN. Five members, the same as the other three groups.

Mr. GROSS. Would that raise the total number to 25 or 30, or how many?

Mrs. SULLIVAN. From 15 to 20. There are three groups now represented under this bill, and this would raise the number to one more group and five more members.

Mr. GROSS. In total what does that make?

Mrs. SULLIVAN. Twenty.

Mr. GROSS. Are there not others that would associate with the Council?

Mrs. SULLIVAN. No. To my knowledge there are just 15 members under the present bill to be appointed by the Secretary.

Mr. GROSS. How much money is it going to take to fund this Council?

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

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

Mr. POAGE. There are 15 voting members and seven not voting. They are represented as members of the Council but they do not have a vote.

Mr. GROSS. I do not care whether they vote or not. What I am trying to get at is this: If the council is increased is it going to cost more and will we be confronted with a bill to increase the Federal contribution to this thing?

Mrs. SULLIVAN. If the gentleman will yield, I cannot answer that question for the gentleman from Iowa, but I do not think it will increase the contribution of the Government to this Council.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Missouri that the amendments be considered en bloc?

There was no objection.

#### PARLIAMENTARY INQUIRY

Mrs. SULLIVAN. Mr. Chairman, I have a parliamentary inquiry.

Must I again ask unanimous consent to change the name Consumers Union to the name Consumers Federation of America?

The CHAIRMAN. The Chair had understood that the gentlewoman had made the change before she submitted the amendment. Has the gentlewoman made the change in her amendment?

Mrs. SULLIVAN. I did make the request. I do not know if I did it at the proper time.

The CHAIRMAN. Will the gentlewoman send it to the desk?

The Clerk will report the portion of the amendment that the gentlewoman is asking unanimous consent to change.

The Clerk read as follows:

Amendment offered by Mrs. SULLIVAN: Page 7, line 21, immediately after "industry" insert "and consumer", and on page 9, line 1, strike out "(b)" and insert in lieu thereof "(c)", on line 4, immediately before the period insert "and two from consumers as referred to in subsection (b) of this section", and immediately above line 1, insert the following new subsection:

(b) Within the same time period specified in subsection (a) of this section, the Secretary shall request Consumers Union, a nonprofit corporation organized and existing under the laws of the State of New York, to submit the names of five persons for consideration by the Secretary as nominees for appointment to the council as voting members, and names of five additional persons, each for consideration by the Secretary as a nominee for appointment as an alternate to a designated voting member of the council. Each of such nominees for appointment as voting members or alternates shall be selected and put forth by Consumers Federation of America on the basis that he or she is qualified to serve the legitimate interests of consumers of wheat products, in his or her capacity on the Wheat Industry and Consumer Council. Any one or more of such nominees, voting members, and alternates may be a director, officer, or executive committee member of Consumers Union.



The CHAIRMAN. Is there objection to the unanimous consent request?

Mr. PRICE of Texas. Mr. Chairman, reserving the right to object, I should like to ask the gentlewoman, what is this organization? Who are these people? And of whom do they consist? How are they different from the Consumers Union?

Mrs. SULLIVAN. The Consumer Federation of America is made up of consumer groups all over the United States. They do have meetings. They formed a national federation called the Consumer Federation of America. They devote a great deal of time and study to consumer affairs, and what their relation is to the Consumers Union, I do not know.

Mr. PRICE of Texas. I thank the gentlewoman.

The CHAIRMAN. Is there objection to the unanimous-consent request?

There was no objection.

Mrs. SULLIVAN. Mr. Chairman, I have some very serious doubts about this legislation in its present form and that is why I have prepared and offer a series of amendments which would bring the consumer interest into this program. Right now, it is there in name only in that the consumer is the target of a promotion campaign authorized by the bill. The bill would set up a \$6 million fund, paid for by consumers and collected under Government auspices as a kind of bread tax, to be used to brainwash the consumer about wheat products.

I am not in a position to know if the wheat industry at this point needs the stimulus of a \$6 million a year government-sponsored advertising campaign to get consumers to buy more wheat products. I do know that wheat prices have risen about 30 percent recently because the Russians are interested in buying huge amounts of American wheat. So we already face a significant rise in bread prices and prices of other foods containing wheat. The Nixon administration lets all of these farm commodity price increases pass on through to the consumer without any hindrance under price control regulations. Now this bill would add an additional \$6 million a year to consumer prices of wheat products in order to set up an advertising and public relations program to get consumers to buy more wheat products—so that increased demand for wheat can then bring about an additional increase in wheat prices.

CONSUMER PAYS FOR PROGRAM BUT HAS NO SAY IN IT

What I object to most is that the consumer, who pays for this whole program—he or she pays the bread tax to raise the money to mount the propaganda campaign—has no say whatsoever in how the money will be spent, or what research is to be undertaken, or how the facts are to be presented in preparing handout material for food editors and writers in all media, or what advertisements will be purchased to propagandize the “consumer benefits” from increased consumption of wheat by the American consumer.

The interests of the sellers of wheat in expanding sales are not necessarily to the best interests of consumers. When an

industry spends its own money to promote a commodity, that is their business. But when they assess what amounts to compulsory Federal bread tax on the public in order to promote wheat product sales, with the Government forcing the collection of this tax for a private enterprise group, then we have a right to insist that the money be spent only for the dissemination of honest information.

#### GIVING CONSUMER A VOICE IN USE OF FUND

Hence, my amendments change this proposed 15-member Wheat Industry Council into a 20-member Wheat Industry and Consumer Council, give consumers equal representation with wheat farmers, millers, and bakers—five from each of four groups instead of from three groups—and would have the consumer representatives selected by the Secretary of Agriculture from a list submitted to him by the Consumer Federation of America, in the same way he selects the 15 industry representatives from a list provided by the Wheat and Wheat Foods Foundation, a private organization. Consumers Union is the largest consumer membership group in the country—and one which has expertise and laboratory facilities and objective knowledge of food technology and nutritional information.

As the information I will place in the record clearly indicates, some of the proponents of this promotional enterprise to brainwash the consumers about wheat products intend to use this Council to combat nutritionists, whom they define as food faddists and quacks, on the nutritional value of white bread as now constituted. Let me say that not everyone who questions the value of today's commercial white bread is a “food faddist” or “quack.” But in view of the attitude expressed in the hearings, it is imperative that we have qualified consumer representatives on the board supported by this bread tax, to make sure the information disseminated is factual, and scientifically honest.

Mr. Chairman, I urge adoption of these amendments to channel the money raised under the proposed bread tax into worthwhile consumer-oriented activities.

#### SELECTION OF COUNCIL MEMBERS

H.R. 13514 as presently written provides that the Wheat and Wheat Foods Foundation, a nonprofit Illinois corporation, would submit the names of 15 nominees and 15 alternates to the U.S. Secretary of Agriculture, five of which would represent producers, five processors, and five end-product manufacturers. The Secretary of Agriculture would appoint these people to the Council or, if he rejects one or more of them, would request submission of additional names from the Wheat and Wheat Foods Foundation.

My amendment provides for nomination and appointment of the consumer representatives in a similar way, except that the names of consumer members and alternates would be submitted by Consumers Federation of America rather than the Wheat and Wheat Foods Foundation which has no consumer membership. The Consumer Federation of America is a nonprofit, tax exempt organization with affiliates throughout the Nation. The Consumer Federation is an appropriate organization to nominate

consumer representatives for the Wheat Industry and Consumer Council, comparable to the Wheat and Wheat Foods Foundations for representatives of the three industry segments.

My amendment also adds two nonvoting consumer members to the Council, to balance the two nonvoting members from each of producers, processors, and end-product manufacturers already provided in the bill.

#### INCREASING THE PRICE OF BREAD

Consumers have a vital interest in H.R. 13514—and therefore should be directly represented—for at least two reasons.

First, it is clear that consumers will be paying the cost of the research and advertising program under this bill, in the form of higher prices for bread and other wheat products. Although the program will be financed by a collection from processors of up to 2.5 cents per hundred weight of processed wheat, there is little question that the processor firms will pass along this cost to the consumer.

It is estimated that \$2.6 million will be raised the first year, and this is expected to increase to \$6 million in subsequent years. The proponents of the bill say that this would increase the prices to the consumer of bread and other wheat foods only by a small amount.

At a time when the price of food is increasing faster than virtually any other item in the Consumer Price Index, should we load even a small increase onto the price of bread and other basic foods unless it can be clearly justified? Perhaps more to the point, do we dare add another increase to food prices at this time without giving the consumer any voice in deciding how this higher cost in foods can be expected to contribute to improved nutrition or some other desirable objective?

#### ASSURING OBJECTIVE INFORMATION

Second, consumers have an interest in the type of research and promotion that will be carried out pursuant to this bill.

During the hearings held May 3 on H.R. 13514 by the House Agriculture Committee, a number of witnesses from wheat grower organizations, processors, and bakeries claimed that this legislation could serve consumers by documenting and publicizing the nutritional value of wheat foods. This is of course plausible. But without consumer representation on the Council, which will decide what kinds of specific research and promotion to undertake, how do we know that legitimate interests of consumers will be taken into consideration at all?

Indeed, in the absence of consumer representation, how can we be sure the result will not be research and promotion designed to defend and expand sales of wheat producers per se, regardless of how consumers would be affected?

That consumer interests might be ignored is suggested by a statement made in the May 3 House Agriculture Committee hearing by Walter W. Dolch, representing the Associated Retail Bakers of America:

Food faddists and quacks circulate unfounded attacks on white bread. Even some scientists report experiments from which they draw erroneous conclusions unfavorable

to wheat foods. If we have the research and educational capabilities possible under this act, I doubt that an enlightened public would give credence to such statements and reports.

Mr. Dolch is a director and member of the executive committee of the Wheat and Wheat Foods Foundation, and in that capacity might well be among those suggested for membership on the Wheat Industry Council which would administer the wheat promotion program under H.R. 13514. Certainly, with this type of orientation represented, the Council must also include consumers to afford balanced decisions on the kinds of promotional activities to be carried out.

DEPARTMENT OF AGRICULTURE QUESTIONS  
OBJECTIVITY OF GROUP

The U.S. Department of Agriculture itself has raised serious questions about the structure of the Wheat Industry Council in this bill. Under Secretary of Agriculture J. Phil Campbell, in a letter of May 2 addressed to Chairman POACE of the Agriculture Committee, questioned the wisdom of delegating governmental powers to a strictly private agency—the Wheat Industry Council—as this bill would do.

Under Secretary Campbell also said: There also is a question as to whether the proposed delegation to the [Wheat and Wheat Foods] Foundation adequately recognizes the interests of non-members of the Foundation who might now or in the future be directly affected by the program. Authorizing legislation for other commodity research and promotion programs contains provisions for public hearings, referenda, and assessment refunds. This bill does not contain such provisions.

Although the Department of Agriculture did not explicitly recommend that consumer representation be included, consumers' interests would certainly be among the most conspicuously affected interests without membership on the Foundation.

Mr. Chairman, if the sponsors and supporters of this bill have the nutritional interests of consumers in mind, then they should be willing to accept my amendments so that consumer interests are explicitly protected. In any event, I am confident that the Members of the House—mindful of the extreme pressures on the consumers' food budget at the present time—will insist that the consumers' voice be heard in any wheat promotion program authorized by this bill.

My amendments will assure the consumer such a voice, and I urge their adoption.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Missouri.

The amendments were agreed to.

AMENDMENT OFFERED BY MR. WOLFF

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

The Clerk read as follows:

Amendment offered by Mr. WOLFF: Page 21, line 2, after "Sec. 24." insert "(a)", and between lines 12 and 13 insert the following:

(b) The council shall undertake a study with respect to (1) the effect of total wheat sales by the United States on the wholesale and retail prices of bread within the United States; and (2) research (under item 5, page 4) to determine feasible methods by which

world wheat program subsidies may be reduced or eliminated. The council, within one year after the date on which the members of the council are initially appointed pursuant to section 7, shall report to Congress on the results of the study required by this subsection.

Mr. PURCELL. Mr. Chairman. I have had an opportunity to examine this amendment and I, for the chairman of the committee, accept this amendment.

POINT OF ORDER

Mr. TEAGUE of California. Mr. Chairman, I rise to make a point of order against the amendment.

The CHAIRMAN. The Chair will hear the gentleman on his point of order.

Mr. TEAGUE of California. Mr. Chairman, the point of order is that this amendment, the proposed amendment, seems to be clearly nongermane. The fundamental purpose of the proposed wheat council is to conduct research, to engage in advertising and promotion of wheat and wheat products. The proposed amendment here goes beyond the fundamental purpose of the bill a long, long way and gets into problems that are not a part at all of H.R. 13514, and therefore seems clearly to be nongermane.

Mr. WOLFF. Mr. Chairman, the gentleman who made the point of order indicated that the bill intended to enable wheat producers, processors, and end-product manufacturers to engage in an updated program of research. This is exactly what this amendment purports to do. In addition, the bill itself is intended to promote, maintain, and expand markets. Markets are groups of people that are willing and able to buy.

All that we are trying to find out here are ways and means by which we can expand markets for wheat and wheat products, and to find out what relationship there is with matters that are outside the general control of our own, to be able to bring into focus the effect of this upon total wheat sales.

As Members will note, the amendment as it was originally set up perhaps did not conform. However, I have adjusted the amendment in order to conform to the research under item (5) on page 4, which includes world food programs. The item (5) indicates that we will help improve the effectiveness of world food programs through better utilization of wheat foods. My amendment intends to do just that.

The CHAIRMAN (Mr. ROUSH). The Chair is prepared to rule.

The Chair has had an opportunity to examine the amendment offered by the gentleman from New York. The amendment offered by the gentleman from New York has included in it a study with respect to the effect of total sales by the United States on wholesale and retail prices, and refers to feasible methods by which subsidies might be eliminated.

The Chair would call attention to the title of the bill before the committee, which is:

To enable wheat producers, processors, and end-product manufacturers of wheat foods to work together to establish, finance, and administer a coordinated program of research, education, and promotion to maintain and expand markets for wheat and

wheat products for use as human foods within the United States.

The Chair would also call attention to section 2, on page 4, subparagraph (5), which has the following language:

Help improve the effectiveness of world food programs through better utilization of wheat foods;

The Chair rules that the amendment offered by the gentleman from New York is germane, and overrules the point of order.

The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. WOLFF. Mr. Chairman, the amendment which I offer today is prompted by what appears to be a developing pattern of increased American export wheat sales. Recently there has been a great deal of concern about the terms of the just concluded United States-Soviet grain agreement. I myself spoke out here in this Chamber almost 1 month ago on the potential of this agreement to raise our domestic bread prices.

Now, grave doubts have been raised about the integrity of the negotiations themselves which lay the foundations for the \$750 million grain deal. I was pleased to note that my able colleague from Texas (Mr. PURCELL) last week announced that he plans to have his subcommittee investigate the circumstances surrounding the Soviet wheat sale agreements. Many questions that have been raised certainly need to be answered. I might add that the Department of Agriculture has yet to reply to my almost 1-month-old request for a report of the impact which the pact might have on our own market.

My amendment is very straightforward and I think it will serve as a useful guide to the work of the Wheat Industry Council which the bill would establish. The amendment calls for the Wheat Industry Council to make a study of the effect of wheat exports on domestic bread prices at both the wholesale and retail levels. It also provides that the Council undertake a study of the feasible methods by which export subsidies might be reduced or eliminated.

Mr. Chairman, it seems to me that a bill which creates the machinery charged with establishing, financing, and coordinating a program of research, education, and promotion to expand markets for wheat should address itself to these two questions, namely, the effect upon U.S. domestic bread prices and U.S. export subsidies.

The current situation in which the consumer and the taxpayer wind up effectively footing the bill of an export grain agreement twice—by paying higher bread prices and contributing their tax dollars toward the payment of subsidies—is, I feel, unfair and unworkable.

Adoption of my amendment would solicit the input of the Wheat Industry Council which might help to make future export grain sales—and some are clearly in the offing—more economically sound on the domestic front. In creating this Council, which is of prime importance to the wheat industry itself, enactment of this amendment would very clearly stress the importance of protecting the people



who in one way or another will ultimately pay for its work, the consumer and the taxpayer. For these reasons, I urge my colleagues to join in support of this amendment.

Mr. TEAGUE of California. Mr. Chairman, I rise in opposition to the amendment.

It seems to me to be a most unlikely eventuality that a group of consumers, advertising men, and scientists who would constitute the membership of this Wheat Council with perhaps a few farmers thrown in is really equipped to deal with such a highly difficult and technical subject as our whole wheat export program. I have no doubt these questions may need review, but I do not believe this is the group to do it.

Therefore, I feel very definitely this proposed amendment should be rejected.

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

The question was taken; and on a division (demanded by Mr. WOLFF) there were—ayes 23, noes 50.

So the amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike the eighth word.

Mr. Chairman, I should like to ask someone who is knowledgeable with respect to this bill why the council is provided with an unlimited number of confidential employees.

Mr. PURCELL. If the gentleman will point out the place in the bill he is referring to, I would be glad to try to answer his question.

Mr. GROSS. It is page 22, line 9, under paragraph (c), wherein it provides:

All reports and records submitted by processors to the council and received by it pursuant to the provisions of this section shall at all times be in custody of one or more confidential employees designated by the council.

Mr. PURCELL. Well, I will just say that this is the normal way of any business carrying on its business. They would not want it to be in the custody of anyone in whom they did not have confidence.

Mr. GROSS. And going to page 23 of the bill, with regard to funds, it is stated that the funds accruing to the council will also be in the custody of confidential employees.

Mr. PURCELL. I certainly would not want unconfidential employees.

Mr. GROSS. Is there no Government money involved in proposal?

Mr. PURCELL. Not that I know of.

Mr. GROSS. In any provision of the bill, especially under either paragraph (c) or paragraph (b)?

Mr. PURCELL. The only Government money involved is to set this up and to have the Secretary have the oversight to see what he wants. The money that is to be used by this is generated by the industry.

Mr. GROSS. Who audits the books?

Mr. PURCELL. I am sure that those who audit all books of agencies set up by this Congress.

Mr. GROSS. Since Government funds are involved in the support of this program, is there any provision that the General Accounting Office may take a look at the books?

Mr. PURCELL. I am sure that there is; yes, sir.

Mr. GROSS. In this bill?

Mr. PURCELL. I do not know whether it is in this bill. I do not think we have to have provision in every bill for the General Accounting Office to look at books under laws this Congress grants.

Mr. GROSS. If the money is to be entrusted only to confidential employees, how would the General Accounting Office get a look at the financial operations?

Mr. PURCELL. If the gentleman would yield, I just stated that this is the provision, as far as I know, that every organization in any way similar to this is set up.

I am not being facetious when I say that we are just contending that the employees of this group, this Commission, this organization shall be those that handle the business of it.

Mr. GROSS. Is there any intent now on the part of the gentleman or the House Agriculture Committee to establish a corn industry council? There is presently no corn industry council, and it is one of the largest food crops in the country and in the world, for that matter.

Mr. PURCELL. Is the gentleman saying corn industry council?

Mr. GROSS. Yes. Are you thinking of proposing a check off on corn farmers?

Mr. PURCELL. Well, they have sources of use in a broader sense than wheat has had. The gentleman from Iowa is very fortunate to have mainly the livestock feed industry, the alcohol industry, and things other than what the wheat industry has had.

If the gentleman is interested in an institute similar to this for corn, we would be glad to consider his request.

Mr. GROSS. I will say to the gentleman from Texas that I am not at all interested in a checkoff for corn farmers. Let me say to the gentleman that I have listened intently this afternoon to all of the debate on this bill, and I have yet to hear a good, substantial reason for a checkoff on the products of wheat farmers for the purposes as stated in this bill. I am not at all convinced of its merits. I will vote against the bill, because I am against checkoffs, compulsory or otherwise, for farmers.

If there is some necessity for a checkoff, let the processors of wheat make that checkoff on their own industry and do their own promoting. Why should there be any compulsion saddled on the producers? And I am not in favor of any Federal aid for administration of this promotion. This country needs a Wheat Industry Council, financed by the Federal Government and consumers, about as much as the Russians need a vodka industry council or the people of Japan need a zaibatsu industry council.

Mr. Chairman, I hope this bill will be defeated.

AMENDMENT OFFERED BY MR. GONZALEZ

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

The Clerk read as follows:

Amendment offered by Mr. GONZALEZ: On page 24, after line 16, add:

Sec. 27a. No person working for the United States Government in any capacity having

to do with the production, consumption, or regulation of food products shall commence employment, direct or indirect, with a private, for private enterprise engaged in the production or consumption, purchase or sale, of such regulated commodities for a period of two years after his separation from the government.

#### POINT OF ORDER

Mr. TEAGUE of California. Mr. Chairman, I have not had the opportunity to read the amendment, but nevertheless I make the point of order that it is not germane, as I understand the reading of the amendment.

The CHAIRMAN. The Chair would ask the gentleman from California to state the reasons for his point of order.

Mr. TEAGUE of California. Mr. Chairman, I have not seen the amendment, but it seemed to deal with the subject of conflict of interest, which is not in any way involved in this bill.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. GONZALEZ. Yes, Mr. Chairman; I would.

Mr. Chairman, I would like to say first that I do apologize for not having sufficient copies for the two sides, but the amendment itself is very simple. It is indeed a conflict of interest amendment. It would do the same thing in the area of governmental employment in the Office of the Secretary of Agriculture that we do for the Department of Defense.

We have laws regulating the employment by Government personnel that have been engaged in the procurement of contracts from going to work for a private firm within a stated period of time after their separation from the Government. That is all I am attempting to do with regard to Government employment.

With respect to the point of order on germaneness, on page 24, section 28, we talk about the Secretary. Now, this secretary is not a private secretary, it is the Secretary of Agriculture whom we are talking about. And under this act he is authorized to issue such orders, rules and regulations as may be necessary to carry out the provisions of this act, and the powers vested in him by this act.

If it is germane for the Secretary of Agriculture to have enforcement powers over the portions of this legislation that we are enacting, then what is wrong with him having enforcement powers showing clearly that the Congress does not approve of any Government employee who by virtue of his employment is in direct contact with private enterprise, and then when he leaves he does so under questionable circumstances, under the best of situations.

Mr. GERALD R. FORD. Mr. Chairman, if the gentleman from Texas will yield, let me say that on the substance I do not think I have any objection to the content of the amendment, none whatsoever, but because we were unable to have a copy of the amendment prior to the submission of it, I am not clear on how broad it is. Does it go beyond wheat sales and wheat promotion? Is it going to restrict the officials in the Department from having those who are not connected with wheat sales getting employment?

I must say that the language is somewhat difficult for us to understand in order to discuss the substance as well as the germaneness of the amendment.

Mr. GONZALEZ. If the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD), thinks it advisable, perhaps we could call for a second reading of the amendment. I do not believe it is that broad. I think it is broad enough to make it uniform in its applicability. I think it clearly states the intention of the Congress, and I do not think it would in any way be objected to by those who in good faith would like to promote wheat and wheat products, or other food products.

So, Mr. Chairman, I would ask unanimous consent that we have a second reading of the amendment.

Mr. Chairman, I ask unanimous consent that the amendment be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? There was no objection.

The Clerk reread the amendment.

The CHAIRMAN. For what purpose does the gentleman from Michigan (Mr. GERALD R. FORD) rise?

Mr. GERALD R. FORD. Mr. Chairman, after having heard the amendment reread, I would like to be heard further on the point of order made by the gentleman from California (Mr. TEAGUE).

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. GERALD R. FORD. Mr. Chairman, I think it is absolutely crystal clear that the amendment is not germane to this proposal before us at the present time. It has a far broader application than the basic intent of this particular legislation. It covers all employees of the Department of Agriculture, and as a matter of fact of the Government. So it is not just limited to the Department of Agriculture. For that reason I think the proposal is not germane under any circumstances under the rules of the House.

The CHAIRMAN. Does the gentleman from Texas wish to be heard on the point of order?

Mr. GONZALEZ. Yes, Mr. Chairman.

I wish to emphasize that this act, if we approve of it, brings the Government in and it clearly states in section 28:

SEC. 28. The Secretary is authorized to issue such orders, rules, and regulations as may be necessary to carry out the provisions of this Act and the powers vested in him by this Act.

My amendment is not any broader than is required to cover not only this circumstance, but will have uniform applicability with respect to employment in this particular section having to do with production, consumption and regulation, and particularly regulation of food products.

I think if we had clearly emphasized this doctrine, we could have saved ourselves the embarrassment and pain of the Billy Sol Estes deal, for instance, which would have been clearly within the confines of congressional policy. I think this will clearly and fundamentally point out to any Government employee, particularly in the regulated field that he shall be in the same premise as Department of Defense employees.

The CHAIRMAN. The gentleman is arguing the substance of his amendment and is not addressing himself to the point of order.

Does the gentleman wish to be heard further on the point of order?

Mr. GONZALEZ. I thought I was arguing on that.

The CHAIRMAN. In the opinion of the Chair, the gentleman was arguing the substance of his amendment and was not addressing himself to the point of order.

Does the gentleman wish to be heard further on the point of order?

Mr. GONZALEZ. Yes, Mr. Chairman; I would like to do that.

If the Chairman please, I would like to add that my amendment is germane—as germane as section 28 inasmuch as in our legislation we are bringing in the Secretary of Agriculture to enforce and to carry out the will of the Congress, as expressed in this particular bill.

The CHAIRMAN. The Chair is prepared to rule. The ruling will be brief.

The purpose of the bill before the Committee is to provide a program for research, education, and promotion to maintain and expand markets for wheat. This is to be implemented by regulations issued by the Secretary of Agriculture.

The gentleman's amendment goes beyond the purpose of the bill, in the opinion of the Chair. It goes to all persons working for the U.S. Government in any capacity and encompasses all food products.

This prohibition against employment is a matter which should properly be under the jurisdiction of another committee of the House of Representatives. For these reasons the Chair is constrained to rule that the amendment is not germane and the point of order is sustained.

Mr. GONZALEZ. Is the Chair amenable to reason?

The CHAIRMAN. The Chair is a reasonable man, but the Chair has ruled and the reasonable ruling stands.

Are there any further amendments? If not, under the rule the Committee will now rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROUSH, 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. 13514) to enable wheat producers, processors, and end-product manufacturers of wheat foods to work together to establish, finance, and administer a coordinated program of research, education, and promotion to maintain and expand markets for wheat and wheat products for use as human foods within the United States, pursuant to House Resolution 1093, 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.

The SPEAKER. The question is on the passage of the bill.

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

Mr. TEAGUE of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 122, nays 234, not voting 75, as follows:

[Roll No. 353]

#### YEAS—122

Abbott	Flynt	Montgomery
Abernethy	Foley	Natcher
Abourezk	Fraser	O'Hara
Alexander	Frenzel	O'Neill
Anderson	Fulton	Passman
Tenn.	Garmatz	Perkins
Andrews, Ala.	Gettys	Pickle
Andrews,	Gonzalez	Poage
N. Dak.	Gray	Preyer, N.C.
Aspin	Griffin	Price, Tex.
Bennett	Hagan	Purcell
Bergland	Hansen, Idaho	Randall
Bevill	Harrington	Rarick
Blanton	Hays	Roberts
Boggs	Henderson	Roncallo
Bolling	Hicks, Wash.	Roy
Brinkley	Hungate	Sebellus
Brooks	Ichord	Seiberling
Brotzman	Johnson, Calif.	Shriver
Broyhill, N.C.	Jones, N.C.	Sikes
Burleson, Tex.	Kastenmeier	Skubitz
Burlison, Mo.	Kazen	Smith, Iowa
Burton	Kemp	Staggers
Cabell	Kyl	Steed
Caffery	Kyros	Stephens
Carter	Landrum	Stubblefield
Casey, Tex.	Leggett	Stuckey
Chappell	Lennon	Symington
Collins, Ill.	Link	Taylor
Culver	McClory	Teague, Tex.
Curlin	McCollister	Thone
Davis, S.C.	McCormack	Udall
de la Garza	McFall	Ullman
Denholm	Mahon	Waggonner
Derwinski	Martin	Wampler
Downing	Mathis, Ga.	Whitten
Dulski	Matsunaga	Winn
Edmondson	Mayne	Wolf
Esch	Meeds	Wright
Evans, Colo.	Melcher	Young, Tex.
Fisher	Mills, Ark.	
Flood	Mizell	

#### NAYS—234

Adams	Carlson	Drinan
Addabbo	Cederberg	Duncan
Anderson,	Celler	du Pont
Calif.	Chamberlain	Eckhardt
Annunzio	Chisholm	Edwards, Calif.
Archer	Clancy	Ellberg
Arends	Clark	Erlenborn
Ashbrook	Clausen,	Eshleman
Badillo	Don H.	Fascell
Baker	Clawson, Del	Findley
Barrett	Clay	Flowers
Begich	Cleveland	Ford, Gerald R.
Belcher	Collier	Ford,
Bell	Collins, Tex.	William D.
Betts	Conable	Forsythe
Blaggi	Conover	Fountain
Blester	Conte	Frelinghuysen
Bingham	Conyers	Frey
Blackburn	Cotter	Gaydos
Boland	Coughlin	Gialmo
Brademas	Crane	Gibbons
Bray	Daniel, Va.	Goldwater
Brown, Mich.	Daniels, N.J.	Goodling
Brown, Ohio	Danielson	Grasso
Broyhill, Va.	Delaney	Green, Oreg.
Buchanan	Dellenback	Griffiths
Burke, Fla.	Dellums	Gross
Burke, Mass.	Dennis	Grover
Byrne, Pa.	Devine	Gubser
Byrnes, Wis.	Dickinson	Gude
Byron	Diggs	Haley
Carey, N.Y.	Donohue	Hall



Hamilton	Mazzoli	Ruth
Hammer-	Metcalfe	St Germain
schmidt	Michel	Sandman
Hanley	Miller, Ohio	Sarbanes
Hanna	Minish	Satterfield
Harsha	Minshall	Saylor
Harvey	Mitchell	Scheuer
Hastings	Mollohan	Schmitz
Hechler, W. Va.	Monagan	Schneebeli
Heckler, Mass.	Moorhead	Schwengel
Heinz	Morgan	Shoup
Helstoski	Moss	Slack
Hicks, Mass.	Murphy, Ill.	Smith, N.Y.
Hillis	Murphy, N.Y.	Snyder
Hogan	Myers	Spence
Hollifield	Nedzi	Stanton,
Horton	Neisen	J. William
Hosmer	Nix	Steele
Howard	O'Konski	Steiger, Ariz.
Hunt	Patman	Steiger, Wis.
Hutchinson	Patten	Stokes
Jacobs	Pettis	Stratton
Jarman	Pike	Sullivan
Johnson, Pa.	Pirnie	Talcott
Jonas	Podell	Teague, Calif.
Karh	Powell	Terry
Keating	Price, Ill.	Thompson, Ga.
Kee	Pryor, Ark.	Thompson, N.J.
Keith	Pucinski	Thompson, Wis.
King	Quile	Tiernan
Kluczyński	Quillen	Vigorito
Koch	Rangel	Waldie
Kuykendall	Rees	Ware
Landgrebe	Reid	Whalen
Latta	Reuss	White
Lent	Rhodes	Whitehurst
Long, Md.	Riegle	Wildnall
McCloskey	Robinson, Va.	Williams
McCulloch	Robinson, N.Y.	Wilson, Bob
McDade	Rodino	Wyder
McKay	Roe	Wylie
McKevitt	Rogers	Wyman
McKinney	Rooney, Pa.	Yates
Macdonald,	Rosenthal	Yatron
Mass.	Roush	Young, Fla.
Madden	Rousselot	Zablocki
Mallary	Roybal	Zion
Mann	Runnels	Zwach

## NOT VOTING—75

Abzug	Gallagher	Obey
Anderson, Ill.	Green, Pa.	Pelly
Ashley	Halpern	Pepper
Aspinall	Hansen, Wash.	Peyster
Baring	Hathaway	Railsback
Blatnik	Hawkins	Rooney, N.Y.
Bow	Hébert	Rostenkowski
Brasco	Hull	Ruppe
Broomfield	Jones, Ala.	Ryan
Camp	Jones, Tenn.	Scherle
Carney	Lloyd	Scott
Colmer	Long, La.	Shipley
Corman	Lujan	Sisk
Davis, Ga.	McClure	Smith, Calif.
Davis, Wis.	McDonald,	Springer
Dent	Mich.	Stanton,
Dingell	McEwen	James V.
Dorn	McMillan	Van Deerlin
Dow	Mailliard	Vander Jagt
Dowdy	Mathias, Calif.	Vanik
Dwyer	Mikva	Veysey
Edwards, Ala.	Miller, Calif.	Whalley
Evins, Tenn.	Mills, Md.	Wiggins
Fish	Mink	Wilson,
Fuqua	Mosher	Charles H.
Galifianakis	Nichols	Wyatt

So the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Brasco against.  
 Mr. Jones of Tennessee for, with Mrs. Abzug against.  
 Mr. Blatnik for, with Mr. Vanik against.  
 Mr. Dingell for, with Mr. Dent against.  
 Mr. Long of Louisiana for, with Mr. Ryan against.  
 Mr. Nichols for, with Mr. James V. Stanton against.  
 Mrs. Mink for, with Mr. Green of Pennsylvania against.  
 Mr. Colmer for, with Mr. Rooney of New York against.  
 Mr. Dowdy for, with Mr. Hawkins against.  
 Mr. Evins of Tennessee for, with Mr. Carney against.

Mr. McClure for, with Mr. Dow against.  
 Mr. Jones of Alabama for, with Mr. Railsback against.  
 Mr. Galifianakis for, with Mr. Mills of Maryland against.

## Until further notice:

Mr. Pepper with Mr. Wiggins.  
 Mr. Rostenkowski with Mr. Anderson of Illinois.  
 Mr. Dorn with Mr. Bow.  
 Mr. Ashley with Mr. Broomfield.  
 Mr. Aspinall with Mr. Camp.  
 Mr. Davis of Georgia with Mr. Davis of Wisconsin.  
 Mr. Corman with Mr. Smith of California.  
 Mr. Mikva with Mrs. Dwyer.  
 Mr. Miller of California with Mr. McDonald of Michigan.

Mr. McMillan with Mr. Edwards of Alabama.

Mr. Sisk with Mr. Fish.  
 Mr. Shipley with Mr. Ruppe.  
 Mrs. Hansen of Washington with Mr. Wyatt.

Mr. Hathaway with Mr. Mosher.  
 Mr. Hull with Mr. Halpern.  
 Mr. Gallagher with Mr. McEwen.  
 Mr. Fuqua with Mr. Scherle.  
 Mr. Baring with Mr. Floyd.  
 Mr. Charles H. Wilson with Mr. Lujan.  
 Mr. Mailliard with Mr. Pelly.  
 Mr. Peyser with Mr. Mathias of California.  
 Mr. Scott with Mr. Vander Jagt.  
 Mr. Springer with Mr. Whalley.

Mr. THOMPSON of New Jersey and Mr. LATTA changed their votes from "yea" to "nay."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## MARIHUANA MUST NOT BE LEGALIZED

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

Mr. BEVILL. Mr. Speaker, several proposals have been made in Congress in recent months designed to legalize the possession of marihuana.

I strongly oppose these proposals. Each year literally thousands of young people in the United States die from an overdose of drugs. Many of these young people started on marihuana and went on to harder drugs.

I believe marihuana is dangerous and legalizing its possession will lead to a wider use by our young people.

Even if you accept the argument that only 1 percent of marihuana users go on to heroin, this would still constitute a tremendous problem since there are now millions using it. It is estimated that as many as 12 million Americans have used marihuana in recent years.

In a report to the second session of the 91st Congress, the House Select Committee on Crime stated:

No rational or sensible approach to the narcotic and dangerous drug problem can slide over the subject of marihuana use. Admittedly, the number of people from whom our committee has heard was limited. But of the hundreds of young people who have offered their comments, we heard from only

one young narcotic dependent or dangerous drug abuser who had not first started his or her habit or abuse by experimenting with marihuana.

It is now unmistakably clear that the United States will not be able to conquer the rising danger from drugs without a deep commitment from the public and a firm, direct approach from elected officials.

We must root out this threat to society, to the family and to the individual. We must redouble our efforts to shut off the supply and growth of marihuana in this country. This is the only way we can eliminate this serious problem.

## ANNOUNCEMENT AS TO VOTE

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

Mr. DANIELSON. Mr. Speaker, on Tuesday, September 5, 1972 I was unable to return to Washington, because of business in my district, and therefore I missed roll No. 350 and roll No. 351.

On roll No. 350, a record vote on the conference report to accompany H.R. 13089, I would have voted "yea", if I had been present. This measure will provide for acceleration of programs for the planting of trees on national forest lands in need of reforestation.

If I had been present and voting, on roll No. 351, I would have voted "yea". This was the vote on the conference report on H.R. 12350, to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964.

## OMNIBUS PENAL REFORM ACT OF 1972

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

Mr. DELLUMS. Mr. Speaker, last spring I introduced the Omnibus Penal Reform Act of 1972. The bill consisted of original legislation built around what I felt was the most progressive proposals for penal reform introduced in Congress. I sent copies of the bill to nearly 100 Federal prisoners as well as to criminal lawyers and experts in penology and requested that they all review the proposal and make suggestions for improvement.

The response to this mailing was incredible; many Federal prisoners said it was the first piece of legislation which realistically confronted the problems of penology in the United States today. At the same time, the prisoners, due to their uncanny insight into the true nature of the prison system, made many suggestions to close loopholes, improve language, and to make the bill much more effective. Experts in penology and criminal lawyers were able to be most helpful and commented on both the form and content of the bill.

Consequently, the act has been thoroughly revised by the legislative staff. It now represents, I believe, the most workable, progressive, and comprehensive piece of penal reform legislation to be introduced in the House of Representatives.

Many penologists and prison authorities say prisons have changed—that prisons are for rehabilitation, not for punishment. Despite these claims, rebellions at Attica, San Quentin, Soledad, and virtually every other major penitentiary have aptly demonstrated they are wrong. Prisoners across the land continue revolting against brutalizing and inhumane conditions. The sad truth is that in many instances prisons are no different today than at the turn of the century. For example, the Federal Government operates one of its largest institutions at Atlanta. It was built in 1910, and is just as oppressive today as then. Certainly, it is not an atmosphere in which rehabilitation could take place.

We must realize that no person is made more fit to function as a member of society through systematic corporal punishment. And despite claims to the contrary, such punishment exists in prisons today. I have seen the scars. We must also realize that prisoners are entitled to every human and moral right as members of free society. Confinement in a penitentiary is certainly punishment enough and is in itself a most extreme act of retribution by society. Any prisoner will tell you that the sexual and psychological tortures one goes through in prison leave their mark stamped indelibly on the individual's psyche.

Prisons—the backbone of the criminal justice system—reek of injustice and inhumanity. They also have a very definite class characteristic—there are very few white collar criminals in penitentiaries. White collar criminals responsible for millions—if not billions—of dollars worth of crime annually are not in prison. Prisons are full of people who have committed \$10 or \$15 robberies; prisons are full of people who told me that in order for them to survive in what they see as a most oppressive economic atmosphere they went outside the law to provide food and shelter for their families. For them, prisons are the final defense in the maintenance of a social order that insures the affluence of certain segments of society at the expense of others.

And exploitation does not stop when one reaches prison—it increases. Prisoners are paid minimal wages—they perform virtually slave labor for the Government, which receives a handsome profit in the process. The U.S. Penitentiary at Atlanta—the oldest and most experienced are here—has the highest average sentence per prisoner in the Federal system. It is here where the Federal prison industry produces a major share of its products. We are told that there is extensive rehabilitation in the process—rehabilitation that somehow takes place on outdated machinery that has little or nothing in common with machinery in outside industries. We

should ask why such an extensive "rehabilitation" program should be in an institution where the average prisoner is serving a 20 or 30 year or life sentence, instead at institutions where prisoners are serving 2 or 3 year sentences and could benefit from training programs. The situation at Atlanta cannot help but make one wonder if prison authorities are more concerned with making a profit from the exploitation of captive and free labor than with the rehabilitation of the prisoner population.

It is my sincere hope that Congress will see fit to pass this legislation. The uprisings and tragedies we have experienced in our Nation's prisons clearly demonstrates the need for a massive overhaul of the system. If we are truly concerned with penal reform, we must treat the causes, and not the symptoms of the problem.

I would like to extend my most sincere thanks to those people who made valuable contributions to the development of the act: staff members Lee Halterman, Ron Allen, David Long, and Chris Ramer; Frank Callahan and George Mische of the National Coordinating Committee for Justice Under Law; Irby Sprouse and Willie Harris of USP Atlanta; attorneys Fay Stender and Patti Roberts; and to all the others whose efforts made this bill a reality.

At this time I would like to submit to the record a summary of the revised Omnibus Penal Reform Act of 1972.

#### SUMMARY

The "Omnibus Penal Reform Act of 1972" is divided into eight titles. Five sections expand and solidify prisoners' rights, two titles are concerned with reorganization of the United States Board of Parole, and one title restores voting rights of felons once they have successfully completed their sentence. If passed into law, each title would independently represent a major progressive change in penological practices. However, despite this independent nature, each title highly complements the other sections of the measure.

#### TITLE I MINIMUM STANDARDS

Establishes the National Prison Standards Administration, as an independent agency in the Executive branch. The Administration would promulgate and enforce rules to insure minimum standards in prisons, including:

No discrimination on grounds of race, sex, language, religion, national or social origin, wealth, or political beliefs.

Establishment of living quarters taking into account prisoners age, sexual preference and criminal record; adequate and private sanitary facilities and minimum standards with respect to cubic content of air, floor space heating and ventilation in living quarters.

Adequate medical, psychiatric and dental care; pre-natal care for women.

Minimum standards for food preparation and service.

Restrictions on corporal punishment and solitary confinement.

Written regulations of appropriate prison behavior which will be provided to every prisoner upon admission.

Restriction on prison authorities from inspecting incoming mail except for the purpose of detecting contraband. Mail to gov-

ernment officials, courts, or attorneys to be serviced only by employees of the United States Postal Service.

Allowance of at least three visits a week, and that visitors need not be on an approved list.

Unimpeded availability of newspapers, periodicals, radio and television; media not to be restricted for ideological reasons.

Protection of prisoner property.

Comprehensive vocational training, rehabilitative and work release programs.

Restrictions on nature of prison work and establishment of maximum work hours.

Title I also provides up to a five year/\$5000 sentence for prison authorities who deprive or attempt to deprive a prisoner of rights granted under this title. Such a provision provides prisoners with a minimum assurance that their rights will be protected.

#### TITLE II MINIMUM WAGES

Provides for minimum wages equal to the highest minimum wage rate in effect under Section 6 of the Fair Labor Standards Act of 1938 for all Federal prisoners working in prison industry. Also gives prisoners the right to form unions for the purpose of collective bargaining regarding their employment.

#### TITLE III FAMILY VISITATION

Provides at least 12 days of furlough a year for prisoners with satisfactory conduct records.

#### TITLE IV COMMITMENT AND TRANSFER

Instructs the Attorney General to designate as initial place of confinement the institution nearest the person's place of residence suitable for inmates of the prisoner's classification, and stipulates that no transfer shall be made to another place of confinement solely for punitive reasons unrelated to a clear and present danger to the physical safety of the transferred prisoner, other prisoners, or of prison officials and employees.

#### TITLE V FEDERAL PRISONERS IN STATE INSTITUTIONS

Provides protection under federal prison regulations for all federal prisoners quartered in state or local institutions.

#### TITLE VI REENFRANCHISEMENT

Reenfranchises felons to vote in Federal elections after they have successfully completed their term of sentence, probation or parole.

#### TITLE VII PAROLE

Restructures the Parole Board into a national board and five regional boards. This decentralization of parole powers will bring the prisoner closer to the individuals who make parole decisions. Also provides that the boards proportionately reflect the racial and ethnic composition of the prison population.

Gives the prisoner the right to examine all documents that were used in the parole determination hearing. This enables the prisoner to more readily ascertain why parole was denied or why certain restrictions were placed on the parole.

Sets up provisions for goodtime allowances for parole. The longer a parolee maintains good conduct, the shorter the term of parole.

Entitles the parolee to an attorney at revocation hearings and the opportunity to confront and cross-examine witnesses, as well as stipulating that there be a full and complete hearing record.

#### TITLE VIII STATE PLANS

Provides federal assistance to the states for improvement of state parole programs and to develop and operate community oriented for the supervision of and assistance to parolees.



## THE ECONOMY AT MIDYEAR

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 15 minutes.

Mr. BROWN of Ohio. Mr. Speaker, the Joint Economic Committee recently issued its report on the 1972 mid-year review of the economy.

It is the opinion of the minority members of that committee that the new economic policy, instituted just over a year ago, has succeeded in stimulating economic growth and in reducing inflation.

Because we believe that this performance speaks for itself, we confine our views to a brief discussion of the general economic situation and some of the principal economic indicators. I include the minority views in the RECORD at this point:

THE 1972 MIDYEAR REVIEW OF THE ECONOMY  
REPORT OF THE JOINT ECONOMIC COMMITTEE—CONGRESS OF THE UNITED STATES, AUGUST 28, 1972

## MINORITY VIEWS ON THE 1972 MIDYEAR REVIEW OF THE ECONOMY

## I. Introduction

In our views on the Committee Report on Price and Wage Control published approximately 3 months ago, we asked certain questions regarding the success of the New Economic Policy in stimulating employment and economic growth and reducing inflation. In our opinion, the answers to those questions are becoming increasingly obvious. We now have available economic data for almost a full year period under the NEP. Because the strength of our economic performance in the last 6 to 9 months is so clear, in these views we wish to let this performance speak for itself, discussing the general economic situation and some of our principal economic indicators briefly, and forgoing all too common election year rhetoric regarding the economy.

## II. Employment and unemployment

From second quarter 1971 to second quarter 1972, total civilian employment increased by 2.4 million persons, one of the largest four-quarter rises in employment on record. In the last 2 months, this exceptional growth in total employment has been reflected in the overall unemployment rate, which has dropped substantially, from 5.9 percent in May 1971, where it had held for several months, to a level of 5.5 percent in June and July. The 3 percent rate of rise in employment from second quarter 1971 to second quarter 1972 is higher than the largest increases recorded in the 1960's and may be compared to the increase at an annual rate of 0.1 percent recorded in the four quarters preceding the adoption of the New Economic Policy last August.

We believe that continued expansion should enable us to reduce the overall unemployment rate further by the end of this year, to the neighborhood of 5 percent, inasmuch as the factors which caused a stable unemployment rate over the last year in the face of extraordinary growth in employment are expected to abate somewhat. Specifically, further large reductions in the Armed Forces are not now contemplated. Also, growth in the total labor force may be expected to return to a more normal level, since many of those persons who are drawn back into the labor force as economic conditions improve have already reentered the job market.

## III. Inflation

In the last 6 months we have seen a substantial drop in the rate of increase in consumer prices. For the month of June 1972 the rise in the Consumer Price Index (CPI) was 0.1 percent, seasonally adjusted. The annual rate of change for second quarter 1972

was 2.2 percent, down substantially from the 3.6 percent annual rate of increase in the first quarter of the year. The progress made under the Economic Stabilization Program in combating inflation is apparent upon a comparison of the price increase record in the 10 months since August 1971 with the 8-month period prior to inauguration of the New Economic Policy. In the first 8 months of 1971, the CPI rose at a seasonally adjusted annual rate of 3.8 percent, compared with an increase at an annual rate of 2.7 percent since last August. The rate of change on an annual basis in the price of food dropped from 5 percent in the pre-August period to 3.3 percent from August 1971 through June 1972.

The Wholesale Price Index has also showed a smaller rate of increase in the post-August 1971 period. In the first 8 months of 1971, the annual rate of increase in the WPI, as seasonally adjusted, was 5.2 percent, compared to an annual rate of increase of 4 percent from September 1971 through July 1972. The annual rate of increase in prices of industrial commodities dropped from 4.7 percent in the earlier period, to 2.8 percent in the past 11 months. On the other hand, in the 8 months prior to the start of the Economic Stabilization Program, from January through August 1971, prices of farm products, processed foods, and feed rose at an annual rate of 6.5 percent, seasonally adjusted, compared with an annual rate of increase of 7.2 percent in the 11-month period from September 1971 through July 1972.

During July 1972 industrial commodities rose in price by only 0.2 percent. However, prices of farm products and processed foods and feed rose 1.8 percent. In the 6-month period which ended in July 1972, the all commodities WPI rose at a seasonally adjusted annual rate of 5.2 percent, with the rise in the last 3 months of the period almost double that in the first 3 months. This acceleration was attributable entirely to sizable increases in prices of food products in May and June and, especially, July. However, with 30 percent more heavy cattle on hand today compared with a year ago, increased supplies of meat in the months ahead are expected to be reflected in an easing of prices.<sup>1</sup>

## IV. Real wages and productivity

The sharp growth in employment and progress against inflation have been accompanied by very encouraging gains in real wages and productivity. From 1965 to 1970, the spendable weekly wages of the average production worker rose substantially. However, his real wages declined, the dollar increases being entirely consumed by inflation. Since the beginning of 1971, this trend has been reversed, with real wages rising over the last 18 months. From June 1971 to June 1972, the real spendable weekly wages of the average production worker rose by 4 percent, as compared to an average annual increase of only 1.3 percent between 1960 and 1968.

As for productivity, recent large increases in output per man-hour have greatly improved prospects of returning to price-cost stability in the U.S. economy. Over the past three quarters, productivity increases in the private nonfarm economy have averaged about 5 percent at an annual rate—double the long term average rate of about 2½ percent from 1950 to 1970.

Because of the more rapid gains in productivity, unit labor cost—the cost of the amount of labor needed to produce a given amount of goods or services—has increased over the past three quarters in the private nonfarm economy at an average annual rate of only 1½ percent even though compensa-

tion per man-hour climbed at a rate of 6½ percent.

For the second quarter alone, the results were even more dramatic. The combination of smaller increases in wages, due to the administration's wage-price guidelines, and a large gain in productivity brought a slight decline in unit labor costs—the first since 1965. This stabilization of unit labor cost in the second quarter was accompanied by a significant reduction in the rate of inflation. The implicit price deflator for the private nonfarm economy, a broad measure of prices, increased at an annual rate of only 1.8 percent in the second quarter.

In the late 1960's, the combination of small productivity increases and large wage increases brought substantial increases in unit labor cost. As a result, prices rose sharply. Productivity started advancing at a faster pace with the economic recovery of 1971; the 3.7 percent increase that year was the largest in 7 years.

Part of the gain in 1971 was due to cost-cutting efforts by business firms following slower sales growth in 1970, and part was due to the general expansion of the economy that enabled business to operate at a higher and more efficient level of production. Thus, productivity gains usually are above average during expansionary periods. In the long run, however, productivity depends primarily on machines and other productive facilities, the education, motivation, skill, and experience of the labor force, and technological progress through research and development.

In the immediate future, continued above average gains in productivity can be expected as the economy continues to expand at a rapid pace. Moreover, new plant and equipment will be coming on stream at a faster rate. This should reinforce the cyclical increases in productivity.

## V. 1972 economic performance

So far this year the economy has shown great strength. In second quarter 1972, the Department of Commerce has estimated that Gross National Product rose at an annual rate of 9.4 percent in real terms, while prices, as measured by the implicit price deflator for GNP, rose at an annual rate of 1.8 percent. These figures may be compared with first quarter 1972, in which real output increased at an annual rate of 6.5 percent, and prices rose by 5.1 percent. The increase in real output in the second quarter was the largest since 1965. Similarly, prices, as measured by the GNP implicit price deflator, rose at a rate in the second quarter that was the lowest in over 6 years (excluding the period of the price-wage freeze).

From the third quarter of 1971 through the second quarter of 1972, real output has increased at an annual rate of 7.5 percent; this compares to an increase in real GNP of only 2.2 percent in the full year between third quarter 1970 and 1971. The annual rate of increase in real output in the first half of 1972 at 7.8 percent makes it very likely that the \$100 billion target increase in Gross National Product during 1972 will be met.

The relative strength of the current recovery is apparent from the table below.

Real GNP, six quarters after trough<sup>1</sup>

Recoveries following recessions of:	Percent
1954 .....	7.2
1958 .....	5.5
1961 .....	8.9
1970 .....	8.1
Average .....	(7.4)

<sup>1</sup>Percentage increase from previous cyclical peak.

Examination of some of our principal economic indicators shows, in our opinion, and in the opinion of the economic forecasting community generally, that the strong economic growth experienced in the last three quarters will continue.

<sup>1</sup>Senators Miller and Pearson state: "It seems only fair to point out that only 16 cents per consumer dollar is being spent for food—compared to 20 cents 12 years ago."

### Leading Indicators

In the last 6 months, the index of leading economic indicators has risen from 133.1 to 142.5, an increase of more than 7 percent, or 14 percent on an annual basis. The rise in the index in the last year, from July 1971 through June 1972, from 125.5 to 142.5, translates to an annual rate of gain of 13.5 percent. This record gives no hint that the present expansion may be ending or past its peak.

### Manufacturing Activity

Manufacturing activity in the first 6 months of this year evidenced an expanding economy. In second quarter 1972 manufacturers' total new orders for goods were 14.5 percent above the level of second quarter 1971 and 3.3 percent above first quarter 1972. In the important durable goods category, new orders in the second quarter of this year were a very strong 19.6 percent above the same quarter in 1971 and 5.2 percent above first quarter 1972. Nondurable goods, although not this strong, were still good. Total second quarter 1972 nondurable new orders were 8.8 percent above second quarter 1971 and 1.2 percent above first quarter 1972.

Manufacturers' shipments were also up strongly. Second quarter 1972 total manufacturers' shipments were 10.2 percent above second quarter 1971 and 2.8 percent above first quarter 1972. The durable goods component of total shipments was even stronger, with second quarter 1972 total shipments running at a level 11.6 percent above second quarter 1971 and 3.8 percent above first quarter 1972.

Very encouragingly, manufacturing inventories are beginning to show strength. The June rise in manufacturers' inventories of \$697 million was the largest gain in more than 2 years. This 0.7 percent gain in a single month followed a May rise in inventories of 0.4 percent. These fairly substantial back-to-back monthly increases followed a period of approximately a year and a half in which inventories were relatively stable. A rise in inventories has been long awaited as an indicator of business confidence that a sustained general economic expansion is underway. We believe that the May and June inventory performances reveal that business is exhibiting such confidence.

### Industrial Production

Industrial production, at the end of the first half of 1972, had risen for 8 months in a row. In June 1972, the index of total industrial production stood at 113.3, as compared to an index of 105.6 in August 1971, when President Nixon inaugurated the new economic policy. The change from August 1971 through June 1972 was equal to 8.7 percent at an annual rate. From the end of 1971 through June 1972, industrial production has increased at an annual rate of 9.6 percent.

### Housing

Private housing starts played a strong role in the vigorous economic performance so far this year. From January through June, housing starts averaged almost 2.4 million on an annual basis. The strength of this figure is apparent upon a comparison with the projected housing starts for 1972, 2.2 million, made by the Council of Economic Advisers at the beginning of the year. The performance to date is more than 8 percent above that projection, and 9.3 percent above the annual rate of housing starts in the last 6 months of 1971. Additionally, housing activity in the first half of this year ran at an annual rate 23.6 percent above the rate of housing starts in the first half of 1971. Although the May and June, 1972 starts, at annual rates of 2,331,000 and 2,298,000, respectively, are somewhat below the average for full half year, they are both substantially above the CEA projection for the full year. We expect demand for new housing to remain at a high level through the rest of 1972,

with satisfaction of this demand aided by readily available mortgage money.

### Construction Awards and Expenditures

In the first 6 months of 1972, construction contracts showed good strength, the level in the value of construction contracts rising to 15 percent above that in the first half of 1971. This 15-percent increase represents an average monthly gain of nearly \$1 billion over the 1971 period. During the month of June, residential building contracts rose 26 percent above the year earlier level, to \$4.38 billion from \$3.46 billion in June 1971.

New construction expenditures have also been strong. Total new construction expenditures during June, at a seasonally adjusted annual rate of \$123.3 billion, were up 0.7 percent from May's \$122.4 billion. The June level was 13.6 percent above June 1971's \$108.5 billion adjusted annual rate and 6.7 percent above December's 1971 \$115.6 billion.

### Retail Sales

Consumer confidence is also up. Although retail sales have remained somewhat changeable from month to month, the underlying trend in the last several periods has been encouraging. Total retail sales in the second quarter of 1972 ran at a level 3.2 percent above total sales in first quarter 1972, and 9.1 percent above sales in second quarter 1971. In the important durable goods category, total second quarter 1972 retail sales were 3.6 percent above total first quarter 1972 sales and a strong 13.0 percent above second quarter 1971 sales. The nondurable goods performance, although not as strong, was still good. Total second quarter sales were 2.7 percent above first quarter 1972 sales and 7.0 percent above second quarter 1971 sales.

During July, according to Department of Commerce preliminary figures, total retail sales rose to \$37.36 billion from June's \$36.67 billion, a rise of 2 percent in 1 month. Total July sales were 11 percent above those of July 1971.

### Consumer Installment Credit

In the 10 full months since the inauguration of the New Economic Policy for which data is available, consumer installment credit outstanding, which is a sensitive barometer of public confidence in the economy, has shown exceptional strength. From September 1971 through June 1972, the average monthly increase in total consumer installment credit outstanding has been \$1.09 billion. June 1972's increase of \$1.33 billion was the fourth gain in a row of more than \$1 billion and the third highest monthly increase ever recorded, falling behind only May 1972's record \$1.44 billion rise and March's \$1.36 billion increase.

The outstanding strength in this area is apparent upon comparing the more than \$1 billion average monthly increase from September 1971 through June 1972 with the performance in the first 8 months of 1971. From January through August 1971, total consumer installment credit outstanding, as seasonally adjusted, rose monthly only an average \$494 million, or less than half of the September 1971-June 1972 average. Given the exceptional performance from March through June of this year, when the average monthly increase in total installment credit outstanding was in excess of \$1.3 billion, we believe that consumer confidence and the purchasing activity which that confidence stimulates will fuel further our already very strong economic expansion.

### VI. Conclusion

The real test of economic policy is not whether we can create instant, perhaps short-lived, wealth for a few Americans, but rather whether we can create sustainable, long-term levels of prosperity and full employment. The test cannot be met by following the path of instant prosperity, but rather by setting long-range goals and con-

stantly striving to attain them. We believe that the trends now underway show promise of fully meeting that test, and of ushering in a new era of responsible decisionmaking in economic policy.

### THE OLYMPIC TRAGEDY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 5 minutes.

Mr. ROBISON of New York. Mr. Speaker, to paraphrase, it is the best of times and the worst of times; it is the season of light and the season of darkness. During the first 10 days of the XX Olympiad we had everything before us— young people of all races and nations living the lofty ideal of brotherhood during one of those rare periods when human beings put away their worst instincts and, for a short time, live as the great philosophers say they should. And, then, we had nothing before us in the wake of another terrible atrocity, another media event, which starkly reminded us that there is no hallowed ground in our time.

This morning's news that the XX Olympiad will continue is a consoling note for me, a fit memorial to the 11 Olympians who are now dead. The games may now be more a ritual of mourning than a joyful coming together; yet this is a more appropriate tribute to the slain Israelis than the silence of empty playing fields. If the people of the world cannot isolate 16 days in every fourth year for a time of peaceful competition, they can, at least, resolve that murderous anarchy will not blunt the redeeming spirit which seeks that peace.

Mr. Speaker, we found a new sadness yesterday. It was, perhaps, more painful than the many others that have come during these last several years, because we are now sure that it will come again. For me, and for a billion other witnesses throughout the world, yesterday was the "worst of times" in an age which tries so desperately to be the "best of times." But it is necessary to continue to try, and it is that decision that gives us a new sense of purpose, and of hope.

### TRIBUTE TO THE LATE FRANK MEYER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 5 minutes.

Mr. GERALD R. FORD. Mr. Speaker, every member of this House knows how important it is to have a capable and loyal office manager. On Friday, August 25, death took Frank Meyer, who had been my administrative assistant for 17½ years. Frank was the finest of administrative assistants, and—more than that—he was a splendid human being.

I was not alone in my high regard for Frank Meyer. Everyone who knew him, including the President of the United States, looked upon him as an outstanding individual. A message from the President to Frank's family was read at the funeral service, and it spoke for everyone who had come into contact with Frank and knew of his tremendous attributes.



Frank's great ability and his deep integrity were known to the men and women at the Grand Rapids, Mich., Press, as well as to others of my constituents, and so it was appropriate that the Press should pay tribute to Frank editorially in the days after his death. With the permission of the House, I would like to insert that editorial tribute to Frank Meyer at this point in the Record. The editorial follows:

[From the Grand Rapids (Mich.) Press, Aug. 29, 1972]

#### THE MAN BEHIND THE MAN

Frank A. Meyer had been teaching history and government for 17 years at Grand Haven's Central Junior High School when he decided to take advantage of an opportunity to work in Rep. Gerald R. Ford's office for a year. For Frank Meyer this was the golden opportunity to check theory against practice. He found the experience fascinating and after teaching another year he returned to Washington, in 1955, to become a permanent member of Ford's staff.

When Mr. Meyer died here unexpectedly last Friday, while visiting the congressman's local office, Ford said that in his judgment he "was the finest administrative assistant on Capitol Hill."

We can believe it. Affable and efficient, scholarly but not pedantic, Frank Meyer was one of the easiest of men to meet. If it was in his power to answer a question or fill a request, he did so promptly and cheerfully. He was rarely seen or heard by the constituents of Ford's district, but we are sure that Ford would be the first to attest that it was Frank Meyer who made his office run as if it were hooked up to some atomic clock.

He was one of the hundreds of men and women who labor in anonymity to keep Congress functioning. Whenever we found ourselves tempted to refer scornfully to the thousands of federal employees in Washington as "bureaucrats," we remembered that Frank Meyer was one of them; perhaps one of the finest but not unique. He, too, represented the people in the Fifth District.

#### CHARLES RUPPERT SPEAKS OUT ON BEHALF OF PRIVATE EDUCATION

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 a friend and constituent of mine, Charles J. Ruppert, of Buffalo, N.Y., testified in behalf of the Parents' Council of Independent Schools and the Federation of Home School Associations of the Diocese of Buffalo in favor of legislation to provide a tax credit for tuition payments to private elementary and secondary schools.

He presented an excellent case for promoting freedom of choice in our system of education and for providing a measure of tax relief to the parents of children in private schools.

I have cosponsored legislation for an income-tax credit plan which would allow parents of a nonpublic school child to deduct from their final tax liability an amount equal to one-half of the tuition paid up to an overall limit of \$500 per dependent. By providing assistance directly to the parents of schoolchildren and not the schools, I believe that this tax-credit concept is consistent with constitutional criteria.

Mr. Speaker, I include the text of Mr. Ruppert's statement which I feel is an important contribution to the hearing record and which deserves the attention of my colleagues in the Congress:

#### ORAL TESTIMONY OF CHARLES J. RUPPERT AT A PUBLIC HEARING BEFORE THE HOUSE COMMITTEE ON WAYS AND MEANS

Mr. Chairman, Honorable ladies and gentlemen:

I am Charles J. Ruppert and I am speaking on behalf of the Parents' Council of Independent Schools and the Federation of Home School Associations of the Diocese of Buffalo. These organizations represent over 100,000 parents of approximately 70,000 children in the non-public schools in the Western New York area. I am Secretary and past-President of the Parents' Council of Independent Schools and father of eight children, all of whom have been or are presently being educated in the Buffalo Catholic School System.

I would like to speak briefly on the necessity of maintaining freedom of choice in education, secondly, the economic problems afflicting parents who exercise this choice by sending their children to non-public schools and, thirdly, the urgent need for financial relief for parents via some form of tax credit.

While our Constitution and courts have guaranteed us this freedom of choice, it is more and more becoming an economic impossibility to exercise this choice. The need to preserve this freedom of choice is highlighted by the fact that in many underprivileged areas, parents choose to send their children to nonpublic schools. As an example, in a recently consolidated Inner City parochial school in the City of Buffalo, approximately 80% of the 800 students are non-Catholic and their parents are paying \$60 per year to exercise this freedom of choice. The non-public schools provide a diversity which our educational system would otherwise lack. They not only provide knowledge but also a system of values which inform the moral and ethical choices one must make throughout his life.

The more one appreciates the quality of education provided by the typical non-public school, the more urgent their preservation becomes. In the Diocese of Buffalo, for example, standard tests demonstrate that children in Catholic elementary schools exceed the national average by an ever-increasing margin as they progress from kindergarten through grade eight. This phenomenon occurs despite the fact that the distribution of IQ's among the student population is normal.

Inasmuch as a pluralistic society has been part and parcel of this country since its very inception, it is absolutely necessary that a realistic freedom of choice in education be maintained. It appears that Russia and the United States are the only two countries that discriminate against non-public schools.

The economic problems afflicting parents who exercise this freedom of choice of education by sending their children to non-public schools continue to mount. These parents make many sacrifices to support the two school systems. For the average working man and the underprivileged this freedom of choice is fast disappearing. The inflationary pressures afflicting non-public schools with a resultant increase in the cost of tuition is fast making the exercise of this precious freedom an economic impossibility for more and more parents. Mothers are going to work, fathers are working two jobs, and discrimination is occurring within families where some children are sent to non-public schools and others must attend the public schools because of a shortage in family funds.

Present unemployment rates of 11% in Niagara County and 9½% in Erie County serve to compound these economic problems.

All Americans are enjoying the benefits produced by both school systems but the

fact that some Americans are penalized by exercising this freedom of choice offends the American spirit of fair play. For example, it costs the Catholic community in New York State approximately \$172 million a year to operate the parochial schools. In New York State alone, it would cost taxpayers over \$400 million to absorb the students in these schools.

In the span of five years, it has been necessary to increase tuition in our diocesan high schools from \$150 to \$400, further increases in tuition are inevitable. More and more, the average family can no longer afford to send their children to non-public schools. The average per pupil cost in the Buffalo Diocese is \$216 in the elementary schools and \$550 in the secondary schools. This is well below the average per pupil expenditure of \$1,400 in New York State's public schools. Obviously, a tax credit of only a few hundred dollars would help restore balance to our plural educational system.

It is therefore our recommendation that some form of tax credit be given directly to the parents. It is my understanding that over fifty tax credit bills have been submitted to this Committee and it is our hope and prayer that you will see fit to recommend one that most suits our immediate needs.

It is also our recommendation that tax credit for tuition be extended only to the parents whose children attend schools meeting State and Federal educational standards and conforming to the Civil Rights Act of 1964. All the non-public schools represented by our organizations have been approved by the New York State Education Department. It is not our intention, now or in the future, to expect government to support the entire cost of tuition for non-public schools. However, we must keep in mind that time is of the essence and too little or too late could be chaotic.

In closing, I wish to thank this Committee for your interest and concern and I trust you will submit a tax credit bill that will enable us to maintain our freedom of choice in education.

Mr. Speaker, as Mr. Ruppert indicates, we may be facing a demise of most non-public school education in the United States within not too many years if current trends continue or accelerate. Many public school systems are currently in the throes of a financial crisis stemming principally from the fact that local and State revenues have not kept pace with spiraling costs. However, to the extent that financial difficulties have affected most school systems in recent years, they have affected private schools—which have no tax base—even more.

More than 5.2 million boys and girls are currently attending elementary and secondary schools which are not a part of the public school system, and it has been estimated that if most or all private schools were to close or turn public, the added burden on public funds by the end of the 1970's would exceed \$4 billion per year in operations, with an estimated \$5 billion more needed for facilities. As Mr. Ruppert points out, in our State of New York alone, it costs the Catholic community in New York State approximately \$172 million a year to operate the parochial schools, but it would cost over \$400 million to absorb these students into the public schools.

As an advocate of strengthening our commitment to public education, I also believe that Congress must protect and encourage the private option. The private option should not be available only to the wealthy. That is not the American way.

And America is richer for the diversity of those groups which prefer a distinctive schooling.

The private and parochial elementary and secondary schools of America make an essential contribution to pluralism in our society and provide an alternate and vital choice in our system of education. Private schools of various kinds are able to draw upon financial resources not available to public institutions—and which would not otherwise be available to education. They provide diversity, choice, and healthy competition to traditionally public education and serve the public purpose by providing the means for a substantial group of Americans to express themselves socially, ethnically, culturally, and religiously through educational institutions. Our private and parochial schools and colleges add a dimension of spiritual value to education which is invaluable to the moral fiber of the Nation itself; and in my view, it would be a tragedy of the first magnitude if tax-supported State schools were to drive private institutions out of existence.

Without question, respect for the doctrine of church-state separation and restraints placed on private school aid by court decisions in interpreting provisions of the Constitution have greatly limited available options. However, the first amendment to the Constitution, which enjoins the separation of church and state, also specifies that nobody shall be prevented from exercising his right to freedom of religion. Forcing a parent to take his child out of private school, because he cannot afford to support two separate school systems is an obvious infringement of the right to religious protection under the first amendment itself. I feel it is essential that we maintain the integrity of the doctrine of church and state and that the State should be neutral in its dealings with religion, but nonetheless the doctrine of separation does not require that the State be hostile to religion. The tax credit approach appears to be constitutionally permissible, and I hope that the Ways and Means Committee soon reports out a measure that will meet the challenge of rescuing our hard-pressed private schools.

#### OLYMPIC TRAGEDY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. McKINNEY) is recognized for 5 minutes.

Mr. McKINNEY. Mr. Speaker, like most Americans, I have been an avid spectator the past week, enamored with a young little Russian named Korbuto and proud of a tall lanky American named Wottle. For me, there was not only a national pride but a universal pride in all men, in all nations.

The events of September 5 remind us again that nothing is sacred within the sphere of world politics, not even on the Mount Olympus which we keep reserved for our best athletes. If we reflect on the events of the week leading up to this tragic event we can single out instances when politics overrode fairness, ideology overrode judgment. Unfortun-

ately, it is the young who suffer—the greatest resource of any nation.

The XX Olympics were too beautiful. The feeling of brotherly love and pure competition was too real to believe. For once, we were given a chance to share intimately the triumph of victory and the agony of defeat. And once again, we must bear the burden of a few fanatics who have taken something beautiful away from us.

As German Chancellor Willy Brandt proclaimed yesterday, it is hard to consider the possibility that we should continue "to play games" in the aftermath of this tragedy; but, at the same time, should we stop such an event to satisfy the perpetrators of this infamous deed?

Although I have no real power in this matter, I feel that the games should continue because they symbolize the only hope we have, our young people; the young people who embody the dedication which is needed to overcome the injustice of this world. And finally, the Olympics bring to every man, be he American or Kenyan, Russian, or Hungarian, the pride in self and country which ultimately is the key to all hopes for the world peace.

#### ACTS OF INSANITY AT OLYMPICS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FISH) is recognized for 5 minutes.

Mr. FISH. Mr. Speaker, the shock and outrage I feel today at the enormity of the act perpetrated in Munich by the lunatic Black Septemberist Palestine group is impossible for me to express. It is difficult for me to remember when I have felt more outrage, or more helplessness in my outrage.

Man can cope with sanity as it tends to follow logical patterns which we can all understand. But acts of insanity such as the massacre of the Israeli athletes, outside of the realm of human reason as they are, tend to develop not understanding, but helpless shock.

Mr. Speaker, like so many of my colleagues, my sympathy goes out not only to the people of Israel who suffered this tragic loss—a loss made doubly shocking in a nation so small and so close knit—but also to the German people. For this, the XX Olympiad was to Germany a symbolic welcome back into the international brotherhood of nations—the first Olympic games held in that country since 1936. It was planned, and until this tragic occurrence, was developing into a meeting of joy and splendor. Therefore, in this tragic hour, my heart goes out also to the people of Germany.

But today I also sorrow for the world. The rising tempo of these sporadic acts of bloody terror is only too apparent to us all. The terror of plane hijacking, the massacre at the Lod airport, the bloodshed in Northern Ireland, all indicate a rapid rise in anarchist madness sweeping our earth. Yesterday, it was the Israeli athletes who were the victims of this madness.

Tomorrow it could be some other group, some other people. It could be Americans or Russians or French or German.

Therefore, Mr. Speaker, I call upon the leaders of this Nation to join with the leaders of all other nations both through direct efforts by our Government and through the United Nations, to develop an international program to root out this bloody sickness.

These terrorist bands do not spring from nowhere. They must receive arms. They do receive support. They do have havens of sanctuary. We must cut off this support; we must end these sanctuaries.

Therefore, I urge that every sanction short of war be taken against any nation which harbors or refuses to cooperate in this needed international effort to end the activity of these international bands of madmen. For after witnessing the development of guerrilla tactics on a national scale for two full decades, we today are spectators of the horror of international guerrilla warfare.

Air piracy can be ended. Terrorist activities on the international scene can be ended. But such an end can only be brought about through international cooperation and effort.

Mr. Speaker, let us in this Nation, as a memorial to those tragically dead Israeli athletes, dedicate ourselves to this task. Let us act firmly and swiftly as we would to prevent a rabies epidemic. For just as mad dogs cannot be permitted to run loose in the streets, these international mad dogs cannot be allowed to roam our world.

#### DEPRAVITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. WYMAN) is recognized for 5 minutes.

Mr. WYMAN. Mr. Speaker, words are inadequate in the aftermath of the outrage at Munich. The brutal abduction and slaughter of innocent Olympic participants by Arab terrorists was an act whose savagery has stunned the minds of civilized men the world over. Such barbarity cannot be tolerated. Nothing can excuse the senseless taking of innocent lives. Justice for the three surviving terrorists should be swift, firm, and final.

To the families of the victims, both Mrs. Wyman and myself extend our prayers and our deepest, most heartfelt sympathy in their tragic loss.

Every positive step must be taken to apply all possible sanctions against any nation granting sanctuary or asylum to such murderers. In this it is good that President Nixon has directed Secretary of State Rogers to immediately initiate action to obtain international agreement on the application of such sanctions.

#### BICENTENNIAL CHAIRMAN'S COMPANY GETS PRICE BREAK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 10 minutes.

Mr. ASPIN. Mr. Speaker, Norton Simon Inc., whose chief executive officer David Mahoney is the Chairman of the American Revolution Bicentennial Commission received a rare price exception soon after the wife of a top Price Commission offi-



cial submitted a proposal to the American Revolution Bicentennial Commission.

It is impossible to determine whether ARBC Chairman David Mahoney's company received this price break because of his connection as ARBC Chairman. But there is strong evidence that something stinks here.

It is clear that employees of Norton Simon Inc. attempted to use Mr. Mahoney's position as ARBC Chairman to influence the Price Commission's determination of Norton Simon's request for a price increase in excess of the Price Commission's guidelines.

Mr. Speaker, I believe an investigation by both the Justice Department and by the current Congress is warranted. As many of my colleagues know the House Judiciary Committee is planning a series of hearings on the whole controversy surrounding the American Revolution Bicentennial Commission. I am sure that the committee will also wish to consider documents and information I am publicly releasing today.

Mr. Speaker, I am placing in today's RECORD documents which reveal that on April 4, 1972, Norton Simon Inc. applied for a price exception to the Price Commission in Washington for one of its subsidiaries, the United Can Co. As I am sure my colleagues know price exceptions for large corporations like United Can are considered rare.

On May 17, Mrs. Joyce Leanse, wife of Jay Leanse, the head of the Price Commission's Office of Price Exceptions, submitted a proposal for involving the aging in the bicentennial activities by having them make souvenirs. Mrs. Leanse, who is a consultant to the National Council on Aging, sent her proposal to the ARBC through Robert Glickman, one of Norton Simon's top executives. Mrs. Leanse wrote that her proposal would have excellent PR potential."

At this point Mr. Glickman forwarded Mrs. Leanse's proposal to Mahoney's secretary with the following note:

Joyce Leanse is the wife of Jay Leanse, head of the Price Commission's Office of Price Exceptions and someone with whom Don Surdoval has been in contact.

Mr. Surdoval is the comptroller of Norton Simon Co. who apparently was in charge of getting the price exception for the company.

Mr. Mahoney's secretary, Mrs. Irene Mack, then sent the proposal to Harry C. Allendorfer, Jr., the Director of the Bicentennial Commission Executive Secretariat, with the following note:

Please treat this with TLC (tender loving care). Norton Simon needs the Price Commission's good will.

On June 2, 15 days after Mrs. Leanse had originally sent her proposal to Glickman, Norton Simon's request for a price exception was approved and the company on July 28 received an approval for a 2.9-percent price increase in the price of cans.

I have learned Mrs. Leanse's proposal is presently being seriously considered by the Bicentennial Commission.

Apparently some of Norton Simon's executives believe that Mr. Mahoney's position as ARBC Chairman can and

should be used for the profit of their own company. If the bicentennial celebration is to be a truly nonpartisan affair the administration says it wants, then it cannot become a tool for bestowing favors upon individual corporations.

The material follows:

[Decision and order of the Price Commission, Washington, D.C.]

#### REQUEST FOR EXCEPTION

Name of petitioner Norton Simon, Inc.

Re United Can Co.

Date of filing April 4, 1972.

Case No. EP 1382.

1. On the basis of examination by the Price Commission of the facts submitted by the above company in connection with its Request for Exception; and

2. On the basis of the determination by the Price Commission that (a) The company has historically adjusted prices at different times to reflect material (metal) cost increases and non-metal cost increases; (b) The price increases approved by the Commission January 21, 1972, reflect only the increased cost of materials (tinplate); and (c) The facts and circumstances demonstrate that the Economic Stabilization Program would inflict a serious hardship by not allowing the company to request recovery of non-metal cost increases incurred prior to the date of the last price increase, but after March 15, 1971:

It is hereby Ordered, That the Request for Exception to 6CFR 300-12 defining "allowable costs" be approved, thereby allowing the petitioner to request on Form PC-1 a price increase which reflects non-metal cost increases incurred after March 15, 1971.

BERT LEWIS,  
Executive Director.

Date. June 02, 1972.

MAY 23, 1972.

Mrs. JOYCE LEANSE,  
Consultant on Senior Centers, The National Council on the Aging, Inc., Washington, D.C.

DEAR JOYCE: I was pleased to receive your letter this morning.

The idea sounds intriguing and I've sent it directly to Dave Mahoney's office where I know the matter will receive prompt attention.

We had a nice visit with the Eshman's and presume you did too. Let's not give up on trying to get together. Best to Jay.

Cordially,

ROBERT GLICKMAN.

IRENE: As I mentioned to you, Joyce Leanse is the wife of Jay Leanse who is head of the Price Commission's office of Price Exceptions and someone with whom Don Surdoval has been in contact.

BICENTENNIAL COMMISSION,  
Washington, D.C.

Capt. HARRY C. ALLENDORFER, Jr.,  
American Revolution Bicentennial Commission, Washington, D.C.

Capt., please treat this with TLC. Norton Simon Inc. needs the Price Commission's good-will.

Thanks,

IRENE.

THE NATIONAL COUNCIL ON  
THE AGING, INC.,  
Washington, D.C., May 17, 1972.

Mr. ROBERT GLICKMAN,  
Norton Simon Inc.  
New York, N.Y.

DEAR BOB: Noting an article in today's paper which identified David J. Mahoney as chairman of the American Revolution Bicentennial Commission, I am taking the liberty of sending you a first draft of a prospectus the Subcommittee on Aging of the Interagency Craft Committee (representatives from government and private agencies in-

terested in crafts, recognized by President Nixon) presented to the larger group just yesterday incorporating an idea related to the Bicentennial (see page 6).

Responding to a suggestion that the Bicentennial Commission is concerned about an adequate supply of souvenirs made in America, and also being aware of the focus of the Bicentennial on American handicrafts, but in addition recognizing that American Craftsmen tend to be reluctant to produce souvenir items, the National Council on Aging is recommending that Senior Center members and other older persons participating in craft programs throughout the United States could very well be the "manufacturers" of a sizable portion of the quantity of souvenirs necessary to meet the needs of the Bicentennial celebration.

The involvement of older persons in preparation for the Bicentennial seems an appropriate association—one that might have excellent P.R. potential. National Council on the Aging provides a logical vehicle for the implementation of this involvement because of our extensive constituency among Senior Centers and other agencies providing services for older people.

I would appreciate your comments and/or action with regard to presenting the document to Mr. Mahoney for his consideration.

My best to Sue. Hopefully, we will get together soon.

Sincerely

(Mrs.) JOYCE LEANSE,  
Consultant on Senior Centers.

#### MEMORANDUM

To Members of the Interagency Craft Committee.

From Joyce Leanse, Chairman, Subcommittee on Aging.

Date: May 16, 1972.

The Subcommittee on Aging of the Interagency Craft Committee met on two occasions to consider the merit and direction for a proposal to incorporate the talents of older people in craft programs, as well as to extend and improve the quality of these programs and the products thereof.

There was general agreement regarding the value and importance of a coordinated effort which would focus on older persons and their contribution to handicrafts as well as upgrade present programs.

The Subcommittee agreed for the Chairman to develop a prospectus to be submitted to the Interagency Craft Committee. We respectfully solicit your further comments, ideas, and recommendations for action—especially with regard to the resources available from your respective agencies.

#### INTRODUCTION

One of the major issues facing the nation today is the problem and the potential of its older people. Currently there are 20 million aged individuals; that is to say, every tenth American is 65 or older. The recently held White House Conference on Aging identified income as one of the most pressing needs of older persons in America—one quarter of the elderly do live in poverty and their numbers are increasing. Poverty of the pocketbook, however, is not the only deprivation suffered by this group. Their loss of work role or child-rearing role leaves them with a purposelessness and meaninglessness that robs them of a sense of dignity and self-worth. Older people also suffer from loneliness as their circle of family and friends is diminished by the passing of time. Limited mobility and lessened physical stamina coupled with the lack of economic resources exacerbates the negative consequences of the aging process creating an almost self-fulfilling prophecy of society's attitude toward its older population—they are a problem. But older persons also represent a potential for America. They provide a vast reservoir of talent, skill, and knowledge that has yet to be fully appreciated, let alone tapped.

The National Council on the Aging believes that the development and extension of the American Handcrafts Industry can both uncover the potential of the elderly in our nation and assist in meeting some of their problems to the mutual advantage of the industry and older persons.

#### OLDER PEOPLE AND HANDCRAFTS—A NATURAL RELATIONSHIP

There is a natural association between older persons and handcrafts. Having been raised prior to the extensive use of production-line products and also during a time when the ability to produce handmade items was a component of everyone's education passed from parent to child, older people represent a valuable resource for a variety of crafts techniques and information. Those who were foreign born bring a rich heritage in handwork adding to our traditional skills. Many older people are exceptionally competent in such crafts as knitting, weaving, crocheting, metalwork, and woodwork, and there are few elderly men without background in some manual trade and few older women without manual skills developed through "housewifery" if not actual trade. Their interest in maintaining these handskills is demonstrated by the extensiveness of craft programs in Senior Centers and other programs for older persons. However, though ubiquitous, these craft programs need further development to better meet both the economic and psychologic needs of older people.

#### SENIOR CRAFT PROGRAMS TODAY

At the present time craft programs for older people tend to be recreational and diversionary and only incidentally related to economic development. Few groups recognize the paucity of their programs—even for recreational purposes. Too often the focus of the activity is on busywork with the same simple articles being made over and over again. There seems to be little consideration of the psychological gain to the participants when the program is rich and varied. The existence of this situation reflects the limitations of program directors, not older people. When high standards of workmanship and design are encouraged, not only are they met, but much greater satisfaction is achieved by the participants. Most of the instruction readily available to older people, however, is deficient in both inspiration and technique. Yet the country abounds with qualified craftsmen, including older people themselves, capable of meeting these needs—A link must be established.

#### ECONOMIC DEVELOPMENT OF CRAFT PROGRAMS

The economic gain to be realized from senior craft production has been slow to materialize. To be sure most senior craft programs are in facilities with a counter available for display and sales purposes, some even have boutiques or special outlets for sales, and they all conduct or participate in seasonal bazaars or fairs to which the public is invited to purchase the handmade items. But the real business of selling has been sadly neglected.

Among the major problems of all craft programs, in Senior Centers and otherwise, is the lack of managerial and entrepreneurial skills. Yet, there are older people today, retired from business and professions, extremely knowledgeable and talented in these areas. To develop links between these able persons and the craft programs which need them not only helps to meet the deficiencies of the programs, but puts to use business experience gained over a lifetime.

#### THE CRAFT INDUSTRY AND THE ELDERLY

William R. Seymour, Farmers Cooperative Service, USDA, in summarizing the importance of the craft industry notes:

- (a) The availability of under-utilized physical and human resources in rural areas
- (b) Craft production is readily adaptable

to differing local circumstances and economic settings

- (c) New and expanding markets for crafts
- (d) Added income is realized by the individual craftsmen and their communities, and

- (e) The desirability of preserving our heritage as expressed through crafts and rural arts.

Each of these points underscores the need for further involvement of older persons in craft programs. In rural and urban areas as well, the elderly represent a vastly underutilized human resource. In addition, the Senior Centers where they gather have the potential to become craft production centers for the economic benefit of the individual producers and the communities in which they live. The adaptability of craft production permits the development of a cottage industry for the home-bound or more isolated individuals as well as assembly-type efforts for the less creative persons. As older persons contribute to the growing market for crafts they swell the constituency rosters for the private and government agencies which serve the industry and add to the ranks of those who advocate for supportive legislation. And finally, it would seem appropriate for the elderly to be a part of the preservation of a heritage to which they have contributed so much and to which they have much yet to give.

#### A NATIONAL CRAFT PROGRAM FOR OLDER PEOPLE

There are mutual benefits to be realized from an association between older persons and the crafts. For the craft industry to realize the full potential of the vast reservoir of talent, skills, and knowledge of older persons relevant to craft production and entrepreneurial development and for the elderly to gain the full psychological, social, and economic benefits of viable, well-managed craft programs, a comprehensive coordinated national program must be effected.

The National Council on Aging, a private non-profit voluntary agency providing training, technical assistance and consultation to organizations concerned with the field of aging is interested in working with a consortium of government and private agencies which can contribute to such a national program.

NCOA, through its National Institute of Senior Centers and the professional staff of its field offices in each of the federal regions, is in contact with over 2,000 Senior Centers throughout the country as well as numerous OEO Senior Opportunity and Service Programs, Model City Agencies, and Tribal Councils. Utilizing this extensive network of agencies in the field of aging, NCOA is presently working with the Office of Economic Opportunity, the Department of Housing and Urban Development and the Department of Labor to focus their programs so they will have a greater impact on the needs and concerns of older people.

A similar approach with crafts would help to assure older people and the handcraft industry that mutually beneficial programs would be developed. At the present, training programs are conducted for craftsmen, but they are not as widely available as is needed. These could be further developed and made more generally available utilizing resources of the Department of Education and the Department of Agriculture's Farmers Cooperative Service and Extension Services.

A national coordinating effort could provide also the necessary linkages which would enable individual programs to avail themselves of the skilled craftsmen in their areas unknown to them, retired persons with relevant business knowledge and training (SCORE has indicated interest in further developing this component of the program), as well as potential marketing outlets, contacts, etc. A "talent bank" within each

Senior Center and other older person programs could be developed, and if funds were available, could be coordinated at a regional or national level facilitating the use of such information.

Among the problems frequently mentioned when extensive marketing of crafts is considered are those of quality, quantity, and production time. Regional or national coordination could assist in meeting these problems in a variety of ways. Designs could be developed and then the products produced in multiple sites including the homes of individuals, Homes for the Aged, Community Mental Health Facilities, Senior Centers, etc. To facilitate quality control, kits could be distributed with the pre-designed, pre-cut materials. (The packaging of these kits could be a further economic development component of the craft program.) The availability of many programs producing a similar item would contribute to making and meeting quantity and production time obligations.

Such an approach would not appeal to all craft producers—certainly not the true craftsmen. But, as noted previously, not all older persons are talented craftsmen, though most have manual skills, and there are sufficient numbers of these older people presently making handmade items simply as busywork, whose efforts could be redirected to give them increased satisfaction as well as some monetary reward.

An example of how this program might be applied responds to the expressed need of the Bicentennial Committee for American-made souvenirs. It has been suggested that American craftsmen do not like to create souvenirs, yet, it would seem inappropriate for the souvenirs sold for the Bicentennial to be other than American made. Many Senior Citizens, however, would be thrilled to participate in the preparation for the Bicentennial. It even seems appropriate for them to have such a role. Not only do they themselves represent a part of our country's heritage, but this heritage is cherished by them. The project could be coordinated by National Council on the Aging with the Bicentennial Commission and other appropriate agencies including those which would have the necessary funding resources.

NCOA recommends that a pilot project be developed in one of the federal regions to test a coordinated effort to improve and extend craft programs for older persons and to make available and better utilize the talents of older people in these programs.

#### STATEMENT RE MURDER OF 11 MEMBERS OF ISRAELI OLYMPIC TEAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 5 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, today the world we live in seems to be a cruel and savage place where the most intelligent inhabitants periodically revert to horrible barbarism.

On a day when countries were to join together in friendly international competition in sports, the nations of the world can only unite in paralyzing grief over the brutal murder of 11 members of the Israeli Olympic team. This callous and bloody attack on the Israeli athletes will come to be viewed as an attack on civilization itself. It will, in all probability, beget violent retaliation in other parts of the world. It validates the maxim that among men, nothing is sacred, and leaves a residue of desperate sorrow.



All too often are we subjected to the ferocity of madmen and fanatics. The world recoils in shock and anger. A degree of tranquility returns only to be shattered by the gunfire of the next assassin, terrorist, or madman.

I would like to take this opportunity to extend my deepest sympathy to the families of the dead Israeli Olympians. I am sure that my remarks reflect the somber attitude of my constituency in Pennsylvania.

#### MUNICH TRAGEDY AND THE NEW YEAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. COTTER) is recognized for 5 minutes.

Mr. COTTER. Mr. Speaker, on Friday, the New Year, 5733, begins a year of special significance for the Jewish people and the Jewish Nation. This year the proud Nation of Israel will celebrate its 25th anniversary.

This New Year, however, begins in sadness. The horror of the Olympics, in which 11 Israelis were senselessly murdered has deeply etched the conflict of the Middle East in the conscience of the world. If there is any solace to be had from this tragic event, it is that the world now more fully understands how the Nation of Israel is daily fighting for its existence.

The people of Israel have surmounted formidable obstacles in developing this proud nation. It is a testament to the viability of Israel that people from all over the world overcame tremendous, even inhuman, obstacles in immigrating to Israel. All official governmental restraints designed to impede immigration to Israel should be resolved.

The burdens placed on the families of the slain Israeli athletes cry out for vengeance and retribution, yet I am hopeful when the deep and justifiable passions of the moment subside that this tragedy of Munich will impel both the Israelis and the Arab people to work for a lasting peace.

I know that I express the hopes of my colleagues that this New Year which begins in sadness will bring in the peace and tranquility that both the people of Israel and the people of the Middle East desire and need.

I fervently hope and pray that the year 5777 will be a year of peace for the entire world.

I heartily endorse the resolution before us today, condemning such horrible acts and urging that all nations refuse to grant sanctuary to these international terrorists.

#### THE TRAGEDY AT MUNICH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MURPHY) is recognized for 5 minutes.

Mr. MURPHY of Illinois. Mr. Speaker, the senseless slaughter of members of the Israeli Olympic team is an appalling example of man's inhumanity to man. Men who dedicated years of their lives to athletic excellence lost their lives to

fanatics driven by a cause that is incomprehensible to rational men.

The killings were flagrant violations of the spirit of Olympic brotherhood so evident in Munich during the weeks of competition. Thousands of athletes from around the world competed without regard to race, religion, or national origin. They met in good faith with malice toward none expecting to remember the days in Munich as the highlight of their young lives. They now will leave Germany deeply saddened and undoubtedly hardened by the events of these last few days.

The Israelis were used as bargaining chips in an effort by Arab terrorists to regain Arab prisoners. Until men recognize that all human life is precious—Arab and Israeli, South Vietnamese and North Vietnamese, Indian and Pakistani—inhuman acts such as the Munich tragedy will continue.

#### THE CONTINUING FAILURE BY THE AGRICULTURE DEPARTMENT TO PROPERLY FUND THE ADMINISTRATIVE REQUIREMENTS OF THE FARMERS HOME ADMINISTRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 15 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I am resorting to the unusual step of calling the attention of the Members of this House to a serious situation which has been plaguing the Massachusetts delegation in the Congress for sometime and that is the continuing failure by the Agriculture Department to properly fund the administrative requirements of the Farmers Home Administration, not only in Massachusetts but, indeed, throughout New England.

The timing of my presentation today is no accident. It follows by 1 or 2 working days the arrogant display of callous disregard for the economic well-being of New England by the same Secretary of Agriculture in steamrolling through Congress a hastily drafted, poorly conceived bill whose main objective was to suspend the operation of export controls on hides. The New England delegation voted practically as a man against this bill and against giving veto power to a Secretary of Agriculture who has again and again in his handling of the food price controversy and the hide situation displayed that his primary loyalty is to any section of the country but New England.

This man who seems to be in Washington for the sole purpose of carrying the brief for powerful cattle interests rather than administering his Department for the benefit of all the country including the consumers who are being gouged with skyrocketing food prices, the factory workers of New England who must earn their living working in the once proud shoe and leather industry, the families who must buy shoes for their children especially at this time of the year as school begins again. These people have a right to expect that a Government department as powerful and as heavily staffed as the Agriculture Department

will protect their interests as well as the interests of the powerful farm and cattle lobby.

Because of the complete unwillingness of the Secretary of Agriculture to understand the problems which plague an urbanized, highly populated area such as New England and not run his Department solely for the interest of other sections of the country, I am afraid as a New England Congressman I am left with little alternative to focus my attention increasingly—daily if necessary—on the countless ways in which the Department of Agriculture discriminates against the economic interest of the citizens of my region.

Fellow colleagues, a few years ago, a man whose campaign for the Presidency did not seem to get very far made headline news in a memorable way when it was pointed out to him that his policies seemed to ignore the economic interests and political attitudes of New England. His angry comeback was that the country as a whole would be much better off if someone sawed New England off and floated it out to sea.

Mr. Speaker, that man never went on to become President and not surprisingly, carried not one New England State. However, I am afraid that subsequent victorious candidates seem to be adopting his fabled retort as their own policy. I can think of no better example of this policy of ignoring the interests of the New England section of this Nation than the policies pursued increasingly by the Department of Agriculture.

For several years now, as I indicated, the New England delegation has been in continuing contact with the Department of Agriculture over the need to increase the administrative appropriations for the Farmers Home Administration. This is the agency which is entrusted with administering the principal program of aid to low- and moderate-income urban and rural residents who wish to live in rural areas. Believe it or not, there are rural areas in New England, even in an industrial State like Massachusetts. As a matter of fact, 208 towns of the Commonwealth's 351 communities are eligible beyond question for farmers home loan services.

Mr. Speaker, there are over 1.7 million families and unrelated individuals in our commonwealth with an adjusted annual income of \$9,500 or less who are potentially eligible to seek assistance under the Farmer Home program as this program has been developed and expanded by succeeding Congresses since 1949. I am not saying that all of these cases would qualify after applications were reviewed but what I am saying is that a paltry three county offices for the whole Commonwealth of Massachusetts and four loan officers serving a total State population of over 5 million is clearly inadequate to handle the workload in Massachusetts.

For some months now, the backlog in applications in the three county offices in Massachusetts have been running at a rate of 550 applications. If a family applies today for a housing loan in one of these county offices, it must wait over 7 months for processing. In the usual

situation, families have become resigned to waiting 1 to 2 years for a loan with only the assurance that they are a "basically eligible borrower." The plight of these families becomes even more poignant when it is remembered with the Farmers Housing Administration is their only hope for home loan or home repair since the regulations stipulate they must be unable to obtain credit elsewhere.

Many of the towns in Massachusetts should be eligible for assistance from the Farmers Home Administration for the vital program of sewerage facilities, yet none of the 209 potentially eligible towns in Massachusetts are likely to receive this assistance since water and sewage grants and loans require a lengthy application and planning procedure. As a matter of fact, the situation is not much better in the other New England States. One office in Montpelier, Vt., is expected to service administratively an entire five-State area with smaller funds than any other State office. Yet, no other State office in America is asked to administer farmers home programs in as many as five States.

Mr. Speaker, I find it repugnant that five New England States receive bare-bone, totally inadequate administrative funding for this program. The only possible explanation that five New England States find themselves ranking 42d, 44th, 48th, 49th and 50th in the Nation in amount of administrative funding received is that it is no accident but seems to be the result of a deliberate policy decision. The \$90,000 received by Connecticut, \$82,000 received by Massachusetts, and the \$44,000 received by Rhode Island in 1971 for administrative purposes suggests this is no way to run a program like the farmers home program.

Mr. Speaker, there seems to be an all-too-clear corollary between the amount of administrative funding received and the amounts of loans that were made. It is just the way it works out—if a State does not have funds to administer the program the loans are just not made.

The comparison with other States is, indeed, discouraging. The northeast section of the country including Maine and such heavily populated states as New York, New Jersey, and Pennsylvania received only 7.16 percent of the administrative funds under this program in 1971, while the north central section received 27.50 percent and the south received a lopsided 51.03 percent. In sharp contrast to Massachusetts, North Carolina, a highly rural state with a smaller total population than Massachusetts received more administrative funds in 1971 than all states but two.

These funds supported 153 loan officials who made loans to 6,872 families totaling \$92,320,000. The situation is even more incredible when one realizes that the agency, in both North Carolina and Massachusetts, makes its housing loans to families with an average adjusted income of approximately \$6,000. In Massachusetts, census data indicate that there are 376,288 families and unrelated individuals who earn about this amount while in North Carolina, there are only 208,349 such families and unrelated in-

dividuals. While one never expects things to be equal or perfect in Government, I certainly think that this situation is so unequal as to be intolerable to a Congressman from Massachusetts.

There is no question that the problem here stems from the Department of Agriculture's outdated conception of its principal function as the spokesman and guardian for States with a high percentage of rural population. Thus, in the process, the Department has managed to ignore the fact that the intent and purpose of the Farmers Home Loan Administration has been changed since its inception so as to specifically include families in urban areas desiring to leave especially crowded inner cities and relocate in rural areas. This is no longer a program only for farmers. It is one thing to read the statutes; but to look at the way in which the Agriculture Department is administering this program, it is clearly a program run for and by farmers.

Mr. Speaker, I am tired of seeing Massachusetts ranked in the top 10 States in the Nation in terms of contributions to Federal revenue but at the bottom of the list in terms of return from the Federal Government under Federal programs. Nowhere is this more noticeable than in programs administered by the Department of Agriculture. The taxpayers of Massachusetts from my congressional district are sick and tired of footing a disproportionate share of the bill for farm subsidy programs and programs like the one I have been discussing today. And yet, when we try to be included under these programs, we find ourselves deliberately excluded from the proceeds.

Mr. Speaker, no one will ever convince me that the Agriculture Department expects Massachusetts to participate fully in this program when it gives us four loan officers to cover the whole State. I do not expect Massachusetts or New Hampshire or Connecticut or Rhode Island to be at the top of any rurally oriented program. But I do expect them to be given a fair chance to participate when the citizens of these States clearly qualify under the terms of the enabling legislation for a Federal program. Fair is fair and I am tired of seeing New England get the short end of the stick.

No one can accuse us of being quick to criticize in this particular situation. For years, we have been negotiating, discussing, writing with the Agriculture Department in an attempt to seek administrative relief and some recognition that we exist and have constituents who qualify under these programs. But to date, we have been ignored. As a matter of fact, the Secretary of Agriculture has yet to respond to presentations made in July about the inequities of this program.

Mr. Speaker, unless and until Massachusetts and the rest of New England have a delivery system capable of making the Farmers Home Loan program available to the residents of their area, the impression will continue to be fostered by the powers that be in the Agriculture Department that New England really is not interested in this program. It is a vicious circle when low funding is justified on the grounds that very few loans are made in New England.

Very few loans will be made in New England until increased funding is available. I just hope that today I might break some of this continuing vicious, narrow, circular logic which feeds on itself in presenting these facts to you. It is time that the Secretary of Agriculture woke up to the needs of his national constituency and stopped slavishly guarding the special interests he seems to think he was appointed to represent in Washington.

#### WHAT'S RIGHT WITH AMERICA? HERE'S ONE ANSWER

(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, a seemingly popular criticism of our society today is that we have produced a culture of dissident youth who are degenerates and drug orientated. This degradation must cease and a realization made that a majority of junior citizens should not be categorized for the actions of a radical minority.

This subject was recently called to my attention in reviewing the actions of 16 members of the Youth Fellowship of the Elton United Methodist Church of Elton, Pa., an area of my congressional district of Pennsylvania which I am proud to represent. These young adults traveled to a small community, Phillippi, in West Virginia, to offer material and spiritual assistance to peers and elders afflicted with the scourge of poverty and destitution.

The counselors for this group were Scott and Karen Lehman, both college students. Neither desired any recognition for their achievements. Scott described his desire to remain anonymous by saying—

Why can't we just go down and do what we set out for, to help these people because we want to, without a big hallabolo?

I will not offer any rhetorical appraisal of the efforts of these students, but I will allow their mother's description of them to serve as a description of many young people in this country:

No violence, no sit-ins, just hard work and a love for their fellow man and a desire to help make life a little easier for someone less fortunate.

The following article from the Johnstown Tribune Democrat of Johnstown, Pa., offers a more detailed description of the efforts of these young people in my District and I believe my colleagues will find it of interest.

#### ELTON YOUTHS WILL ASSIST AT MISSION

The Youth Fellowship of the Elton United Methodist Church leaves for a special kind of vacation on Sunday: They are going to Phillippi, W. Va., to stay at the Heart and Hand Mission House for a week. While there, they will do some construction work, distribute clothing and help wherever they are needed.

The young people, ranging in age from 12 to 18, have been planning the project for two years. They have sold Christmas candy and submarine sandwiches and have held other events to raise money for the trip.

"Imagine kids working like slaves just to go down and do more work," said the Rev. John Sass, their pastor.



## TAKING CLOTHING

Besides willing hands for working, the group will take clothing for distribution at the mission house. The young people will reside in the mission's church and do their own cooking.

The group will travel in a rented bus driven by Mrs. Alice Oldham of Elton. Mrs. Oldham has been a licensed bus driver for four years. Mrs. Eleanor Kinsey of Walters Avenue, director of the Youth Fellowship, will accompany the group as will Miss Karen Lehman of Elton, an adviser.

## MONAGAN AMENDMENT AIDS DRUG FIGHT

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

Mr. MONAGAN. Mr. Speaker, after more than a year of controversy and legal battles, the alleged Paraguayan drug trafficker Auguste Ricord has been extradited to the United States, and is now awaiting trial in New York. This extradition marks an important victory in the U.S. war against narcotics. It is a victory in which the Congress, through section 481 of the foreign aid program, played a major role.

Section 481, which I offered in committee, calls for a halt in aid to any nation which fails to cooperate in combating international drug traffic. In April of 1972, I wrote to Secretary of State William Rogers to express my concern over the delays in the Ricord case. Mr. David M. Abshire, Assistant Secretary of State for Congressional Relations, informed me at that time that the text of section 481 had been "communicated" to the Paraguayan Government.

After further delay in Paraguay, this "communication" was strengthened through the visit to that country of Mr. Nelson Gross, the State Department's senior adviser for international narcotics control. As Mr. Gross later confided, he unequivocally advised Paraguayan officials that some \$11 million of U.S. aid would be terminated under section 481 if Ricord were not extradited. Shortly afterward, the extradition decision was delivered. Section 481 clearly provided the crucial leverage in this case which had stymied the United States for over a year. It is to be hoped that the Ricord trial will unearth additional links in the international network which brings illegal heroin to the United States.

The Ricord case will, of course, not dry up the supply of drugs now available to pushers. Experience has shown that as one source is severed, a new connection quickly fills the vacuum. And as the recent report by the Cabinet Committee on International Narcotics Control concluded—

The development of multilateral drug control efforts has been slow largely because of widely varying national attitudes toward the drug problem.

These differences can be, and are, skillfully exploited by the illicit international trader.

What the Ricord case does show is that section 481 provides a diplomatic tool which works. It is a tool which alone will not halt drug traffic, but which will

play an important role in dealing with the drug menace. The Ricord extradition is a small, but important first step. It has put drug traffickers on notice that they may no longer be able to hide behind the indifference of their government.

## PRESERVATION OF PUBLIC LANDS IN AMERICA

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

Mr. ROUSH. Mr. Speaker, throughout the United States, a rising chorus of public opinion is being heard to save and restore the natural features of America's public lands. Few if any outdoor uses equal the proportionate increase of the demand for wilderness experiences. My own State of Indiana, while lacking large areas typically found in the West, began to preserve intact the finest small vestiges of nature found on State lands when the general assembly enacted a measure drafted by the Indiana Izaak Walton League to create an Indiana system of nature preserves. Similar in principle to wilderness preservation, about 30 areas within the State's lands have by now been dedicated as nature preserves, since enactment of the law in 1967. The Izaak Walton League and other conservationists in Indiana are now encouraging the managers of our one national forest, the Hoosier, to identify, and begin restoration toward wilderness preservation, a suitable portion of these Federal lands. The U.S. Forest Service has this executive authority, and virtually all of America's conservation organizations are urging the Forest Service to use it as the most immediate step toward enlarging the national wilderness preservation system—particularly in the heavily populated Eastern States.

There are, of course, a number of areas in the Eastern States within the national forest system which now qualify for preservation under the Wilderness Act of 1964, a law it was my privilege to support when this great national policy was originally enacted. Mr. Speaker, it is mystifying to me that while the Wilderness Act has been law for some 8 years now, the Forest Service has suggested few areas of public lands under its jurisdiction in the Eastern States for wilderness preservation. It should be noted that many lands in these States managed by agencies of the Department of the Interior have become designated wilderness areas, and many others are now pending. The Bureau of Sport Fisheries and Wildlife now has 12 areas totaling 43,000 acres of designated wilderness in the East; eight additional areas totaling 380,000 acres are pending before Congress, and six more areas totaling 58,000 acres are under wilderness study. The National Park Service has recommended two areas encompassing 194,000 acres for wilderness designation, and seven more areas totaling nearly 3 million acres are under wilderness study in eastern national parks.

But we have seen no such action within our national forests of the Eastern States. In my opinion, there is no

justification for this lack of action. The 1964 Wilderness Act has all of the instrumentalities needed for application to Eastern as well as Western States, and it would serve little purpose to balkanize America into arbitrary eastern and western regions with a different preservation or restoration policy in each, as proposed by some. If additional legislation parallel to but separate from the 1964 Wilderness Act is needed, it should not be framed to fragment the process whereby the Congress creates a national wilderness preservation system.

For these among a number of reasons, I was most pleased when a bill to create 11 wilderness areas in the Eastern States was introduced in the other body by the chairman of the Interior Committee. I was pleased also that the Senator from Indiana, VANCE HARTKE, was among the cosponsors, and that the measure, S. 3792, enjoyed bipartisan support through cosponsorship of Senator BUCKLEY.

In that same spirit, my colleague, ELWOOD HILLIS and I introduced a companion bill to that offered by Senator JACKSON. Our bill would create 11 areas of wilderness within the national forest system. I particularly emphasize that these are Federal lands owned by all of the people of the United States, including the 4.5 million citizens of Indiana. Led by the Indiana Izaak Walton League, I am well aware that many thousands of Indiana residents are deeply concerned that we are rapidly losing the wilderness qualities that still remain in the Nation, and especially the heavily populated eastern region. These qualities are being lost for at least two reasons: We have not moved as rapidly as we should in identifying and designating adequate Federal land areas under the 1964 act; and the rapidly growing demand has produced considerable wear on the inadequate system that has thus far been created. Indeed, there are only 2 years left for the administration to complete the national study of potential wilderness areas specified in the Wilderness Act we passed 8 years ago. I feel it is unfortunate that the administrations under both of our most recent Presidents have not produced recommendations at a suitable pace to fulfill what we had in mind in 1964.

It is also our hope that with this bill as a stimulus, additional areas will be added in the Interior Committee and that the Forest Service will be encouraged to set aside other areas by executive authority that can be added to the national wilderness preservation system at the earliest possible future date.

It has been said by a few that eastern U.S. forest lands do not qualify for wilderness designation because, first, most of them are less than the 5,000 acres suggested in the 1964 act; and second, most of them are too disturbed to meet the quality test of this act.

It is my interpretation of the act, supported by the overwhelming preponderance of the Nation's citizens' conservation organization including the Indiana Izaak Walton League, that neither of these arguments are valid in considering the 11 areas we propose for designation. The smallest, 6,000 acres, more than

meets the size test; but even if it were less than 5,000, the Wilderness Act provides an alternative criterion that a proposed area merely be "of sufficient size as to make practicable its preservation and use in an unimpaired condition." Within that context, sites of just a few acres have already been designated as wilderness in the Eastern States. As for the question of disturbance prior to designation, the 1964 act is adequately flexible in its language that a proposed area "generally appears to have been affected primarily by the forces of nature." The Congress has already given meaning to this provision in creating wilderness areas that have been partially disturbed, and even a few that include permanent incompatible structures. That is not to say we have approved of such disturbance in the past, and certainly not in the future; but it is an acknowledgment that we are no longer dealing in perfect choices. There is in fact hardly an area of America anywhere that does not bear some imprint of our civilization. But we must preserve what we can, restore by careful stewardship some of the best that has already been disturbed, and act with the sense of urgency and priority we intended when we enacted the wilderness law of 1964.

#### WHY DID MIKE BALL HAVE TO DIE?

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

Mr. HECHLER of West Virginia. Mr. Speaker, on June 14, 1972, Thomas Michael Ball was crushed to death by a roof fall at Franklin No. 25 mine of the Hanna Coal Co. at New Athens, Ohio.

Why did Mike Ball have to die?

The official fatality report of the Bureau of Mines states that he "never received a formal course of instruction designed to train him in the performance of his duties as a shot-firer and timberman," adding as a cause of the fatality that "the victim with only 12 days underground mining experience being permitted to work alone while installing temporary roof support in face areas." The report also scored "the general laxness on the part of management, its supervisors, and employees to follow sound proven roof support and roof testing practices" and also "management's failure to enforce the company's approved roof control plan and other policies designed to eliminate substandard conditions and practices which result in roof-fall accidents."

#### ANOTHER CONSOLIDATION COAL CO. FATALITY

The Hanna Coal Co. is a division of Consolidation Coal Co., owned by Continental Oil. Here is a mine employing 423 men, of whom 391 worked underground, with a daily average production of 6,700 tons of coal. This is no fly-by-night concern, but should be a modern, careful, and responsible mining operation where reasonable care is exercised in an occupation which is known to be the most hazardous in the Nation. The Bureau of Mines fatality report states:

An examination of the operator's accident record book revealed that 13 accidents at-

tributed to falls of roof, rib, or face have occurred at this mine in 1972.

The report went on to state:

In the April and May reports, unsafe acts, inadequate maintenance of working places, hazardous methods or procedures, and unsafe positions of workmen were listed as the causes of accidents during these two months. During the first 6 months of this year, 12 fatalities have occurred in 11 mines wholly owned or operated by the Consolidation Coal Company.

Mike Ball was only 22 years of age when he died. Right after he graduated from Cadiz High School in his hometown of Cadiz, Ohio, in 1968, he joined the Navy and put in 14 months of meritorious service in the Vietnam combat area.

#### LIFE OF ONE HUMAN IS PRECIOUS

People are shocked by the headlines of disasters like Farmington, Hyden, Buffalo Creek, and Blacksville. But the world little notes nor long remembers the death of one human being. Yet the passing of Mike Ball symbolizes everything that is terribly wrong with the coal industry, the Bureau of Mines, which should be enforcing the Mine Safety Act, and the present leadership of the United Mine Workers of America, whose officials seem more concerned with clinging to their office and their ill-gotten funds instead of a day-to-day insistence that the law must be enforced.

I have personally called to the attention of John Corcoran, the president of Consolidation Coal Co., the parent company controlling the Hanna Coal Co., the shocking facts concerning Mike Ball's death. Mr. Corcoran's answer to the August 11 letter below—which I wrote him was marked "Personal and Confidential" so I am not at liberty to release its contents. I can only conclude that little will be done beyond rhetoric. Why must this brutal negligence continue?

#### NO ANSWER FROM DEPARTMENT OF THE INTERIOR

Four weeks ago, I asked the Secretary of the Interior—see below August 10 letter—to invoke sections 109 (b) and (c) of the Federal Coal Mine Health and Safety Act of 1969 and prosecute the Hanna Coal Co. for its deliberate failure to protect its employees and for violations of the 1969 law. The Secretary of the Interior has not seen fit to acknowledge or respond to my August 10 letter. I sent a copy of that letter to the U.S. Attorney General, who responded in typical bureaucratic fashion that the case was still in the Department of the Interior.

Who is protecting the coal miners of this Nation?

#### MAKING THINGS EASIER FOR COAL OPERATORS

Who is insuring that more Mike Balls will not continue to be killed?

On August 29, 1972, the Department of the Interior issued a special press release which stated that henceforth assessments for violations of the Mine Safety Act would be imposed in the field. What was the official reason? Here it is in the unvarnished language of the Department of the Interior. "This would insure that assessment officers are more accessible to coal mine operators who wish to protest proposed assessments."

#### POLITICIZING THE BUREAU OF MINES

In 1969, the Congress gave the Nixon administration the power to protect coal miners and enforce mine safety. We gave them the power to impose fines up to \$10,000 for safety violations. Then the White House put a Republican fundraiser and politician named Edward D. Failor in charge of collecting these assessments. Failor had never been near a coal mine. He had spent his political life raising campaign contributions from oilmen, industrialists, and bankers who control the coal mining companies. They paid Failor a salary of \$36,000—as much as the Director of the Bureau of Mines. And he did his work well for the special interests, reducing assessments by \$2.7 million by the end of 1971, according to the General Accounting Office. The Pittston Coal Co., owner of the mine which caused the Buffalo Creek disaster, had 15 of 37 assessment cases covering mine safety violations reduced by nearly \$130,000. Now that the Republican campaign has started, Edward D. Failor has officially left the Bureau of Mines to join the Committee for the Reelection of the President, where he will be assessing for campaign purposes those companies whose mine safety assessments he so skillfully reduced.

#### PRODUCTION MORE IMPORTANT THAN PROTECTION

On July 29, a big groundbreaking ceremony was held over at Beckley, W. Va., for the new \$13.5 million Federal Mine Health and Safety Academy. All the top brass of the Bureau of Mines were there plus Assistant Secretary of the Interior Hollis M. Dole. There was a frantic internal argument within the Bureau of Mines and the Department of the Interior as to whether a critic of mine safety practices like Congressman HECHLER should be even invited to listen at this ceremony. They were afraid I might ask some questions about the curriculum or be critical in public. They solved the problem by shunting me off the platform and making sure I did not speak at the ceremony where the big shots were celebrating their concept of progress in coal mine safety. To top it off, Assistant Secretary of the Interior Hollis M. Dole had the gall to tell his mine safety audience in Beckley that the No. 1 problem facing this Nation is the energy crisis and the Beckley area was really helping solve this energy crisis by maintaining a high production of coal.

#### PRIORITY SHOULD BE ON MINER'S SAFETY

The preamble to the Federal Coal Mine Health and Safety Act of 1969 states:

The Congress declares that the first priority and concern of all in the coal mining industry must be the health and safety of its most precious resource—the coal miner.

I charge that this priority is being ignored by the Bureau of Mines and the coal industry. It is all very well to spend \$13.5 million to build a Federal Mine Health and Safety Academy. But what academy is going to train Hollis Dole that the safety of the coal miner demands top priority? What academy is going to train the top officials of the Bureau of Mines in the strict enforce-



ment of the mine safety law? What academy is going to train the White House to keep the fundraising politicians out of the assessment of mine safety violations? What academy is going to train the officials of the Hanna Coal Co. not to send young men like Thomas Michael Ball to die needlessly?

It does little good to pass a strict mine safety law unless those who enforce the law really believe in it. The only way to prevent tragedies like the loss of Thomas Michael Ball is through a complete change in attitude by the Bureau of Mines, the coal industry, and the present leadership of the United Mine Workers of America.

#### SEQUEL TO THE BECKLEY GROUNDBREAKING

A little over a month following the groundbreaking for the Federal Mine Health and Safety Academy, Assistant Secretary Dole was scheduled to return on August 31, 1972, to address the first graduating class. Included in his prepared remarks was this incredible statement:

You must reconcile the requirements for mine safety with the need for efficient production.

I always thought the first priority should be placed on the safety of the individual coal miner. Yet, Secretary Dole's speech to the new safety graduates put a great deal of emphasis on the "energy crisis" and the need for higher production, capped by the outrageous statement that mine safety must be "reconciled" with efficient production.

Because of illness, Secretary Dole did not make it to Beckley, so his prepared speech was given by Paul Zinner, Assistant Director for Planning, U.S. Bureau of Mines.

The text of Secretary Dole's address and other documents are appended:

REMARKS OF PAUL ZINNER, ASSISTANT DIRECTOR FOR PLANNING, U.S. BUREAU OF MINES, SUBSTITUTING FOR HOLLIS M. DOLE, ASSISTANT SECRETARY OF MINERAL RESOURCES, DEPARTMENT OF INTERIOR, BEFORE FIRST GRADUATING CLASS OF THE MINE HEALTH AND SAFETY ACADEMY, BECKLEY, W. VA., AUGUST 31, 1972

It is a pleasure to return to Beckley and join in the ceremonies which attend the graduation of the first class to enter the Mine Health and Safety Academy. Those in the audience who are veterans of the groundbreaking ceremony a month ago will remember that it truly appeared that the Good Lord didn't want the event to take place—at least not on the 29th of July. I suppose that one of the few benefits of that wild downpour was the fact that a lot of words that were intended to be said that day—including some of mine—never got out of the speakers' coat pockets. I do not remember just what I actually did say then, and I'm sure that no one else does either. But one of the things I intended to say was that the fine new buildings which will one day be the home of the Beckley Academy will serve as a specific reminder of the vitality of the political process in our open society. Dedicated men and women of both parties recognized a problem, and joined in the actions that were needed to effect a solution. I am grateful that they did so, and I am delighted to be here for this glad occasion.

The Mine Health and Safety Training Program, of which this class is an essential part, answers a deep and longfelt need, recognized and articulated by both the Federal Coal Mine Health and Safety Act and the Metal

and Nonmetallic Mine Safety Act. Both directed the Secretary of the Interior to expand the function of mine health and safety education and training—an effort which the Administration of President Nixon has actively and wholeheartedly supported.

The members of this class are the product of the formal institute for the teaching of mine health and safety practices which resulted from those Acts. Over the years, thousands will follow in their footsteps to form the vital corps of inspectors and safety engineers so critical to the growth and performance of our mining industries.

It is hard to realize just how vast our mineral requirements are going to be in another 20 or 30 years. Between now and the close of this Century—and that is only 28 years away—we are going to need 22 billion tons of coal; 3½ billion tons of iron; 90 million tons of copper; 33 million tons of lead. Demand for uranium can be expected to expand by 8 times. All in all, our mineral requirements in the Year 2000 are expected to be 4 times what they are in 1972.

To meet this challenge the scale of mining operations must be expanded greatly. Vast amounts of capital will have to be raised; technology for both extraction and processing must be improved; problems of access to better deposits must be solved; the environmental and social costs of mining and mineral processing must be reduced to the practical minimum; skilled and professional manpower must be recruited and trained in numbers far exceeding those to which we are accustomed.

But by far the greatest challenge—because unless we successfully meet it nothing else will be of any consequence—is the matter of mine health and safety. I suggest that quite apart from the obvious humanitarian considerations, there are the most practical reasons why our mines—especially our coal mines—must be transformed into safe and healthful places to work. The survival of the mining industry depends on it. One of the most persistent problems the coal industry has had to contend with is a chronic shortage of workers—especially young workers—underground. The pay is good. Most coal mining is done in regions of relatively high unemployment. Yet the industry has rarely in recent years been able to satisfy its full requirements for mine labor. And the average miner is a man in his late forties or early fifties which means that the mine force is superannuated by at least 10 to 15 years.

If there is to be the expansion in mining activity that the Nation requires, tens of thousands of new young workers must be persuaded that there is a future for them in mining. And we can start by removing the threat to their lives, health, and safety that mining has historically entailed.

This is why the Training Program is of such immense importance. It represents a clean break from the empirical, improvised, on-the-job training efforts which have been the mainstay of the inspector training program. Here in Beckley, we shall have a place where a formal, integrated curriculum can be developed which will cover all essential aspects of the practice of mine health and safety. We shall have here the resources and the commission to develop new knowledge in these fields, to propagate and publish that knowledge; to develop a body of doctrine which will serve as the basis for the uniform practice that is so sorely lacking in our present inspection programs. Ever since it was recognized as a serious objective, mine health and safety has suffered from the piecemeal, random harvest of discrete bits of knowledge which appeared to have some utility to the program. In the vernacular of the young, Beckley represents at long last, a chance to get it all together.

I am deeply gratified to note the presence of so many younger men in this, the first graduating class. We need many, many more.

Our present crops of mine inspectors reflects the problem of the aging work force I have already commented on with regard to the miners themselves. This is no criticism of the competence of our older inspectors. It is an observation that walking, crawling, and climbing throughout a mine is a job for young men, rather than for those who by long years of service have earned the right to less demanding conditions.

This first class—26 in number—is but a sample of a greatly enlarged training and education effort which will eventually encompass a student body of some 600. While the basic core of this group will be Bureau of Mines employees, a substantial number of spaces—up to 250—will be available for State mine safety agencies and for the mining industry itself. When the new building is completed sometime in 1975, the Academy will be able to turn out inspectors at the rate needed to supply the expanding requirements for this unique and vital capability.

To you who are about to begin your careers as mine safety inspectors I have a few words of counsel. My first observation is that the circumstances of your employment will cast you in a difficult role, not only in your relationship with mine management, but with union officials and the individual miners themselves. Yet men's lives will literally depend upon the quality of your judgment and the vigor of your enforcement actions. You can make no compromise which in any way permits a needless hazard to those whose health, lives, and safety are your responsibility. Having said this, I must add that you should not deport yourselves as adversaries of those with whom you must deal—you must avoid at all costs the pointless, futile, self-defeating game of Cops and Robbers with mine management. Your business is leadership in mine safety. You must reconcile the requirements from mine safety with the need for efficient production. It is not a question of either/or. The requirement is for both, and your capacity for leadership will be tested by it. For the law not only specifies diligent attention to mine health and safety, it demands as well that private enterprise be fostered and encouraged to develop the mineral resources of the Nation for the benefit of its people.

Your mission is therefore to help the miner, his union, and his employer to accomplish the mining operation with the least possible injury and danger. You are there not only to inspect, but to instruct, and your success in the former will be directly in proportion to your success in the latter. For in the last analysis, accidents are caused by carelessness, by error, by ignorance, and the day-to-day control of these rests with the individual worker, with the union, with management, not the inspector who enters the mine perhaps no more often than 3 or 4 times a year.

An inspection draw a picture of conditions as they are at a given moment. It can call attention to past errors and present deficiencies. It has no way of controlling the events that take place the next day, the next week, or the next month. Only those who operate the mine can do that.

My second charge to you as career inspectors is to shun the persistent illusion that has been shared by management, by union leadership, by the miners themselves, and by the general public: namely that mining is inherently a dangerous occupation, and that death and injury are a normal part of the cost of doing business. This illusion may have been valid in the past, but it is now totally at odds with reality. There is *nothing inherent* in mining operations that dictates a lifetime of peril to those engaged in them. We have the knowledge and capability *now* to make the miner's life at work as safe as it is in his home. But realizing this objective will take a reversal of this false and fatalistic notion that the problem of mine

safety is beyond solution. Let the reversal begin here, in Beckley, in this Training Program, with this graduating class. Beyond this, there must be a closely coordinated, resolute set of actions on the part of all connected with the mining business: inspectors, miners, union officials, company management, State and Federal regulatory agencies, and extending to the schools where the practice and profession of mining are taught. Everyone has a piece of the action. Everyone bears some responsibility.

Mine safety is not an impossible dream. Together we can make it a reality.

#### BACKGROUND ON THOMAS MICHAEL BALL

Born in Cambridge, Ohio, March 22, 1950. His father was a Wage and Hour investigator with the U.S. Department of Labor. Mike was the youngest of four children, who are Mrs. Sue Bollman (Age 30, living in Denver, Colorado; phone XXXX); Joe, 25; and Cathy, 24 (an accountant living in Cleveland.) Joe's phone number is XXXX.

In 1960, the Ball family moved to Cadiz, Ohio, a proud little town which is the county seat of Harrison County. Cadiz is in the center of a strip-mined area, where the Hanna Coal Company is king. Like most strip-mined areas, the town and county both declined in population in the 1960's. The 1970 population of Cadiz is 3,060, down 6.1% from 1960. Harrison County declined—5.5% in population from 1960, there being only four counties in the state with a greater decline in that decade.

Cadiz was designated as the "proudest small town in America" in 1938 when a group in Hollywood sought out an American town with a population under 5,000 having the most illustrious roster of famous sons. Cadiz boasts of being the birthplace of Clark Gable, the home of President Lincoln's Secretary of War, Edwin M. Stanton, the abolitionist Bishop Matthew Simpson, and John A. Bingham, who served 16 years in Congress and was a post-war minister to Japan. The population of Cadiz is 11.4% Negro, and 15.4% over 65 (Ohio has only 9.4% over 65). Cadiz is located southwest of Steubenville, about 25 miles from the Ohio River.

Mike was quiet, well-behaved, somewhat introspective, and serious-minded. He played end on the varsity football team at Cadiz High School, where he graduated in 1968. He was interested in photography, and loved to hunt for grouse, groundhogs, and rabbits. He was about six feet tall, with a moustache and thick, black, wavy hair.

During his senior year in high school, he enlisted in the Navy, received a standard 120-day deferment to finish and graduate from high school, and went into the Navy on July 1, 1968. He was sent to Great Lakes Training School and wound up 16th in a class of 90, many of those above him having college backgrounds. His original ambition was to be a Marine "green beret", but his mother argued strongly against this. But he got his wish to be associated with the Marines when he was sent to Camp Lejeune for training in the fleet marine medical school, where he wound up 58th in a class of about 300.

In January, 1971, Mike was sent to Vietnam, where he served as a medic attached to the 3rd Marine Division. He also took parachute training in Okinawa. He returned home on emergency leave when his father suffered a stroke in March, 1972. His father died on May 26, 1972, and Mike went to work at the Franklin No. 25 mine of the Hanna Coal Company in New Athens, Ohio, about 11 miles from Cadiz.

Mike left about 6:45 every morning for the drive to New Athens. His brother Joe had been working at the preparation plant at the same mine. Mike hated the idea of working underground, but the pay was \$42 a day, and he figured he could raise enough money to help his mother and perhaps save during

the summer so he could quit and start college in September.

He had no training or instructions for his job as shot-firer and timberman. After seven days on the job, he was assigned to work alone without supervision.

REPORT OF FATAL COAL MINE ROOF-FALL ACCIDENT, FRANKLIN No. 25 MINE, HANNA COAL CO., DIVISION OF CONSOLIDATION COAL CO., NEW ATHENS, HARRISON COUNTY, OHIO, JUNE 14, 1972

(By Paul J. Gregor)

#### INTRODUCTION

This report is based on an investigation made pursuant to the provisions of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742).

A roof-fall accident that occurred about 12:30 p.m., Wednesday, June 14, 1972, near the face of No. 52 room, 2 left section off main west, Crabapple extension, resulted in the death of Thomas M. Ball, shotfirer and timberman. Ball, Social Security No. XXXX, was 22 years of age, and had 12 days of underground mining experience, all at this mine. He was single.

The Bureau of Mines was notified of the accident and death at 1:45 p.m. on June 14, 1972, by a representative of the Hanna Coal Company, Division of Consolidation Coal Company. An investigation by the Bureau of Mines was started the same day.

This report is based on information obtained by interrogating company officials and employees and from investigations at the scene of the accident which reportedly had not been disturbed.

#### GENERAL INFORMATION

The Franklin No. 25 mine, at New Athens, Harrison County, Ohio, is being developed in the Pittsburgh No. 8 coalbed, which averaged 60 inches in thickness in the areas being mined. A total of 423 men was employed. Of this total, 391 worked underground on 1 maintenance and 2 coal-producing shifts a day, 5 days a week. The daily production averaged 6,700 tons of coal, loaded in 1 continuous-mining and 8 conventional mining sections. The Crabapple extension of the mine is a recently developed area in another hill and interconnected to the older part of Franklin No. 25 mine by a track haulage way, and 6 of the 9 mining sections were operating in this area.

The method of mining in the Crabapple area consisted of driving 10 main entries 16 feet wide on 50-foot centers; room entries 14 feet wide in sets of 3 on 42-foot centers, and rooms 18 feet wide on 29-foot centers to a depth of 300 feet. Pillars were not recovered.

Coal and a 10 to 12-inch draw rock that overlaid the coalbed were broke down with compressed air utilizing an airlock shell 3½ inches in diameter which ruptures a shear strip when an air pressure of 10,500 pounds is reached. The draw rock was loaded with the coal.

The immediate roof in the accident area consisted of approximately 5 feet of unconsolidated shale and limestone, and the primary roof was massive limestone of an undetermined thickness.

The approved roof control plan for conventional mining in 18-foot rooms required 84-inch roof bolts, 3 abreast, to be installed, on 3-foot centers crosswise, 54-inch centers lengthwise, and to within 5 feet of the uncut face. A similar plan was in effect for 20-foot wide rooms except that roof bolts were to be installed on 4-foot centers crosswise. A minimum of 4 temporary roof supports was required to be set in sequence on not more than 5-foot centers, with 3 of the supports to be set from left to right and the fourth support to be set in the center of the working place not more than 5 feet inby the No. 2 temporary roof support. The first 3 of these supports were to be installed not

more than 5 feet inby permanent supports prior to roof bolting operations or the performance of any other work inby the last permanent supports. A copy of the plan was posted on the bulletin board in the bath house. The present roof control plan was approved on January 14, 1972. The roof in the Crabapple area at the time of the approval was similar to the roof in the older part of the mine, therefore, a separate plan was not deemed necessary.

The investigation was conducted by Bureau of Mines personnel, and those persons furnishing information and/or present during the investigation were:

#### HANNA COAL CO.

Jesse L. Shepperd, Vice President—Underground Mines.

William Trump, General Superintendent—Underground Mines.

Joseph E. Turkal, Sr., Assistant General Superintendent—Underground Mines.

C. William Parisi, Safety Director—Consolidation Coal Company.

Julius Olzer, Chief Inspector—Consolidation Coal Company.

Lewis Jesalosky, Safety Director—Hanna Coal Company.

James M. Faunda, Superintendent.

Dominic Capers, General Mine Foreman.

Dewey Piccin, Safety Engineer.

William Faunda, Safety Engineer.

Donald J. Kidd, Section Foreman.

Victor Bernardi, Section Foreman.

George J. Kanopsic, Assistant Mine Foreman.

#### UNITED MINE WORKERS OF AMERICA

William S. Howard, Safety Coordinator—District 6.

Walter Ludwig, Safety Committeeman.

Steve Skukan, Safety Committeeman.

John Yemich, Safety Committeeman.

Glenn Donaldson, Roof Bolter Operator.

#### OHIO DIVISION OF MINES

Henry C. Roberts, Deputy Mine Inspector (Roof Control).

#### UNITED STATES BUREAU OF MINES

Robert T. Davis, Subdistrict Manager.

Ronald Keaton, Safety Specialist—Washington, D.C. Office.

Gerald Young, Coal Mine Inspection Supervisor.

Francis S. Wood, Federal Coal Inspector.

Paul J. Gregor, Federal Coal Mine Inspector.

The Hanna Coal Company is a Division of Consolidation Coal Company, and the Continental Oil Company is the present organization. The management structure for the mine consists of a superintendent, mine foreman, assistant mine foreman, shift foreman, and a section foreman for each coal-producing section.

James M. Faunda is the designated official in charge of health and safety for the mine. Lewis Jesalosky is the Safety Director and is in overall charge of health and safety for Hanna Coal Company. C. William Parisi is the Safety Director for all Consolidation Coal Company mines. The company is a member of the Holmes Safety Association, and weekly safety meetings are conducted with the employees. The company has established employee training programs in first aid, methane detection, roof-control, and the use of self-rescuers. However, supervisory personnel were the only employees who had received classroom training in roof-control and methane detection. A mine rescue team is maintained at the mine. Dewey Piccin, Safety Engineer, attended a Bureau of Mines class designed to train instructors in roof and rib control, coal mine ventilation, first aid, self-rescuers, and methane detectors. The operator's program of training and retraining personnel to carry out functions of the Federal Coal Mine Health and Safety Act of 1969 has been submitted to the Bureau of Mines.



Representatives of management stated that all new employees received initial instructions from the safety engineer, and the employee's immediate supervisor about the hazards associated with underground coal mining. A new inexperienced employee spends the first day of employment observing general mining practices in the company of his immediate supervisor. He then begins to participate in the work activities helping experienced miners, but is not to be permitted to work alone until he has received three weeks of training and experience.

The investigation disclosed that the initial training program for inexperienced employees was not followed inasmuch as Ball (victim) was assigned duties which required him to work alone, beginning the eighth day of his employment. Ball had never attended a formal training program designed to train him in the performance of his duties as a shotfirer and timberman. The extent of his training was that which was gained through actual experience and verbal instructions received while working 7 days under the supervision of Victor Bernardi, 1 day from Don Dombroski and 4 days from Donald Kidd, Section Foreman. Kidd stated that although he was the immediate supervisor on the section at the time of the accident, Ball had only worked under his supervision 4 days due to a transfer in supervisory personnel in which Kidd replaced Bernardi as Section Foreman on the 2 left section. Kidd also stated that if he had been aware of Ball's inexperience he would not have permitted him to work alone while installing temporary supports.

Kidd, Bernardi, and Dombroski were certified by the State of Ohio, Division of Mines and each had several years mining experience. Their supervisory experience ranged from 2 to 5 years. All three supervisors have received training in first aid, methane detection, roof and rib control, and the use of self-rescuers in training classes conducted by the company.

The last regular Federal inspection of the mine, a combination health and safety inspection, was completed April 10, 1972, and subsequent spot inspections were made at monthly intervals.

#### DESCRIPTION OF ACCIDENT

The 2 left main west section crew, under the supervision of Donald Kidd, Section Foreman, entered the mine at 7:30 a.m., Wednesday, June 14, 1972, and arrived at the working section about 8:10 a.m. Kidd made an examination of the working places and in his opinion no hazardous conditions existed although he was aware of the absence of roof coal in various areas throughout the working section.

Ball (victim) had shot down six cuts of coal before going to lunch at 11:30 a.m. Shortly thereafter, Kidd, passing by the "dinner hole", was questioned by Ball as to what duties he was to perform after lunch. Kidd then instructed him to install temporary roof supports in No. 53 room. Shortly after lunch Kidd made a visual examination of the roof in No. 53 room where Ball and Ronald Carter, roof bolter operator, were setting temporary roof supports. He considered the roof to be normal and he did not issue Ball any specific instructions except that he was to proceed to No. 52 room to install temporary roof supports. At approximately 12:15 p.m. Kidd examined the face of No. 52 room (scene of the accident) for methane and other hazardous conditions. He stated that he could not observe the condition of the roof near the face due to the fact that the loading machine was in the place and it had not been cleaned up. From what he observed the roof appeared normal, but he made no test by the sound and vibration method. After the fall of coal was cleaned up in No. 52 room, the loading machine operator did not set any temporary room supports prior to leaving the

room inasmuch as this was normal procedure at the mine.

At 12:30 p.m. Glenn Donaldson, roof bolter operator and eyewitness, was tramping the roof-bolting machine into No. 52 room to install roof bolts. He stated that he observed Ball standing on the right side of the place with his back toward the face, either holding or attempting to install a post. When he got within approximately 15 feet of Ball, he saw the roof fall, striking Ball. He immediately ran to summon aid.

Kidd was near the loading point when he heard Donaldson call. He ran into the room and began to help the loading crew and Donaldson remove the rock which was on Ball's head and shoulders. The rock was removed with the aid of posts used for leverage and Kidd then instructed crew members to get a stretcher, while he attended Ball. He stated that he was unable to detect a pulse, and while crew members transported Ball to a mine car, he called the mine office to summon a doctor and an ambulance. The New Athens, Ohio, Volunteer Fire Department responded to the call and was awaiting with an emergency vehicle at the Crabapple portal when Ball was brought to the surface. He was taken to the Harrison Community Center at Cadiz, Ohio, where he was pronounced dead at 1:05 p.m. by Dr. Lawrence Wu. Death was attributed to a fractured skull.

The investigation revealed that the roof which fell measured 9 feet 4 inches in width by 8 feet 4 inches in length, and the thickness of the fallen rock varied from 0 to 11 inches. The rock broke when it fell and the portion lying on Ball (victim) was 5 feet 6 inches in width, 5 feet in length, and ranged from 5 to 11 inches in thickness. Ball had installed one temporary roof support 6 feet 2 inches from the left rib and 7 feet 7 inches in by the last complete row of roof bolts. The height and width of the working place was 6 feet 5 inches and 18 feet, respectively.

The distance between the last complete row of installed roof bolts and the back of the undercut in No. 52 room was 17 feet 3 inches and indicated that the loading machine operator had been either in by the last row of roof bolts or in a hazardous zone near the last bolts during clean-up operations. The operating controls on the loading machine, as measured with a tape, were 14 feet 6 inches from the tip of the gathering arms. The mining machine used in 2 left main west section was equipped with a 10-foot cutter bar.

During the investigation, the roof was observed to be wet due to moisture deposited by the warm humid air entering the mine and cracks were observed in the immediate roof strata and in the voids from which roof material had fallen. There was loose roof between the installed roof bolts, and ribs were overhanging at many locations throughout the working section. Temporary roof supports that had been installed in No. 51 room, adjacent to the scene of the accident, were set haphazardly in that temporary supports were either installed at roof cavities or wherever they could conveniently be installed. In addition, observations in the face areas of three working places revealed draw rock overhanging the faces and incomplete bolting patterns. In the No. 52 room, a single roof bolt had been installed in the center of the room 4 feet in by the last complete row of bolts. Reportedly, the flanking roof bolts needed to complete this row of bolts had not been installed due to draw rock overhanging the face.

An examination of the operator's accident record books revealed that 13 accidents attributed to falls of roof, rib, or face had occurred at this mine in 1972. These accidents resulted in three lost time injuries in addition to the fatality. In the April and May reports, unsafe acts, inadequate main-

tenance of working places, hazardous methods or procedures, and unsafe positions of workmen were listed as the causes of accidents during these two months. During the first 6 months of this year, 12 fatalities have occurred in 11 mines wholly owned or operated by the Consolidation Coal Company. These deaths resulted from 6 unintentional roof and rib falls, 5 haulage accidents (2 occurred at surface operations), and 1 machinery accident. Certainly, these accident records show clearly that a greater effort will have to be exerted by corporate officials, company officials, mine management, and employees to prevent mine injuries.

The mine was undergoing a roof control evaluation and training survey at the time of the accident. A summary of hazardous conditions and practices observed during the survey are as follows: The employees were lax in examining and testing the roof before installing temporary roof supports. The majority of the men installing temporary roof supports were shotfirers with very little experience in the face areas. Some of the recently hired men stated that they had not been instructed in the proper method of roof-testing. In many instances temporary roof supports were installed more than 5 feet in by permanent supports, widely spaced, installed loosely, and not of proper length. Several corners had been cut off leaving exposed roof which was not adequately supported. Cap blocks were not utilized in some instances where tender roof conditions existed, especially where the roof coal was missing. Several rooms had been driven in excess of the maximum 20-foot width specified in the approved roof control plan. Some roof-bolting machine operators were observed applying too much thrust on the roof-bolt wrench against the bearing plates resulting in a variance of the applied torque. Inadequately supported roof was observed at various locations in the active sections of the mine. The hazardous conditions and practices observed were corrected before the survey was completed.

Based upon the hazardous roof conditions and practices observed during the accident investigation, and the summation of the roof control evaluation and training survey, it was the consensus of the Bureau of Mines investigators that the approved roof control plan was not being complied with and the company's roof control program was definitely inadequate. In view of this, the company's roof support plan is currently being revised and will be submitted for approval as soon as the revisions are completed.

#### CAUSE OF ACCIDENT

The general laxness on the part of management, its supervisors, and employees to follow sound proven roof support and roof testing practices precluded the detection of a dangerous roof condition and its ultimate failure. Although not listed in chronological order, this roof fall and death were a result of a culmination of:

1. Installed temporary roof supports being in many instances more than 5 feet apart, more than 5 feet in by permanent supports, of improper length, or loosely set,
2. Thomas M. Ball (victim) having never received a formal course of instruction designed to train him in the performance of his duties as a shotfirer and timberman,
3. The victim with only 12 days underground mining experience being permitted to work alone while installing temporary roof support in face areas,
4. Management's failure to enforce the company's approved roof control plan and other policies designed to eliminate substandard conditions and practices which result in roof-fall accidents,
5. The failure of management to establish a procedure by which trainees are readily identifiable and the lack of communication between the safety department, supervisory personnel, and employees relative to

the type, extent, and control of training new employees before they are required to work alone, and

6. Management's failure to analyze and utilize the data logged in the accident record books in the prevention of injuries from roof-falls.

#### REQUIREMENTS

1. Management shall comply with the approved roof control plan in its entirety which shall include the training of all underground employees in safe roof support procedures.

2. Employees shall not be permitted to work alone in underground areas of a mine until their work habits have been thoroughly evaluated by management. Consideration should be given to establishing a training period of at least 6 months duration for all inexperienced employees.

3. Supervisors and employees shall comply with company rules which prohibit unsafe conditions and practices relating to sound proven roof support principles.

4. A definite program or procedure shall be established so that trainees can be readily identifiable by visual observation.

5. Working faces shall be "squared up" and overhangs eliminated to facilitate the installation of roof bolts according to the approved plan.

6. Management shall analyze all accident reports to determine the causes of accidents and take positive action when it is evident that a trend in unsafe practices, conditions, and work habits have developed.

#### NOTICES AND ORDERS

##### Violation—Section 75.200

The roof control plan was not being complied within No. 52 room, 2 left off main west section. Temporary roof support was installed a distance of 7 feet 7 inches in by the last row of permanent supports. A Notice of Violation No. 1 P.J.G. was issued June 15, 1972, on Form 104(b) requiring that this violation be abated by 11:00 p.m. on June 16, 1972. This violation was abated on June 19, 1972, when meetings were held with section employees and the roof control plan was explained to them by the safety engineer.

##### Imminent danger—Section 104(a)

A fatal roof-fall accident has occurred in the 2 left section off main west. This closure order is issued pending the completion of an investigation to determine the cause of the accident and means to prevent a similar occurrence.

#### Action taken

Order No. 1 P.J.G. was issued on June 14, 1972, on Form 104(a) requiring that all persons, except persons referred to in Section 104(d), be withdrawn and prohibited from entering the 2 left off main west section. The roof was scaled, overhangs were pulled down, and additional roof bolts were installed throughout the working places in the 2 left off main west section where fragile roof conditions were observed during the investigation of the fatal accident. The Order was terminated on June 19, 1972.

Respectfully submitted,

PAUL J. GREGOR,  
Federal Coal Mine Inspector.

WASHINGTON, D.C.,  
August 10, 1972.

HON. ROGERS C. B. MORTON,  
Secretary of Interior,  
Department of the Interior,  
Washington, D.C.

DEAR SECRETARY MORTON: On June 14, 1972, a roof fall at the Franklin No. 25 mine of the Hanna Coal Company, a division of Consolidation Coal and Continental Oil companies, at New Athens, Ohio, occurred killing Mr. Thomas M. Ball—a shotfirer and timberman.

Mr. Ball was, according to the Bureau of Mine's fatality report only "22 years of age" when he died. The report also states that he

had a mere "12 days of underground mining experience, all at this mine" when he died.

The Bureau's report states:

"The company is a member of the Holmes Safety Association and weekly safety meetings are conducted with the employees. The company has established employee training programs in first aid methane detection, roof-control and the use of self-rescuers. However supervisory personnel were the only employees who had received classroom training in roof-control and methane detection.

"Representatives of management stated that all new employees received initial instructions from the safety engineer and the employee's immediate supervisor about the hazards associated with underground coal mining. A new inexperienced employee spends the first day of employment observing general mining practices in the company of his immediate supervisor. He then begins to participate in the work activities helping experienced miners, but is not to be permitted to work alone until he has received three weeks of training and experience.

"The investigation disclosed that the initial training program for inexperienced employees was not followed inasmuch as Ball (victim) was assigned duties which required him to work alone beginning the eighth day of his employment. Ball had never attended a formal training program designed to train him in the performance of his duties as a shotfirer and timberman. The extent of his training was that which was gained through actual experience and verbal instructions received while working 7 days under the supervision of Victor Bernardi, 1 day from Don Dombroski and 4 days from Donald Kidd, Section Foreman. Kidd stated that although he was the immediate supervisor on the section at the time of the accident, Ball had only worked under his supervision 4 days due to a transfer in supervisory personnel in which Kidd replaced Bernardi as Section Foreman on the 2 left section. Kidd also stated that if he had been aware of Ball's inexperience he would not have permitted him to work alone while installing temporary supports." (Italic supplied.)

According to the Bureau's report the Superintendent of the Mine, Mr. James M. Faunda, "is the designated official in charge of health and safety for the mine," pursuant to section 107(d) of the Federal Coal Mine Health and Safety Act of 1969, not the Hanna Coal Company's Safety Director, Mr. Lewis Jesalosky.

1. Please explain why this lesser company official is so designated under the statute.

The Bureau's report also states that Hanna's "program of training and retraining personnel to carry out functions" of the 1969 law "has been submitted to the Bureau of Mines."

2. (a) I would appreciate your advising me when this "program" was "submitted" to the Bureau, and when the Bureau expects to approve or reject it.

(b) Also, please advise me of the procedures followed by the Bureau of Mines for notice and public reviewing of such programs particularly by miners and their representatives.

Finally, the report lists the "Cause of Accident" as follows:

"The general laxness on the part of management, its supervisors, and employees to follow sound proven roof support and roof practices precluded the detection of a dangerous roof condition and its ultimate failure. Although not listed in chronological order, this roof fall and death were a result of a culmination of:

1. Installed temporary roof supports being in many instances more than 5 feet apart, more than 5 feet in by permanent supports, of improper length, or loosely set;

2. Thomas M. Ball (victim) having never

received a formal course of instruction designed to train him in the performance of his duties as a shotfirer and timberman;

3. The victim with only 12 days underground mining experience being permitted to work alone while installing temporary roof support in face areas;

4. Management's failure to enforce the company's approved roof control plan and other policies designed to eliminate substandard conditions and practices which result in roof-fall accidents.

5. The failure of management to establish a procedure by which trainees are readily identifiable and the lack of communication between the safety department, supervisory personnel, and employees relative to the type, extent, and control of training new employees before they are required to work alone, and

6. Management's failure to analyze and utilize the data logged in the accident record books in the prevention of injuries from roof-falls." (Underlining supplied.)

This is a shocking litany of management's deliberate failure to protect its employees, insist on proper safety practices and procedures, and to obey the requirements of the 1969 law. In my opinion, the Hanna Coal Company and its officials should be prosecuted under section 109(b) and (c) of the law for these failures. I am today sending a copy of this letter to the Attorney General and urging him to do so promptly. A copy of my letter to him is enclosed.

The Hanna Coal Company's poor record of training is not unique in the coal industry. Other coal mine operators are as equally negligent as Hanna. This is clearly shown by the following data derived from some of the Bureau's accident records:

1. Two welders, age 20 (6 months mining experience) and 26 (9 months mining experience) crushed to death on January 8, 1972, at Peabody Coal Company strip mine in Kentucky.

2. A maintenance man, age 19 (with 26 days experience) killed on January 10, at an underground mine of the C & W Mining Company in Ohio.

3. Scoop operator, age 25 (5 months and 11 days experience) killed on January 19 at the Young Branch Coal Company in Virginia.

4. Surface construction worker, age 29 (8 months experience), electrocuted on March 20 at the Wolf Creek Collieries, Inc., Mine No. 4, in Kentucky.

5. Scoop operator, age 21 (10 months experience) injured on March 27 and died on March 31, in an underground mine of the Island Creek Coal Company (Pondfork A. Mine) in West Virginia.

6. Underground laborer, age 37 (4 months experience) killed on May 6 at the Johns Creek Elkhorn Coal Corp., No. 2, in Kentucky.

7. General laborer, age 48 (4 months experience) injured on July 26, and died two days later, at the Eastern Association Coal Corporation (Delmont Mine), in Pennsylvania.

And, of course, Mr. Thomas Ball.

This is only a sample of inexperienced miners who have been killed at coal mines. There are many other examples of miners with longer mining experience who are killed only after a few days or weeks on the job.

It must be obvious to Bureau officials—that certainly is to me—that coal operators are negligent in training miners before they enter the mine and before they are allowed to perform normal mine duties. Yet little has been done to halt this unsafe practice.

I urge that the Bureau take immediate steps to correct this situation. If the present standards and regulations are not adequate for this purpose, they should be quickly changed. The current situation is intolerable.

Sincerely,

KEN HECHLER.



WASHINGTON, D.C.,  
August 10, 1972.

HON. RICHARD KLEINDIENST,  
Attorney General of the United States, De-  
partment of Justice, Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Enclosed is a copy of a letter I have today sent to the Secretary of the Interior concerning the recent death of Mr. Thomas M. Ball, at a Hanna Coal Company mine in Ohio.

The letter clearly indicates that criminal prosecution is warranted against the company and its officials under sections 109 (b) and (c) of the Federal Coal Mine Health and Safety Act of 1969. I strongly urge that you promptly institute such proceedings.

You should also note the Bureau's fatality report on Mr. Ball states as follows:

"An examination of the operator's accident record books revealed that 13 accidents attributed to falls of roof, rib, or face have occurred at this mine in 1972. These accidents resulted in three lost time injuries in addition to the fatality. In the April and May reports, unsafe acts, inadequate maintenance of working places, hazardous methods or procedures, and unsafe positions of workmen were listed as the causes of accidents during these two months. During the first 6 months of this year, 12 fatalities have occurred in 11 mines wholly owned or operated by the Consolidation Coal Company. These deaths resulted from 6 unintentional roof and rib falls, 5 haulage accidents (2 occurred at surface operations), and 1 machinery accident. Certainly, these accident records show clearly that a greater effort will have to be exerted by corporate officials, company officials, mine management, and employees to prevent mine injuries."

Sincerely,

KEN HECHLER.

DEPARTMENT OF JUSTICE,  
Washington, D.C., August 23, 1972.

HON. KEN HECHLER,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN: Reference is made to your letter of August 10, 1972, to the Attorney General requesting that the Department of Justice promptly initiate proceedings against the Hanna Coal Company of Ohio for violations of the Federal Coal Mine Health and Safety Act of 1969.

In response to our request for information in this matter, the Solicitor's Office, Department of the Interior, advised that the Bureau of Mines' report of the accident has been referred by the Bureau to the Solicitor's Office for evaluation. We are further advised that the Solicitor's Office has requested the Bureau to conduct additional investigation into some aspects of the evidence discussed in the report.

As you can certainly appreciate, it would be virtually impossible for us to properly review and evaluate a matter for criminal prosecution under the Act without the benefit of the Bureau's investigative report, expertise, and intimate knowledge of the facts. Should evidence of willful violations of the Act be indicated in the Bureau's report, we are confident that Interior will refer such evidence to this Department for evaluation. In this event, you may be assured we will give the matter our immediate attention.

Sincerely,

HENRY E. PETERSEN,  
Assistant Attorney General.

WASHINGTON, D.C.,  
August 11, 1972.

JOHN CORCORAN,  
President, Consolidation Coal Co.,  
Pittsburgh, Pa.

DEAR JOHN: On June 14, a roof fall occurred at the Franklin No. 25 mine, New Athens, Ohio. The mine is owned by the Hanna Coal Company, a division of the Con-

solidation Coal and Continental Oil companies.

The Bureau of Mines report on the roof fall states that it "resulted in the death of Thomas M. Ball, shotfirer and timberman," and that he was 22 years old and had only "12 days of underground mining experience, all at this mine."

Consol's safety director and chief inspector were present during the investigation of this roof fall.

The report states:

"An examination of the operator's accident record books revealed that 13 accidents attributed to falls of roof, rib, or face have occurred at this mine in 1972. These accidents resulted in three lost time injuries in addition to the fatality. In the April and May reports, unsafe acts, inadequate maintenance of working places, hazardous methods or procedures, and unsafe positions of workmen were listed as the cause of accidents during these two months. During the first 6 months of this year, 12 fatalities have occurred in 11 mines wholly owned or operated by the Consolidation Coal Company. These deaths resulted from 6 unintentional roof and rib falls, 5 haulage accidents (2 occurred at surface operations), and 1 machinery accident. Certainly these accident records show clearly that a greater effort will have to be exerted by corporate officials, company officials, mine management, and employees to prevent mine injuries." (Italics supplied.)

This record does not include the 9 deaths that occurred at your Blacksville mine in West Virginia on July 22.

It is shocking to learn that one of the Nation's leading coal producers is responsible for nearly one-fourth of the coal mine fatalities in the Nation so far this year. Last year, Consol had the dubious distinction of ranking second in the Nation in coal mine fatalities. Then, of course, there is the non-fatal injuries for which statistics for 1971 and 1972 are apparently not yet available.

Despite your recent disclaimer concerning the Bureau's release of "statistics" of violations at Blacksville, I think that this record does "indicate a callous disregard of the law" and "unsafe conditions" at Consol's mines.

But this horrible record is understandable when one reads the Bureau's findings concerning Mr. Ball's death. They are:

"The general laziness on the part of management, its supervisors, and employees to follow sound proven roof support and roof testing practices precluded the detection of a dangerous roof condition and its ultimate failure. Although not listed in chronological order, this roof fall and death were a result of a culmination of:

1. Installed temporary roof supports being in many instances more than 5 feet apart, more than 5 feet in by permanent supports, of improper length, or loosely set;

2. Thomas M. Ball (victim) having never received a formal course of instruction designed to train him in the performance of his duties as a shotfirer and timberman.

3. The victim with only 12 days underground mining experience being permitted to work alone while installing temporary roof support in face areas;

4. Management's failure to enforce the company's approved roof control plan and other policies designed to eliminate substandard conditions and practices which result in roof-fall accidents.

5. The failure of management to establish a procedure by which trainees are readily identifiable and the lack of communication between the safety department, supervisory personnel, and employees relative to the type, extent, and control of training new employees before they are required to work alone, and

6. Management's failure to analyze and utilize the data logged in the accident rec-

ord books in the prevention of injuries from roof-falls." (Italics supplied.)

If the miners of this Nation knew of this record and could vote on retaining or not retaining Consol's current management team, I feel certain that they would vote to throw that team out of office.

By failing to properly train and retrain employees, to instill in all their employees, a sense of safety consciousness, and, most importantly, to insure that all Federal and State safety rules are fully observed, Consol officials are clearly negligent and should be replaced. Consol needs management people who will devote greater personnel time and effort to health and safety than production. This means all Consol mine officials whatever their title—not just the Safety Directors. Until this is done, I predict that Consol will continue to lead or nearly lead the Nation in mine deaths.

I urge that you personally take charge of Consol's health and safety program and initiate steps to drastically reduce injury and fatality rates at all Consol mines for the remainder of this year and thereafter.

I would be interested in learning what actions you take or plan to take to achieve this.

Sincerely,

KEN HECHLER.

#### WORLD ORDER STRATEGY COMMITTEE, MEMBERS OF CONGRESS FOR PEACE THROUGH LAW

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

MR. DRINAN. Mr. Speaker, I have the honor to chair the World Order Strategy Committee of our bipartisan, bicameral organization, Members of Congress for Peace Through Law MCPL now has 131 members—32 Senators and 102 Representatives, from both parties and every region of the country.

The World Order Strategy Committee was created by MCPL several months ago for the purpose of examining the basic assumptions on which American foreign policy is based.

Our committee is very fortunate to have 13 exceedingly able and dedicated members—public servants who believe that a careful review of the fundamental questions of how to obtain peace through law is a necessary enterprise. They are Senators ALAN CRANSTON, of California; HAROLD HUGHES, of Iowa; and BOB PACKWOOD, of Oregon; and Representatives RICHARD BOLLING, of Missouri; PAUL FINDLEY, of Illinois; DONALD FRASER, of Minnesota; PAUL McCLOSKEY, of California; PATSY MINK, of Hawaii; HENRY REUSS, of Wisconsin; FRED SCHWENGLER, of Iowa; JOHN SEIBERLING, of Ohio; and CHARLES WHALEN, of Ohio. We have six Republicans and eight Democrats in all.

Our committee has undertaken an inquiry into the following fundamental questions:

#### SEVEN FUNDAMENTAL QUESTIONS

First. What kind of international political order do you want your grandchildren to inherit?

Second. What is U.S. national security?

Third. Is the balance of power concept consistent with international peace and national security?

Fourth. Is the policy of deterrence an

adequate response to our need for security?

Fifth. Does U.S. foreign policy contribute to the ability of peoples to select governments of their own choosing?

Sixth. How do existing disparities among nations in wealth and human well-being affect U.S. national security?

Seventh. What should be the fundamental principles of U.S. foreign policy?

These are obviously questions of exquisite difficulty. The process of arriving at even tentative answers will be long and arduous. However, we believe these questions must be asked and discussed very seriously if world order is ever to be more than an idle dream.

#### COMMITTEE HOLDS HEARINGS

To begin our inquiry, the committee held a series of six hearings. Each of the six distinguished citizens who testified reflected on the fundamental questions. The contributions of Prof. John Kenneth Galbraith, Hans Morganthau, and Robert W. Tucker, Dr. Richard J. Barnett, Norman Cousins and C. Maxwell Stanley to our work were so outstanding that I would like to bring their statements to the attention of all of our colleagues.

The hearings of the World Order Strategy Committee are open to the public and every Member of Congress is invited to attend and join us in discussion with the witnesses.

On behalf of the committee I welcome the assistance of all Congressmen and Senators as we continue to seek new, practical answers to the fundamental questions which the United States and mankind must answer if we are to survive.

A brief biographical sketch of each of our witnesses to date, and summaries of their statements follow:

#### JOHN KENNETH GALBRAITH

Professor John Kenneth Galbraith was born in Ontario, Canada and was educated at the University of Guelph, the University of California and Cambridge University in England. Assistant Professor of Economics at Princeton University, 1939-40, he also served as Economic Advisor to the National Defense Advisory Committee, 1940-41. Between 1941 and 1943, he was at the Office of Price Administration, first as Assistant Administrator in charge of the Price Division and then as Deputy Administrator.

He was a Member of the Board of Editors of *Fortune* magazine 1943-48 and was Director of the Office of Economic Security Policy, Department of State in 1946. He has served as Chairman of the Americans for Democratic Action and as U.S. Ambassador to India, 1961-63. A Visiting Fellow of Trinity College, Cambridge University, 1970-71, he is currently Paul M. Warburg Professor of Economics at Harvard University, where he taught from 1934-39 and from 1948 to the present.

His numerous publications include *A Contemporary Guide to Economics, Peace and Laughter* (1971), *Who Needs the Democrats and What It Takes To Be Needed* (1970), *How To Control The Military* (1969), *Ambassador's Journal* (1969), *How To Get Out of Vietnam* (1967), *The New Industrial State* (1967, second edition, 1971), *The Affluent Society* (second revised edition, 1969), *Economic Development in Perspective* (1962), *American Capitalism, the concept of countervailing power* (1952, second revised edition, 1955), and *Beyond the Marshall Plan* (1949).

STATEMENT BY PROF. JOHN KENNETH GALBRAITH, BEFORE THE WORLD ORDER STRATEGY COMMITTEE OF MEMBERS OF CONGRESS FOR PEACE THROUGH LAW, JUNE 27, 1972

(1) There is advantage in being compelled to state the basic problem of our foreign policy in brief compass. This is a field where meaning is ordinarily disguised by words, the more words the better the disguise. It is one reason why discussion of foreign policy tends to be intellectually inferior even to the more suspect forms of sociology. Its reputation is saved principally by the circumstance that those who discuss foreign policy have a superior social position, more self assurance, a lesser awareness of what they do not know, and somewhat better tailoring.

(2) The effects of American foreign policy in the last quarter century have been regionally very diverse. Western Europe and Japan were the areas of failure and war in the first half of this century. Here, on the whole, the policy has been a success. Economies have been strong; nationalism has receded. We are now suffering competitively in relation to these parts of the world. That, however, has been the consequence of incompetent economic management here at home. In Singapore this week, former Secretary of the Treasury John Connally was generous enough to say that he thought that Britain had a sound economy. He was wise not to mention the state of the American economy from which he had just taken the precaution of detaching himself.

(3) In relation to the Communist states things have also improved in these last years. For this we must give credit to the recent initiatives of Mr. Nixon. They have moved us perceptibly away from the cold war terror which so effectively enthroned the military and so extensively destroyed civilian reason in the fifties and sixties. (It was unreason, it must be added, which Mr. Nixon had previously done much to enhance.) Our great need in relation to the Soviet Union is to avoid the risk of further confrontation. We cannot continue to depend on the insane assumption that the Russians will always back down. And the further need is to negotiate an effective arms limitation agreement. We cannot afford another arms limitation like last which (in the Administration view) is only acceptable if associated with a large increase in arms expenditure. Arms limitation of this kind could only be treated adequately by the late Lewis Carroll.

(4) The area of our misfortune in foreign policy in the last twenty-five years has been in the Third World. This—at the Bay of Pigs, in the Dominican Republic, in Bangladesh and above all in Laos, Cambodia and Vietnam—has been the theatre of all our disasters. Here, repeatedly, we stumbled. It is obvious that something is very wrong with our policy toward this part of the planet—unless, of course, the disasters were really a succession of righteously conceived initiatives all misconstrued as mistakes by the American people. However popular in Washington at the time and still in the memoirs of those involved this is a proposition it would be unwise to accept.

(5) The source of our disasters was the belief that we had a special mission to put down Communism in the Third World. Our policy in Asia, Africa and Latin America, beginning in the late forties, was based firmly on the premise that this was our mission. It was, perhaps, the most disastrous conception since the Crusades. The effort was unnecessary, impossible of accomplishment and deeply wounding to ourselves.

(6) The task was unnecessary because, questions of who endowed us with this unique moral responsibility apart, it makes little difference whether a poor rural country calls itself communist or not. It is poor and rural before it does so; it will be mostly poor and rural afterward. It could be that

there is more hope of change under the Communists. If so, it is a hope that we would not be wise to frustrate. As to the impossibility of influencing the inner life of these countries, that is surely the lesson that we have learned in Vietnam. Few can believe that the hundreds of billions we have spent, the tens of thousands of lives we have lost will much change the course of history in that country. In the end the people we are fighting—the people who have so manifestly demonstrated their vitality—will be the people who will dominate the country. The people we are supporting will have either changed sides or joined their bank accounts in Paris and Switzerland.

(7) I am a little uneasy about those who ascribe our effort to save the Third World from Communism exclusively to economic interest. Stupidity and the tenacity of the military and civilian bureaucracy in pursuing whatever error on which they are engaged, are forces of greater power than we commonly admit. Markets in the Third World countries are unimportant as compared with those of Europe, Canada and Japan. Raw materials will continue to flow in from these countries regardless of political developments. And as we (and the Germans) learned in World War II, substitutes can almost always be found. The error was, rather, one of misapprehension. To the successful men who ran our foreign policy in the years following World War II and their military and academic acolytes, Communism seemed a malignant and pervasive thing. They understood little about it (it is not something you encounter in a corporate law practice) but they knew it to be bad. Unless averted, it would take over all nations including eventually our own. This was also a period when it was sound personal strategy to denounce Communism on all occasions of public ceremony. And, as always, many were persuaded by their own speeches. Finally it was the further assumption of Mr. Acheson and Mr. Dulles and Mr. Rusk and their compatriots in the Establishment that an economic and political system that, undeniably, would have been unpleasant for them—and Americans in general—must also be unpleasant for everyone in the world. In fact for the poor peasant or the landless laborer or the marginal urban worker in the Third World it makes little difference what his government calls itself. It is his knowledge, affirmed by the experience of centuries, that whatever happens he, most probably, will get kicked —. He does not respond much to lectures on liberty. He is effectively enslaved by his poverty—and by the landlords, tax collectors, money lenders, thieving officials and other predators who keep him so enslaved. No one has so little freedom as the men who must struggle to stay alive. That we have been able to do little to persuade poor people to accept the American mistrust of Communism is not surprising.

(8) That our effort has been deeply damaging to ourselves need hardly be stressed. What the Vietnam War has cost us in lives and money is a staple in our oratory. So also is the political and social division that it has caused. We are now beginning to see how this useless enterprise has corrupted and demoralized the armed forces—especially the Army. We note with varying degrees of grief that our political graveyards are filled with the carcasses of the men who guided or defended the War. Even our successful wars have caused great strains. An unnecessary and unwinnable one produces not strain but desolation.

(9) But even more attention must be paid, I believe, to the effects of our anti-communist preoccupation on our government. Over the quarter century that we were concerned with swatting Communists, we created a vast bureaucracy for that purpose—military formations, military missions,



intelligence missions, other assorted and clandestine spooks, a vast convocation of persons committed to proving by propaganda, technical instruction, capital assistance or plus example that we and not the Communists were the wave of the future, and an even more vast planning, recruiting and supervisory apparatus here in Washington. I do not deplore all of this activity. The aid and information effort responded to a generous and compassionate instinct that is the best feature of our foreign policy and our life. But much reflected a hard-nosed conviction that Communism was a simple operational conspiracy that could be watched and countered and eventually defeated by essentially military means. Much of our military establishment is related to this task in the Third World. We do not need aircraft carriers for countering Soviet carriers. The Soviets have none. We need them for the kind of work they are now doing in Vietnam. The bureaucracy created for protecting the Third World against Communism by whatever the euphemisms that task is described—is not only large and expensive but, given its size, complexity and secrecy, it is all but impossible to control. No one effectively controls the CIA as it chases the Communist across Laos—or even inquiries as to what Laos means to us.

(10) Thus the lesson. There is plenty to do in the developed world. But the first task of our foreign policy is to reform and reform drastically our policy in the Third World. Our effort to keep Communism out of the Third World is unnecessary, impossible, impressive only in its capacity for self-inflicting wounds. More than words are required. The bureaucracy is involved. We must disestablish the military formations, the military missions, the military bases, the military aid, the intelligence operations which are primarily related to keeping Communism out of Asia, Africa and Latin America. That bureaucracy will not give up without a struggle—or without inventing some imaginative names for those who suggest such sensible action. However, let us not be without a response. The response is to inquire what those who defend past and existing policy have accomplished with the lives and the money they have used up with such abandon.

(11) On the affirmative side it must be our policy to recognize all governments in the Third World and make no distinction between those that are bad and those that are good. (I am puzzled as to why, with all the journeys to Peking and Moscow and Warsaw it is never possible to make a brief journey to Havana. Are Communists only tolerable when they involve a nice trip?) And we must extend to those nations that are serious in purpose and non-larcenous in tendency all the material and technical help that a rich country properly affords its poorer neighbors. This we must do but this is all we do. I invite conservatives to reflect this is no radical policy. The more grandiose ambitions of these past years were an aberration. This policy takes us back to an earlier and more sensible relationship. Where the poor lands are concerned we return to the policy of the Good Neighbor.

(12) The countries of the Third World are no more ready for Communism than for capitalism. (Marx would have been appalled by the idea of experimenting with Communism in India or Indonesia or any country of Africa). But one point must be made and with all candor. It cannot be assumed that all countries of the Third World will eschew communist experiment. Probably some will try it. The practical consequence will be more terminological than real. There is no magic by which Communism suddenly makes countries strong and powerful. But this is not the point. The point concerns our own course of action. We have no special license or obligation to intervene.

There is nothing we need do about such a decision and nothing we can do about it. And we now know that it will make things much worse both for the country in question and for ourselves if we try to do something about it. This conclusion is not based on theory. It is, alas, based on a quarter of a century of solid and disastrous experience.

#### HANS J. MORGENTHAU

Professor Hans J. Morgenthau, born and educated in Germany, practiced law there before coming to the United States in 1937. He has taught in Europe and at universities in the United States, including the University of Chicago (1943-71). He was at the Princeton Institute for Advanced Studies in 1958, at the Washington Center for Foreign Policy Research, 1958-60, and was a senior fellow at the Council on Foreign Relations, New York in 1966.

He has been a consultant to the Department of Defense, 1963-65, and to the Department of State, 1949-51 and 1963 to the present. Director of the Center for the Study of American Foreign Policy from 1950 to 1971, he is currently Leonard Davis Distinguished Professor of Political Science at the City College of the City University of New York.

Among his many publications are *Science: Servant or Master?* (1972), *Truth and Power, Essays of a Decade* (1970), *The Origins of the Cold War* (with Arthur Schlesinger, Jr. and Lloyd C. Gardner, 1970), *A New Foreign Policy for the United States* (1969), *Politics in the Twentieth Century* (1962, 2nd edition 1968), *The Purpose of American Politics* (1960), *Dilemmas of Politics* (1958), *In Defense of the National Interest* (1951), *Principles and Problems of International Politics* (with Kenneth W. Thompson, 1950), *Politics Among Nations* (1948, 4th edition, 1967), and *Scientific Man versus Power Politics* (1946).

HIGHLIGHTS OF TESTIMONY OF PROF. HANS J. MORGENTHAU, BEFORE THE WORLD ORDER STRATEGY COMMITTEE OF MEMBERS OF CONGRESS FOR PEACE THROUGH LAW, JUNE 29, 1972

If one looks at international politics from a global, long-range perspective, one is compelled to conclude that the foreign policy of the United States, as that of all other nation states, has become obsolescent. The modern technologies of transportation, communications, and warfare have rendered the nation state as obsolete as a principle of political organization as the first industrial revolution of the steam engine did feudalism. The foreign policies of individual nations, if they were determined with perfect rationality, would have to seek a government whose reach would be commensurate with the actualities and potentialities of modern technologies, that is, a world government.

The continuation of national foreign policies, oblivious of these actualities and potentialities is not only irrational, but it also undermines the legitimacy of national governments. For these governments derive their legitimacy from their ability and willingness to protect and promote the life, liberty and pursuit of happiness of their citizens. Yet national governments, in full possession of the implements of modern technology, have become the main threat to those individual values for the sake of which they are supposed to have been established. Thus national governments, far from supporting national security in terms of the integrity of the nation's territory and institutions, have become the main threat to national security.

As long as we live in so irrationally a world, we must make the best of what we have in order to minimize the threats not only to our liberty and pursuit of happiness but to our very physical survival. The balance of power has been the main instru-

ment to preserve at least a modicum of peace and order in the world. While I am aware of its defects, I am also aware of what the world would be like without it. It would either sink into complete anarchy, or fall victim to totalitarian world conquest. Thus a balance of power policy is indispensable as long as the ultimate goal of a world government is out of reach.

What has been said of the balance of power applies also to deterrence. It is a highly dangerous instrumentality, which might well prove to be ineffective in the long run. But in a world of sovereign nation states it is the main device for the mutual restraint of nuclear powers.

Since the foreign policy of the United States with regard to the domestic development of other nations has essentially supported an anticommunist status quo, it has contributed to the ability of peoples to select governments of their own choosing only insofar as these peoples are willing to choose non-communist governments. In other words, we made a choice and then supported the peoples concerned insofar as their choice coincided with ours or, as Vietnam clearly shows, we have tried to impose our choice upon the people.

I do not believe that the existing disparities among nations in wealth and human well-being affect directly United States national security. The reasons for these disparities are diverse and complex, and the United States has only a very limited capacity for diminishing them. These disparities may indeed become the source of local political conflicts. But such conflicts will not affect American security adversely if the United States takes care not to get involved in them.

I find it impossible within the compass of this statement to elaborate the fundamental principles of United States foreign policy. I have tried to do this in *A New Foreign Policy for the United States*, of which a revised edition will be published at the beginning of 1973.

#### RICHARD J. BARNET

Richard J. Barnet is a graduate of Harvard College and Harvard Law School. After serving in the U.S. Army as a legal officer specializing in problems of international law, he studied foreign and military policy as a Fellow of the Harvard Russian Research Center. During the Kennedy Administration he served in the Department of State and the U.S. Arms Control and Disarmament Agency and was a consultant to the Department of Defense. In 1963, Mr. Barnet was one of the co-founders and is now a codirector of the Institute for Policy Studies in Washington, an independent research and education center devoted to the study of public policy.

Among his publications are *Roots of War* (1972), *Can The United States Promote Foreign Development* (1971), *The American Manifesto: what's wrong with America and what we can do about it* (with Marcus G. Raskin) (1970), *The Economy of Death* (1969), *Intervention and Revolution: The United States in the Third World* (1968), and *Security in Disarmament* (edited with Richard A. Falk) (1965).

STATEMENT BY DR. RICHARD J. BARNET BEFORE THE WORLD ORDER STRATEGY COMMITTEE OF MEMBERS FOR PEACE THROUGH LAW, JULY 25, 1972

There is much confusion today about the terms "isolationism" and "internationalism". Both simple rationality and morality dictate that the US do what it can to promote an international environment in which war, poverty and exploitation of the weak by the strong are ended. Such a global focus is necessary because the overshadowing problems that face mankind are inherently global. Neither pollution nor war can be kept within national boundaries. There are practical reasons why even the greatest nation cannot

continue to flourish in a world environment in which millions of people around the world are fighting a losing battle for survival. That the strategy for making it to the twenty first century must transcend the nation-state is obvious. No longer able to defend its territory against nuclear weapons, the nation-state, even the most powerful nation-state, is obsolete.

At the same time it seems increasingly clear that the "internationalism" practiced by the United States in the last generation has been ill-conceived. It has increased conflict among nations. It has led to a militarization of foreign policy, not only among the great nations but increasingly, as a consequence of competition over the Third World, among the new nations as well. It has weakened the United States by encouraging our leaders to take on global tasks that were inherently impossible, such as the maintenance of a client state in South Vietnam, and, by diverting energy and resources from the reconstruction and strengthening of American society, the ultimate source of national security, it has led to a loss of confidence in ourselves.

The new internationalism from which a more hopeful world order can evolve must start with a much more honest notion of the role the US is playing in the world and a less grandiose picture of the role Americans can play.

The essence of the old internationalism was that the US was the global problem solver, that Americans had a mission to manage social change around the globe for the mutual benefit of ourselves and the rest of mankind. Amidst the rubble of World War II, with much of the world destroyed and America miraculously unscathed, that was an easy illusion to acquire. But the reality is that we do not know whether the American candidates to run Vietnam, Brazil, Greece, Nigeria, Congo or Chile are better or worse for the people of those countries than the alternatives we have spent so much money and destroyed so much to prevent. I personally believe that in almost every case they have been worse. But even if we could be really sure that the American model of development was the answer the costs in imposing American solutions would make the management of social change around the world impossible.

A new internationalism that could help us to evolve toward a rational global order would recognize that not only is the United States unable to play the role of problem solver but that as the world's most powerful producer and employer of armaments and the consumer of half the world's consumable resources we are a major part of the problem. The United States cannot force change around the world, except temporarily and at great cost, but it can exert enormous influence by what it does and by what it seeks.

The Number One Nation sets the tone of international relations. What we have told the world by what we do is that the massive accumulation of armaments is indispensable to greatness and that matters of face and prestige are more important than whether hundreds of thousands of people live or die. We tell the world daily by what we do that we regard international law as irrelevant whenever it appears to forbid some military operation we have decided to undertake whether it be fire storms, crop destruction, population relocation, or the bombing of dikes. We can hardly expect that other nations, less powerful and more desperate, will exercise greater restraint whenever their "vital interests" are deemed to be involved.

The first principle of a new internationalism would be a drastic cutback on the use of force in the promotion of day to day foreign policy. The most important function of disarmament and a significant reduction of the military budget would be to signal to

the world that the United States has adopted, not a new "profile," but a new policy of downgrading the use of force and coercion in the conduct of foreign relations.

If the United States is to deemphasize military force in its dealings with the outside world we will have to transcend old ways of thinking about foreign policy. To a great extent, we have conceived of international relations as a gigantic game, a deadly one to be sure, but a game nonetheless. We have assumed that if we are able to exercise control over some country in Asia, Africa, or Latin America we have "won" and the Russians have "lost." The exercise of control has often been an end in itself rather than the concrete purposes for which control is sought. The new internationalism would take seriously some of our traditional rhetoric about promoting self-determination. Instead of treating any potential independent weak country as a "power vacuum" which must be filled by US power before someone else gets there, the goal of policy should be to preserve and protect independence. We should challenge the Soviet Union and other great powers to competitive non-intervention and declare that colonialism and foreign domination of any kind are the most serious obstacles to political and economic development.

The preservation of cultural traditions and of the possibility of diverse forms of political experimentation are vital to global survival. Americans do not win if struggling nations throw over their own cultural traditions because of the pervasive influence of our own. Still less do we win if the Cubans, North Vietnamese, or the Chileans fall in the experiments they are undertaking. It is still the policy of the United States to complicate the life of countries which undertake social experiments that appear to reproach the American Way of Life. We know so little about what is necessary for economic and political survival into the twenty first century that we should encourage and nurture all efforts at decolonization and development, not seek to destroy them. There is no reason why revolutionary communist governments in Cuba, North Vietnam, or other countries constitute threats to US national security except the fact that we have engaged our prestige to prevent them from pursuing their own national policies. There is nothing to suggest that posing a military threat to such regimes has a liberalizing effect upon their policies.

A new internationalism, then, would be premised on a much more relaxed attitude about internal political and economic development around the world. It would mean ending assistance to repressive regimes in the hope that we are thereby avoiding "something worse". According to the old internationalism "stability" was probably the most important goal of American foreign policy. But in a world on the brink of mass starvation, in which old structures perpetuate misery and despair and the widening gap between rich and poor, "stability" is a death warrant in many parts of the globe. The United States can never demilitarize its foreign policy unless we are prepared to accept, even to welcome, radical change in areas of the world where there is no rational alternative.

Finally, a new internationalism would recognize an obligation on the part of the world's most powerful nation to enter into a process for the redistribution of wealth and power on a global scale. The renunciation of extreme interventionist policies would already begin such a process. But the United States must face the fact that present consumption patterns pose a basic obstacle to a just and peaceful international order. There is a conflict of interest between the people of the developed countries, especially our own, and the people of the poor countries that cannot be glossed

over. To deal with this conflict it will be necessary, I believe, to develop new attitudes toward the operations of international business and towards the control of technology.

#### NORMAN COUSINS

Norman Cousins, editor of *World Magazine*, was educated at Teacher's College, Columbia University. Before assuming the editorship of *The Saturday Review*, which he held from 1940 until 1971, he was Educational Editor of *The New York Evening Post*, 1935-1936, and Managing Editor of *Current History Magazine*, 1936-1939. He has been both President and Honorary President of the United World Federalists and has been President of the World Association of World Federalists since 1965. A recipient of the Eleanor Roosevelt Peace Award, 1963, and a speech writer for several Presidents, Cousins was also Co-Chairman of the National Committee for a Sane Nuclear Policy, 1957-1963, and Co-Chairman of the Citizens' Committee for a Nuclear Test Ban Treaty in 1963. He was instrumental in developing the "Hiroshima Maidens" program, which provided for US medical treatment of victims of the Hiroshima atomic bombing and training for Japanese plastic surgeons.

Among his many publications are: *Present Tense* (1967), *In Place of Folly*, (1961), *Dr. Schweitzer of Lambarene* (1960), *Who Speaks for Man?* (1953), *Talks with Nehru* (1951), *Modern Man is Obsolete* (1945), and *The Good Inheritance* (1941).

STATEMENT BY NORMAN COUSINS, BEFORE THE WORLD ORDER STRATEGY COMMITTEE OF MEMBERS OF CONGRESS FOR PEACE THROUGH LAW, AUGUST 1, 1972

Since the end of the Second World War, U.S. foreign policy has gone through a series of unworkable assumptions or theories in the effort to achieve security.

The first theory was that we could have security through monopoly of nuclear power. The military head of the Manhattan District Project made the flat statement that the Soviet Union, "which couldn't produce the equivalent of an Ingersoll watch, would be unable to produce a nuclear bomb within twenty years." This confident analysis was made in 1946. Within two years, the Soviet Union was preparing to detonate its first fission weapon.

The collapse of the theory of nuclear monopoly led to the theory of nuclear supremacy. This theory was badly dented when the Soviet Union was the first to develop a thermonuclear explosive to fit into its missile delivery system. Included in the Soviet nuclear arsenal today are bombs with 400 times the destructive force of the nuclear bomb that destroyed Hiroshima.

Next came the notion of "massive retaliation." We served notice that any country that intended to launch a surprise attack on the U.S. should know we had a "second-strike capability" that would enable us to devastate the country of the attacker in a matter of hours. The trouble with this theory was that what we were actually taking about was a mutual suicide pact. For a nuclear exchange would probably be a total one in its effects. Another difficulty with the "second-strike capability" argument was that the military scientists in this country and elsewhere were busy devising the means for crippling such capability by a potential enemy.

All these notions of security come under the heading of "balance of terror." Whether with respect to monopoly, supremacy, or deterrent, they all have a common origin in the theory of overwhelming military force. But the "balance of terror" theory is deeply flawed. It assumes that a potential enemy will be so impressed by the harm that may be done to him that he will exercise restraint in his own policy. The theory, however, doesn't work too well with irrational men



in power who are unmoved by the threat of man-made holocausts. Would Adolph Hitler, that last night in the Berlin bunker when the entire city was on fire, have hesitated to press a button that would have cremated the entire human race—if such a button had been available to him? The singular fact that has not yet impressed itself on the human mind is that responsibility and high office do not necessarily go together, and that it has sometimes happened that the higher the station in government, the greater the madness.

In any event, the "balance-of-terror" assumption is about to be wedded to an equally unworkable and ancient theory known as the "balance of power." Over the past few months, a series of statements from the top foreign policymakers in government indicate that we are embarked on a new "balance of power" course. What kind of "balance of power?" It is possible that the new design envisions a new relationship between the United States and China. The fascination such a combination holds for its architects in the U.S. is that it could bring together the most populous nation in the world with the most powerful. This new configuration would have the effect, its proponents believe, of containing the Soviet Union on virtually every level. A supposed side benefit is that it might help provide leverage against the explosive economic expansion of Japan.

Seeking security through a balance of power, however, is like seeking security through an arms race. Nothing remains static. The nation or nations against which a balance of power is sought try to shift the balance in their own favor. Already, there are dynamic signs that the Soviet Union is trying to offset a Sino-American relationship by forging new ties to the members of the European community. The NATO concept, the main purpose of which was to contain the Soviet Union, never became a fully functioning reality. Its most serious weakness was that the nations involved came to feel they were more the adjuncts of U.S. foreign policy than full partners in an enterprise designed to meet their intrinsic needs. The current formation of a European Community enjoys a natural historical flavor and offers the realistic prospects of economic and even political benefit. Such a development, in the minds of most of its members, is far more appealing and sensible as a design for living than NATO—even though the U.S. has gone to great pains to emphasize there is no conflict or inconsistency between the two.

Be that as it may, the present trend in Europe is away from and not towards the United States—a fact that the Soviet Union is not ignoring, especially in view of the new rapport between the U.S. and China. This does not mean that the Soviet Union in very short order will seek to become a full-fledged member of the European community. But it is by no means far-fetched to suggest that new patterns of economic exchange and cooperation may be pursued between Western and Eastern Europe. Despite the ready use of the term "East" in the United States to describe the U.S.S.R., the Russians have always regarded themselves historically as Europeans—a proposition which finds no disagreement from the Chinese. Looking back on the predatory assault of their country by outsiders, the present Chinese leaders make no distinction between Russia, England, France, or any other Western nation.

The central question, of course, is whether a new balance of power is likely to work. Balance-of-power advocates draw a large degree of encouragement from their interpretation of the history of the Congress of Vienna which, in their view, provided several decades of stability. The trouble with this view is that it neglects a large amount of history leading up to it and an equally large amount of history leading away from it. The

Congress of Vienna set a historical stage for the massive eruption that came much later and that was known as the First World War. In the long-term perspective of history, the balance-of-power approach to world politics has been pockmarked by innumerable wars. The documentation is to be found in sources as diverse as Thucydides, Gibbon, and Machiavelli.

The greatest single difficulty with the Congress of Vienna argument, however, has to do with scale. The arena today is not Europe but the entire world. Not sixty million people but three billion people are involved. The weapons at the disposal of international lawbreakers are not manually operated cannons but explosives that can shatter entire cities and produce gross alterations in the conditions that make life possible.

What distinguishes the world situation today from Europe at the time of the Congress of Vienna is that war at one time could be regarded as an acceptable instrument of foreign policy; victory conferred benefits that could be obtained in no other way. But "victory" as a concept had an entirely different meaning at that time from what would happen in a nuclear war. Can a nation consider itself victorious if two-thirds of the enemy's population has been killed compared to one-third of its own, or if four-fifths of an enemy's cities and industrial capacity have been devastated compared to two-fifths of its own? What meaning is to be attached to "victory" if a blanket of radioactivity covers the world, enfeebling life, poisoning land and water, and condemning future generations to a fragmented and twisted existence?

The notion of security through balance-of-power—like war itself—is outworn, unworkable, chaotic, and infinitely combustible. If our foreign policy is to work, it must deal with new realities.

The first reality is that security can be achieved not through the pursuit of force or the use of force but the control of force.

The second reality is that the conduct of nations outside their own boundaries must be regulated in the common interest.

The third reality is that such regulation calls for the creation of a world organization capable of defining and enforcing acceptable standards of international behavior.

The fourth reality is that a world organization now exists. That organization is called the United Nations.

The fifth reality is that the United Nations has been an adjunct to the foreign policies of the member nations, rather than an organization capable of transcending the policies of those members. It is not yet an instrument for dealing with points of conflict involving the foreign policies of major nations.

The sixth reality is that the most important business on earth today is the development and conversion of the United Nations into a world organization that can represent the world's peoples in all the ways that are essential to a planet that is both a single life-support system and a single geographic unit. Whether with respect to world breakdown because of war, environmental poisoning, exhaustion of resources, or overcrowding, the overriding need today is for a workable and responsible world approach to world problems.

The seventh reality, finally, is that security for the American people is not separable from security for the Russian people or the Chinese people or the Nigerian people or any other. Any plan for peace for the American people begins with a fatal flaw if it is not broad enough, quite literally, to embrace the world.

The politician or statesman who understands that all peoples now share the same history is in the best position to serve his own people. Only those statesmen who can see the whole are qualified to deal with the parts.

#### ROBERT W. TUCKER

Robert W. Tucker is a Professor of Political Science at the School of Advanced International Studies and a Research Associate with the Washington Center of Foreign Policy Research in Washington, D.C. In addition, he is a Professor of Political Science and Director of the Committee on International Studies at the Johns Hopkins University in Baltimore, Maryland. A graduate of the United States Naval Academy, Dr. Tucker received his M.A. and Ph.D. from the University of California in 1946-49. Prior to coming to Johns Hopkins in 1954, Dr. Tucker taught at Washington State College, Stanford University and San Francisco State College. He also served for a number of years as a member of the staff of the Naval War College.

Among his publications are: *A New Isolationism: Threat or Promise?* (1972), *The Radical Left and American Foreign Policy* (1971), *America and the World* (1970), *Nation or Empire? The debate over American foreign policy* (1968), *Force, Order and Justice* (with Robert E. Osgood) (1967), *Just War and Vatican II: a critique* (1966), *The Just War; a study in contemporary American doctrine* (1960), and *The Law of War and Neutrality of the Sea* (1957).

STATEMENT OF PROF. ROBERT W. TUCKER, THE JOHNS HOPKINS UNIVERSITY BEFORE THE WORLD ORDER STRATEGY COMMITTEE OF MEMBERS OF CONGRESS FOR PEACE THROUGH LAW, AUGUST 2, 1972

I appreciate the opportunity to appear before the World Order Strategy Committee of Members of Congress for Peace through Law. The Committee is to be commended for undertaking this fundamental reassessment of United States foreign policy. For too long inquires into the guiding assumptions of American foreign policy have been neglected largely because of the prevailing conviction that the validity of these assumptions was self-evident. As such, they did not require serious examination and debate. Differences might arise from time to time over the wisdom of a particular application of these assumptions but not over the assumptions themselves.

It is significant that even the events of very recent years—above all, the Vietnam war—have not led to widespread and critical questioning of the guiding assumptions of American foreign policy. For the most part, the disaffection and opposition the war gave rise to did not go to the nerve roots of our policy. The debate the war provoked seldom led critics to ask the fundamental questions this Committee has set out. In particular, the debate over Vietnam only seldom raised the basic question that I should like to concentrate upon in these brief remarks: What is United States national security?

However difficult it may be to give a satisfactory answer to this question, the importance of the question itself scarcely need be labored. In the post World War II period the principal justification of American foreign policy has rested on the assumption that America's role and interests in the world by and large reflected the necessities of national security. To be sure, these necessities might on occasion be misinterpreted. They might on occasion be distorted through exaggeration, as critics found them to be in Vietnam. Nevertheless, the assumption that our role and interests have on the whole been required by the demands of national security remains largely unchallenged to this day.

This is not to say that the essential rationale of American foreign policy has been explicitly cast solely in terms of our vital self-interests as a nation. On the contrary, the distinguishing mark of this rationale has been its fusion of the self-interested and the altruistic, of realism and idealism. Thus in what is now the historic expression

of the policy of containment, the Truman Doctrine, President Truman declared that a willingness "to help free people to maintain their free institutions and their national integrity against aggressive movements that seek to impose upon them totalitarian regimes . . . is no more than a frank recognition that totalitarian regimes imposed on free peoples, by direct or indirect aggression, undermine the foundations of international peace and hence the security of the United States." The assistance to Greece and Turkey, which formed the immediate purpose of President Truman's address, was to be understood in these terms as was the effort to reconstruct and defend Western Europe. The American intervention in the Korean conflict followed along similar lines, as did the subsequent expansion of American commitments in Asia. So, too, the intervention in Vietnam has been justified by successive administrations both in terms of America's security interests and in terms of the freedom and self-determination of the South Vietnamese people.

Despite the apparent consistency of the rationale given for American foreign policy, it is clear that the altruistic side of that rationale has in recent years markedly declined in significance. There is no need to review once again the developments that have led to this decline. Suffice it is to say here that well before the Vietnam intervention the attempt to represent American policy as vindicating the principles of freedom and self-determination had worn rather thin. A claim that initially had been persuasive when applied to Western Europe subsequently was only seldom persuasive—or even plausible—when applied elsewhere. If American policy cannot fairly be charged with the deliberate subversion of these principles, it just as clearly cannot be credited with promoting them at the expense of other interests. To the question the Committee poses—Does United States foreign policy contribute to the ability of peoples to select governments of their own choosing?—the answer must probably be on balance no. The reason for this is not a devotion to traditional, and frequently repressive, regimes for their own sake but rather a devotion to stability—which is all too often a euphemism for the status quo—and a conviction that such regimes are least likely to challenge American interests, whether strategic or economic. In a word, despite our persistent profession of commitment to freedom and self-determination, we have behaved very much as other great yet conservative powers have behaved throughout history.

The point has been frequently made that the expansiveness of America's postwar conception of its security is not so much the result of equating security with traditional notions of the balance-of-power as it is of equating security with an international environment receptive to the nation's institutions and interests. On this view, the roots of the aberration that ultimately led to a Vietnam were implicit in the Truman Doctrine with its insistence that security is a function not only of a balance-of-power between states but of the internal order maintained by states, and not only by some states but by all states. The Truman Doctrine, with its presupposition of a world in which America would be the preponderant power able to impose, if necessary, its vision of order and stability on those who might seek to challenge that vision, thereby equated America's security with interests that clearly went well beyond conventional security requirements.

Although there is much to be said for this view, it is a mistake to conclude that once the vision of the Truman Doctrine is abandoned we will thereby cease to identify our global role and interests with our security. If the present Administration has not abandoned the outlook expressed in the Truman Doc-

trine, it has certainly modified this outlook very substantially. The marked de-emphasis on the ideological commitment of past years has, if anything, gone beyond the demands of most conventional critics. Yet it cannot be said that this change has resulted either in a substantially modified view of our role and interests in the world or in our propensity to equate our role and interests with our security. Thus a successful outcome of the conflict in Vietnam continues to be seen as indispensable to American security. More broadly, the maintenance of the postwar structure of American commitments is still equated with the maintenance of the nation's security.

Is the latter equation persuasive or even plausible? It would not seem so. Certainly, it would not seem so if by security we mean primarily physical security—security against direct attack. Whereas only a generation ago it was reasonable to see America's security, including her physical security, largely in terms of conventional balance-of-power calculations, today that view is no longer reasonable. Whereas a generation ago it was plausible to find in alliances an indispensable hedge against an uncertain future, today the indispensability of alliances is no longer plausible. The principal reason for this change, this radical change, in the conditions of American security is clear enough. For the state that can now destroy any other state or combination of states, nuclear weapons have conferred what has heretofore proven unachievable—a surfeit of deterrent power.

It is indeed the case that in the extreme situation the great nuclear power is absolutely vulnerable with respect to its great adversary. But this ultimate vulnerability cannot be significantly reduced—let alone removed—by any alliance the great nuclear power may form—or retain. In other than the extreme situation, nuclear weapons confer a degree of security on their principal possessors that great powers seldom, if ever, enjoyed in the past. Provided that America maintains the strategic forces necessary to deter attack, alliances cannot enhance a physical security that is no longer dependent on what transpires outside the North American continent. Thus a Soviet Union in control of Western Europe would still not be a Soviet Union posing a markedly greater threat to America's physical security than the Soviet Union of today. However undesirable the other consequences of so extreme, and improbable, a situation, its consequences for security would not be comparable today with what they would have been a generation ago when security was calculated primarily in terms of geographic position, manpower, industrial concentration, etc.—that is, in terms of conventional balance-of-power calculations.

If retention of the postwar system of commitments is to be justified in terms of a narrow concept of security, the grounds for doing so must be other than conventional balance-of-power calculations. Can these grounds be found in the nuclear proliferation that would presumably attend a substantial contraction of American commitments? There is no gain-saying the argument that, all other things being equal, the greater the number of states possessing nuclear weapons the greater the chances of a nuclear conflict. States that do not have nuclear weapons cannot be tempted to use them. The relevant question here, however, is not whether nuclear proliferation increases the chances of nuclear conflict, but whether this increase is such as to have any practical significance for America's security.

The answer to this question depends upon the assumptions that are made about the character of American security interests and, more generally, the nature of a nuclear peace. If it is assumed that America retains unchanged her present interests, then proliferation is indeed likely to increase the danger of America becoming involved in nuclear

conflict. But this assumption establishes a vital American security interest in non-proliferation only by begging the question of how our vital security interests should be defined. If the assumption that America retains her present interests is not made, the threat to American security arising from the further spread of nuclear weapons must depend very largely upon the argument that nuclear peace is indivisible.

The argument for an indivisible nuclear peace obviously cannot be based upon historical evidence. A nuclear peace may prove at least as divisible as any other peace men have known. Given the expected consequences of employing nuclear weapons, it may in fact prove even more divisible. Nor is it only the hazards of entering a nuclear war that may henceforth be expected to militate in favor of a divisible peace. Yesterday, peace was indivisible to the degree that an imbalance of military power was the possible (even the probable) price of choosing isolation from a conflict involving the other major states. Today, peace is divisible to the degree that a balance of deterrent power would be at worst unaffected, and at best improved, by choosing isolation from a nuclear conflict involving other nuclear powers.

In a system governed by a conventional balance of power, the fear of being isolated was, with rare exception, synonymous with the fear of vulnerability to attack by superior forces. Thus, the conclusion was drawn, and hardened into dogma, that peace is indivisible, that the principal military powers must be all at peace or all at war. In a system governed by a balance of deterrent nuclear power, however, the fears of isolation and vulnerability to attack are no longer synonymous. To this extent, we must reverse what has come to be one of the received truths of the age, namely, that nuclear weapons have created a "community of fate." Instead, the effects of these weapons have been to make peace more divisible than it has been in a very long time.

If America's physical security no longer depends upon retaining the postwar structure of commitments, is this structure nevertheless required for our material well-being? With respect to the economic dimensions of security, the orthodox view—and, indeed, the radical view as well—is that our economic involvement abroad has become critical to our national well-being and that for this reason alone we must retain substantially intact the postwar structure of commitments. Yet the evidence does not bear out the argument of America's dependence on her foreign economic interests in the sense that without these interests the American economy could not function as presently constituted. And even if this presumed dependence were accepted as a fact, it does not follow that the abandonment of our postwar role would thereby result in the sacrifice it is assumed that the preservation of these interests is in turn dependent upon preserving the present structure of America's political-military commitments in the world. In the undeveloped states, what threat there is at present to America's economic interests is not likely to be turned away by persisting in a policy of alliance and intervention. If anything, our recent experience in the Third World points to the conclusion that the future costs of pursuing an interventionist policy will outweigh by far any reasonable expectation of material benefit.

At any rate, it is not in the undeveloped and unstable areas that this nation's economic interests are increasingly concentrated but in the developed and capitalist countries. Clearly, these interests would be placed in jeopardy if one were to assume the control of Western Europe and Japan by hostile powers. This altogether improbable contingency apart, there are no persuasive grounds for believing that our economic interests in the



developed states rest on our present political-military role. These interests primarily reflect reciprocal economic advantage rather than these advantages are no longer apparent, there is little evidence to support the view that our alliances will continue to provide an indispensable incentive to compromise on issues of trade, investment and monetary reform. Indeed, what evidence there is points to the rather peripheral significance of our alliances as a means of obtaining economic leverage.

Although neither our physical integrity nor our material well-being preclude a substantial modification of, even a radical change in, the global role we continue to play, it may nevertheless be argued that the maintenance of this role is required for the vitality and integrity of our institutions. Security cannot only be seen in its physical and material dimensions; it must also be considered in a more subtle and intangible, though no less important, dimension. Thus, America's global role and the system of American commitments have been, and continue to be, justified on the grounds that they are necessary to prevent the prospect of a world in which America's political, economic, and cultural frontiers, of a world in which societies that share our culture, institutions and values might very possibly disappear. In such a world, it is argued, America would find it difficult, if not impossible, to realize her promise as a nation.

It may be readily conceded that a world from which America was shut out would inevitably affect the vitality of our institutions and the quality of our domestic life. The question that must be raised, however, is whether this prospect is indeed likely, or even plausible, if the nation were no longer to play the role it has played for the past quarter of a century. To those who take the position that it is only the American presence and American power which hold back the forces of darkness, the answer is self-evident. Yet those who take this position must in effect deny, even while they may formally acknowledge, the vast changes in the world that have occurred since the last great war, changes that have not only transformed the bases of America's physical security but of our security in the greater-than-physical sense as well.

In large part, the changes in America's greater-than-physical security are the consequence of constraints that have emerged to limit the use of force, particularly by the great powers. In their mutual relations, it has long been apparent that the great nuclear powers are inhibited by the common realization of the dangers inherent in direct confrontation. In their relations with the weak, the strong are also increasingly inhibited, however, by the ever rising costs of employing force. As against a population determined to resist, the costs of military conquest and pacification have become exorbitant. They have become exorbitant not only because of the politicization of peoples but because of the growing conviction that force is no longer a legitimate instrument of national policy save when employed in self-defense or in pursuit of liberation from an alien and oppressive rule.

These constraints clearly do not justify the conclusion that force is no longer a usable instrument of national policy. They do support the view that the utility of force has sharply declined and that it has done so in a very brief period. Moreover, that decline has occurred concomitantly with, and partly facilitated, the emergence of a world that shows every sign of becoming more pluralistic. In consequence, the fear that could once be seriously entertained—the fear that a hostile power or combination of powers might succeed in uniting a world from which America would be effectively shut out—can no longer be seriously entertained.

If these considerations have merit, the time has surely come when the inflated view we have long taken of our security requirements must be seriously challenged. It is not American security—whether in its physical or greater-than-physical sense—that a drastically reduced American role in the world would jeopardize but American influence. The price of substantial change in American foreign policy—and this must above all mean change in the structure of American commitments—is to be found in the prospect of a world in which American influence, though still considerable, would markedly decline.

It is this prospect of a reduced American role that successive administrations have insistently identified as a threat to the nation's security, just as it is the same prospect that has prompted the pursuit of an interventionist policy. The determination not to lose America's preponderant position in the world continues almost undiminished today, despite the novel methods employed of late to preserve this preponderance. Novel methods aside, however, it is the reluctance to accept a more modest role that largely accounts for opposition to substantial change in alliance relationships. It is the same reluctance that largely accounts for the devotion to "partnerships" without equality, "regionalism" without dominant regional powers, and change without instability.

Would the realization that the nation had settled for a far more modest role in the world prove internally debilitating? In the wake of a war that has had corrosive domestic effects, the question may appear to many as absurd. It is by no means so. There is nothing self-evident about the conviction, so central to isolationist thought in the past, that places an almost consistently negative assessment on the domestic effects of foreign policy. But if the relationship between foreign and domestic policy is not always negative, the experience of recent years affords a striking illustration of the circumstances in which it will be so. Although the domestic effects of the Vietnam war are often exaggerated out of all proportion, the undisputed point remains that Vietnam has had debilitating effects at home. Even if it is assumed that the future costs of maintaining America's present role and interests in the world will not prove as exorbitant as the war in Vietnam, these costs will still prove considerable. For the world is more recalcitrant today than ever. It is also more unmanageable than ever before because the restraints on the use of power by the would-be guardians of order are greater than they have ever been.

#### C. MAXWELL STANLEY

C. Maxwell Stanley was born in Corning, Iowa in 1904. He received both his B.S. and M.S. from the University of Iowa. He received the Alfred Nobel prize in 1933. He was President of the United World Federalists between 1954 and 1956, and again between 1964 and 1966. He has been a member of its council since 1947. He is also a member of the World Association of World Federalists and was chairman of its council from 1958 to 1965. He is currently on the National Board of Directors of the United Nations Association of the U.S.A.

Mr. Stanley is Chairman of the Board of Stanley Consultants Inc., and of HON Industries, Inc. He is President of The Stanley Foundation and has chaired over 30 gatherings, including twelve Strategy for Peace Conferences and seven Conferences on the United Nations of the Next Decade, in this capacity.

He has just returned from a June trip to the Soviet Union, where he and his wife Betty spent three weeks at the invitation of the USSR Academy of Sciences. He delivered several addresses and spoke with leaders of several Soviet institutes.

He is the author of *Waging Peace: A Businessman Looks at United States Foreign Policy*, *The Consulting Engineer*, and numerous articles in professional journals.

STATEMENT OF C. MAXWELL STANLEY BEFORE THE WORLD ORDER STRATEGY COMMITTEE OF MEMBERS OF CONGRESS FOR PEACE THROUGH LAW, AUGUST 9, 1972

My name is C. Maxwell Stanley. I am a professional engineer and Chairman of the Board of Stanley Consultants, Inc., international consultants in engineering, architecture, planning, and management. I am also Chairman of the Board of HON Industries Inc., a leading manufacturer of metal office furniture and material handling equipment. For over a quarter of a century, I have been deeply concerned with the foreign policy of this country, particularly as it relates to world peace and security. I have been active in several private organizations, seeking to influence a more enlightened foreign policy for the United States. I have traveled widely and have participated in numerous international conferences concerned with world organization. In addition, I am President of The Stanley Foundation, which for many years has encouraged study and education aimed at strengthening international organization. In this capacity I have chaired over thirty gatherings, including twelve Strategy for Peace Conferences concerned with US foreign policy and seven Conferences on the United Nations of the Next Decade. I have written and spoken extensively on these matters and am author of the book "Waging Peace," captioned "a businessman looks at United States foreign policy."

In responding to your invitation to testify before this committee, I speak as an individual, seriously concerned about the inadequacies of the foreign policy of my country.

Mr. Chairman, the first question listed in your communication inviting me to testify was, "What kind of international political order do you want your grandchildren to inherit?" May their legacy be a world where "nations shall learn war no more" and where they may live in human dignity with the peoples of the world of every race, creed, and color. This legacy demands an international political order that assures secure peace with freedom, justice, and hope—not only for my grandchildren, but for all grandchildren.

I urge the United States to act with boldness and urgency to achieve such an international political order, responsive to our great heritage of "life, liberty, and pursuit of happiness." To do so we need a viable and consistent national strategy to gain the desired international political order, plus the will and determination to implement the strategy. Unfortunately, neither the will nor the strategy exists in the United States today. Despite recent important steps taken to lessen international tensions, we have no long-range strategy. Our leaders' rhetoric about peace and freedom is too seldom translated into action proposals for United States foreign policy. This situation is neither partisan nor unique to the present or past administrations.

#### The changing climate

Although an adequate strategy must start with today's realities, it must also be compatible with the probable world climate in the decades ahead. Neither the frustrations of the post-World War II era nor nostalgic recollections of former generations provide suitable guides for the years ahead. The accelerating pace of science and technology, together with the collapse of colonialism, have brought about startling changes in the nature of the world community. The influence of these two major factors has been intensified by the political and economic decisions of many nation states. Hence, we dare not rely on our postures and policies of the past; we must reach to the future.

In my judgment the following trends must

inevitably shape world affairs in the decades ahead. These are current trends already noted and examined by scholars and observers of the international political scene.

*The number of actors on the world stage has increased dramatically.* With the collapse of colonialism, the number of sovereign nations has increased from 67 at the end of World War II to more than 140, with others on the horizon. Though considered sovereign and equal, they vary greatly in population, economic and social development, and political power and sophistication. Their interests and concerns are equally disparate.

*The impact of nuclear deterrence is eroding.* Though second strike nuclear capability may restrain any temptation of a superpower to launch a nuclear strike, it exerts minimal restraint upon the use of force by non-nuclear weapon states. They, too, recognize that the superpowers dare not use these weapons against each other nor any other nation lest the conflict escalate to a nuclear holocaust. Nuclear deterrence will become obsolete as a mechanism to preserve world order.

*Global threats to the quality of life, and perhaps life itself, are enlarging.* Burgeoning populations drain the earth's resources and contribute to the deterioration of the global environment. Rampant pollution of sea and air knows no national boundary. The finiteness of the earth's resources places limits on its life-support capability. Such threats can only be dealt with on a global basis.

*The gap between the affluent and the poor nations is expanding.* Despite two generations of emphasis on economic and social development, most developing nations are falling further behind. This fact is documented in a recent analysis released by the United Nations.<sup>1</sup> Though living standards continue to rise in the developed countries, most developing nations are hard pressed to maintain standards with their rapid population growth. The so-called North-South confrontation may soon displace the East-West confrontation which has paralyzed international cooperation the last 25 years.

*The economic interdependence of nations is growing.* Both developed and developing nations are increasingly dependent upon vast networks of commerce, trade, and communication. Their economies are affected by the erratic action of an inadequate monetary system. Long before the world's population reaches the 7.0 billion predicted for the year 2000, shortages and imbalances of the world's resources will become evident. The world increasingly constitutes a single ecosystem, as well as a single biosystem.

*Bipolarity is waning.* Though it will prevail for some time, the winds of change are blowing. New centers of power are emerging: the People's Republic of China, Japan, and the European Economic Community. Various middle powers are exerting greater influence on specific issues. The developing nations exert political, and sometimes moral, power when they concur and work together on specific issues. As bipolarity wanes, the United States and the Soviet Union will be less dominant in world affairs.

#### Security

*But what will constitute security for the United States or for any other nation in the decades ahead?* Security is without question the fundamental purpose of a foreign policy. The concept of national security has historically been closely linked to military power. Nations have sensed security when their land, sea, and air forces were of sufficient strength to deter or repel attack from their presumed enemies. Alliances and balances of

power have been arranged and advantage has been taken of geographical position. In weighing security, nations have also judged both the sincerity and the military power of allies.

*National security in the last analysis is a judgment, a state of mind, however it is evaluated.* Major elements in such a judgment include assessment of threat of invasion or military challenge, as well as the degree of confidence a nation has in the world community. Powerful nations have, on occasion, widened the objectives of national security to include the ability to roam the seas and the skies unhampered, and the freedom to intervene in the affairs of lesser nations in pursuit of their own national interests. Hence, a close relationship often develops between national security and unrestrained exercise of national sovereignty, at least by powerful nations.

*Historical concepts of national security will be outmoded due to the impact of science and technology in the changing climate of the decades ahead.* The power and instant deliverability of nuclear weapons are rapidly undermining the foundation upon which national security has previously rested: the threat and use of national military power. Those possessing nuclear weapons recognize they cannot be used—that nuclear war must be avoided. Because these weapons provide license of total destruction, all-out war as a practical instrument of national policy is outdated. *Increments of usable political power, as well as national security itself, are not necessarily measured by the possession or expansion of nuclear power.* Incremental additions to nuclear strength are not meaningful additions to national security when nuclear arsenals are already stocked with excessive overkill.<sup>2</sup>

Concurrent with the demise of nuclear deterrence as an adequate cornerstone for national security, resort to balance of power politics is likewise increasingly less effective. *Balance of power manipulations with nuclear weaponry are uncertain, dangerous, and destabilizing.* They tend to undermine adherence to the Nonproliferation Treaty, accelerate the race for more sophisticated weapons, and foster a continuing climate of suspicion and fear.

*Security in the decades ahead requires a new approach compatible with changing conditions.* Security cannot be assured solely through national military power; no nation can be secure unless all are secure.

*The historic dependence upon military power for national security is inadequate for still another reason. It has no capacity to cope with non-military threats.* burgeoning population, rampant pollution, and diminishing resources. National security can be undermined by deterioration of the global environment or by imbalances between population, resources, and desired quality of life. Hence, concerted worldwide action against these common enemies of all peoples is important to our national security. It is irrational to presume we can advance toward secure international political order without dealing effectively with these problems.

*Acceleration of economic and social development of the developing nations is also related to the security of the United States.* Failure to achieve visible and viable progress often causes unrest and conflict within these nations. Such occurrences often invite intervention from without and lead to indirect major power confrontations, or worse. The resulting instability and chaos in an increasingly interdependent world is hardly conducive to security.

Moreover, the cooperation and support of these less fortunate nations are essential to

the achievement of desired objectives of the developed nations: peace and security and effective global responses to environmental threats. The developing nations are far more concerned with their more immediate problems of economic and social development. *As developed nations assist them in the achievement of their goals, they are more likely to cooperate in the establishment of an alternate security system and a viable plan to attack nonmilitary global threats.*

One other aspect of national security should be mentioned: the domestic climate within our country. Until we put our house in order, our credibility abroad will suffer. Other nations cannot understand our failure to cope with several of our trying problems. *Though we are envied abroad for our great affluence, we are pitied for our inability to use our human and natural resources to eliminate poverty, to cope with our deteriorating urban centers and congested transportation systems, to judiciously restore law and order, and to redirect domestic resources from massive military investments to the provision of equal opportunities in housing, education, employment, health, and civil liberties for all Americans.* Were we to more adequately deal with these matters, we would not only restore much of the good will we once enjoyed but also expand our own self-confidence—both important elements to national security.

#### Criteria for tomorrow's world order

The international political order of tomorrow, to be acceptable to nation states, must effectively deal with the needs and aspirations of the peoples of the world. A tolerable world order should:

1. Provide security to all nation states against aggression and the threat of military force.
2. Permit self-determination by each nation state in its ideological, cultural, governmental, and economic affairs; i.e., freedom for diversity.
3. Provide the means for the peaceful and just resolution of controversies between nation states and between the nationals of various states.
4. Deal effectively with the mounting global threats to the quality of life, and perhaps life itself.
5. Enhance and, as necessary, regulate trade, commerce, communication, and interchange among nation states.
6. Promote a reasonable pace of economic and social development.
7. Advance respect for human rights and dignity with greater justice.

*An international political order fulfilling these criteria will be quite different from the present system in which nation states exercise unlimited sovereignty and unilateral decision-making.* Vast and effective international cooperation must be marshaled and focused upon the urgent, long-term, expanding needs of the world community.

*Pragmatically, global problems must be managed as they arise.* Prompt decision and positive action in the interest of many must not be stalemated by the opposition of few. *The needs of the world community must be several, even though at times they conflict with the perceived short-term interests of some nations.* The world community must act in its common, enlightened self-interest to assure peace and security, even as it eliminates the use of war. It must effectively cope with the threats that jeopardize quality of life upon this earth.

*Effective institutions on the world level are an essential prerequisite to the vast international cooperation required to meet the above criteria.* Such institutions need sufficient autonomy or sovereignty to permit prompt decision and effective action within broad guidelines and policies established by the world community. To maintain peace and security, some degree of police authority seems

<sup>1</sup> Statistical Yearbook for 1971, United Nations Publishing Service, New York, New York.

<sup>2</sup> For comments supporting this position, refer to the text of the congressional briefing by Dr. Henry A. Kissinger, Assistant to the President, June 15, 1972.



desirable. To peacefully resolve controversy, juridical mechanisms must function. To be relatively independent, a reliable source of revenue is called for. Greater effectiveness is demanded of world organization than that now provided by the United Nations. Handicapped by lack of autonomy, by one nation-one vote representation, and by the veto, the United Nations has great difficulty in reaching decisions promptly and acting effectively in the interests of the world community.

*The challenge before nation states is to modify the United Nations and/or create other organization.* Required authority must be delegated and controlled without undue encroachment upon national sovereignty. Unfortunately, this challenge must be answered soon for time is of the essence. We dare not await the development of broader world community sufficient to support some form of federal world government with limited powers, although this may likely be the ultimate solution.

*More effective world organization must be established soon through treaties or through the legislative processes now available in the United Nations.* In this manner new units may be established to deal with specific functions—i.e., an ocean regime—or better UN procedures and mechanisms may be developed. In either case, workable decision-making processes must result and sufficient authority must be delegated.

*The creation of the required institutions will be a herculean task,* raising questions concerning autonomy, sovereignty, authority, and representation. Every reasonable effort should be exerted to achieve the required institutions through revision and modification of the United Nations. *Nothing less than effective institutions can provide the mechanisms and procedures needed to assure international peace and security and deal with other global problems.*

#### Strategy

Any effective strategy for US foreign policy will, of necessity, be dual in nature. It must incorporate a strong thrust toward desired new patterns of international political order. But as achievement of these new patterns requires time, a suitable strategy should also deal with current issues and crises within the confused parameters of the nation-state system.

#### Basic Policy

Agreed fundamental objectives are mandatory to give direction to strategy. Several of these might be:

*Establish as US policy* the early achievement of an acceptable alternate security system capable of assuring secure peace with freedom, justice, and progress, preferably, but not necessarily, through the strengthening and improvement of the United Nations.

*Expand and continue research,* both private and governmental, on all aspects of the creation and operation of such an alternate security system. This will develop details of the desired international political order, support proposals an negotiations, and react to emerging attitudes and postures. Why not a minimal appropriation of perhaps ten percent of the current cost of military research and development?

*Advocate and support* the achievement of an alternate security system through available diplomatic and public channels and seek new ones. No other activity warrants higher priority. Why not designate an Under Secretary of State, adequately staffed, to assume full-time responsibility for this activity?

*Develop bipartisan support,* strong and continuing, for the creation of an international political order capable of assuring our national security. The President and his administration, the Congress, and the public must all lend support. Isn't bipartisan support for new patterns toward peace and security as important as that now enjoyed by the military establishment's efforts to maintain peace through force?

#### Action

The ten following action proposals would contribute to an international climate more favorable to world organization and deal with specific problems pressing for resolution. These actions would improve the credibility of the United Nations and raise the probability of revising it into the more effective and viable organization the world is waiting for. These recommended actions should be undertaken cooperatively with other nations supporting such concepts.

1. *Normalize diplomatic and trade relations with all nations regardless of their ideology.* Expanded contact and trade could provide considerable economic benefits and contribute to a more stable international order.

2. *Check and reverse the arms race.* The accords of the recent Moscow summit encourage SALT II. This opportunity and others should be pursued diligently to advance not only arms limitation but arms reduction and first steps toward disarmament. More nuclear and near-nuclear weapon nations should be involved in negotiations. I have long believed the United States could provide potent leadership through the judicious use of independent initiatives such as limited reduction of arms and/or military budgets. Such arms limitation and reduction is vital to achievement of better world order.

3. *Use and support the United Nations to the fullest extent practicable.* Although the United Nations has substantial weaknesses, it is what nations made it and is the only world organization in existence. The United Nations can be strengthened and made more effective within its present Charter. We do the world and ourselves a disservice when we bypass, neglect, or downgrade this organization.

4. *Work for the creation of a viable ocean regime.* The world has a fleeting opportunity to avoid a race to "colonize the seabeds" by acting promptly to establish a global ocean regime, preferably associated with the United Nations. Preserving freedom of the seas and conserving its resources—the common heritage of man—requires acceptable global management. An effective regime would be a positive contribution to world order.

5. *Continue support for an effective United Nations role in pollution matters.* Initial steps taken at the recent Stockholm Conference on the Human Environment need to be augmented and expanded along the lines proposed by our State Department.

6. *Enlarge the peacekeeping capability of the United Nations.* Great strides can be taken to make UN peacekeeping, peacemaking, and conflict resolution more effective. A UN peace force would be found indispensable if agreement were reached on guidelines for its deployment and management.

7. *Resolve the financial issues of the United Nations.* The organization is sadly hampered by its current uncertain and inadequate sources of revenue. The total UN budget for 1970 was but \$1.1 billion, minuscule compared to the \$204 billion the world spends on its armed forces. Independent sources of revenue should be explored: the financial issue is critical.

8. *Support the International Court of Justice.* As a strong advocate of a rule of law on the world level, the United States should be in the forefront of those using and advocating greater use of the World Court. Repeal of the Connally Reservation would be a good start.

9. *Reconstruct our approach to economic assistance for the developing nations.* We need a sensible and adequate program, giving special attention to the transfer and availability of science and technology and to the multilateral approaches through United Nations specialized agencies and cooperatively with other nation states. Economic aid should be completely separated from military aid.

10. *Expand support for stabilization of global population.* Quality of life for the

world's citizens will be jeopardized if populations continue to grow at alarming rates. United Nations and multilateral programs, including vast research programs, warrant enlarged support to curb population growth rates.

#### Dedication

The creation of an effective international political order will be a difficult and trying task, requiring a change in deeply entrenched patterns of national action at home and abroad. Extreme nationalism must be subdued and the sensible use and limited delegation of sovereignty exercised. Moreover, the establishment of this new order will be time-consuming—no instant creation has surfaced. Massive acts of persuasion, together with broad educational programs, will be essential, again both at home and abroad.

It is my judgment, however, that there is more support for such action than we realize. The inadequacies of the present system of international politics are increasingly recognized, as is the seriousness of the hazards confronting the world.

My numerous contacts with world diplomats, statesmen, and scholars convince me that numerous middle and lesser powers would enthusiastically join in positive action toward an effective international political order were they convinced of great power support. President Nixon's visits to the People's Republic of China and to the Union of Soviet Socialist Republics indicate some willingness to break out of shackles that have deadlocked world affairs for the last two decades. On a June visit to the Soviet Union as a guest of the USSR Academy of Sciences, I sensed the doors had been opened slightly, inviting greater cooperation. A careful and patient nurturing of these beginnings offers hope that we dare not overlook. One could be cautiously optimistic, if the nations of the world, and particularly the great powers, were to recognize that their common interest in a safe and sane world could be achieved through a more effective international political order.

*But if the United States is to take advantage of these tenuous opportunities, we must successfully challenge several preconceived concepts and postures.* Until this is done, the will and dedication essential to provide leadership toward a better world political order will not be developed. Until our President and his administration publicly challenge archaic concepts of world politics and our Congress rises above deep-seated prejudices and fears to investigate and legislate toward these ends, the United States will be less than a positive force for a new and adequate international political order. Such leadership would force debate on the issues, leading to a positive strategy. Though efforts to develop a new international political order must be supported by the public, *initiative and dedication to do so must originate with the elected leadership of this country.*

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. VANDER JAGT (at the request of Mr. GERALD R. FORD), from September 6 through September 18, on account of appointment as the personal representative of the President to attend the official opening of the Yugoslavia World Trade Fair.

Mr. CARNEY (at the request of Mr. O'NEILL), for September 5 through September 15, on account of official business (investigation of the Committee on Interstate and Foreign Commerce).

Mr. CORMAN, for Wednesday, September 7, 1972, on account of official business.

Mr. YATES, for tomorrow, September 7, to attend funeral of dear friend.

#### 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. GOLDWATER) and to revise and extend their remarks and include extraneous matter:)

Mr. BROWN of Ohio, for 15 minutes, today.

Mr. ROBISON of New York, for 5 minutes, today.

Mr. GERALD R. FORD, for 5 minutes, today.

Mr. KEMP, for 10 minutes, today.

Mr. MCKINNEY, for 5 minutes, today.

Mr. FISH, for 5 minutes, today.

Mr. WYMAN, for 5 minutes, today.

(The following Members (at the request of Mr. DENHOLM) and to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. ASPIN, for 10 minutes, today.

Mr. ROONEY of Pennsylvania, for 5 minutes, today.

Mr. COTTER, for 5 minutes, today.

Mr. MURPHY of Illinois, for 5 minutes, today.

Mr. BURKE of Massachusetts, for 15 minutes, today.

Mr. EILBERG, for 10 minutes, on September 7.

Mr. ANNUNZIO, for 10 minutes, on September 7.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HECHLER of West Virginia and to include extraneous matter notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$977.50.

Mr. DRINAN and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$1,402.50.

(The following Members (at the request of Mr. GOLDWATER) and to include extraneous material:)

Mr. RIEGLE.

Mr. ESCH.

Mr. DERWINSKI in three instances.

Mr. GERALD R. FORD.

Mr. SHRIVER.

Mr. BROOMFIELD in five instances.

Mr. WHITEHURST in two instances.

Mr. LENT in three instances.

Mr. HOSMER in two instances.

Mr. COLLIER in five instances.

Mr. SMITH of New York in two instances.

Mr. McCLOSKEY in two instances.

Mr. MCCLORY.

Mr. ASHBROOK in three instances.

Mr. FRELINGHUYSEN.

Mr. STEIGER of Arizona.

Mr. CHAMBERLAIN.

Mr. WYATT.

Mr. CARTER.

Mr. VEYSEY.

Mr. ZION.

Mr. BELL.

Mr. ERLNBORN.

Mr. LANDGREBE in five instances.

Mr. THOMPSON of Georgia.

Mr. WYMAN in two instances.

Mr. NELSEN.

Mr. PRICE of Texas.

Mr. CONTE.

(The following Members (at the request of Mr. DENHOLM) and to include extraneous matter:)

Mr. ROSENTHAL in five instances.

Mr. DE LA GARZA in 10 instances.

Mr. BEGICH in 10 instances.

Mr. EILBERG in 10 instances.

Mr. RARICK in three instances.

Mr. GONZALEZ in three instances.

Mr. ROYBAL in 10 instances.

Mr. HARRINGTON.

Mr. BOGGS in two instances.

Mrs. HICKS of Massachusetts.

Mr. DRINAN in two instances.

Mr. KARTH.

Mr. RODINO.

Mr. FULTON in two instances.

Mr. COTTER.

Mr. MOORHEAD in three instances.

Mr. DELANEY.

Mr. DOWNING.

Mr. HELSTOSKI in five instances.

Mr. HANNA in two instances.

Mr. GIBBONS.

Mr. ICHORD.

Mr. MAHON.

#### 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. 16. An act to amend title 18 of the United States Code to provide civil remedies to victims of racketeering activity and theft, and for other purposes; to the Committee on the Judiciary.

S. 2087. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a Federal minimum death and dismemberment benefit to public safety officers or their surviving dependents to the Committee on the Judiciary.

#### 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. 9323. An act to amend the Narcotic Addict Rehabilitation Act of 1966, and for other purposes; and

H.R. 12350. An act to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes.

#### BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 13089. An act to provide for acceleration of programs for the planting of trees on national forest lands in need of reforestation, and for other purposes.

#### ADJOURNMENT

Mr. DENHOLM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Thursday, September 7, 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:

2306. A communication from the President of the United States, transmitting an amendment to the request for appropriations transmitted in the budget for fiscal year 1973 for the Department of Health, Education, and Welfare (H. Doc. No. 92-351); to the Committee on Appropriations and ordered to be printed.

2307. A communication from the President of the United States, transmitting proposed supplemental appropriations for the legislative branch for fiscal years 1972 and 1973 (H. Doc. No. 92-352); to the Committee on Appropriations and ordered to be printed.

2308. A letter from the Deputy Assistant Secretary of the Army (Research and Development), transmitting a list of all contracts for Army research and development in the amount of \$50,000 or more which were awarded during the period January 1 through June 30, 1972, pursuant to section 4 of Public Law 557, 82d Congress; to the Committee on Armed Services.

2309. A letter from the secretary, Foundation of the Federal Bar Association, transmitting the audit report of the foundation for the fiscal year ended September 30, 1971, pursuant to section 14 of Public Law 662, 83d Congress; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 15859. A bill to amend the Public Health Service Act to authorize assistance for planning, development and initial operation, research, and training projects for systems for the effective provision of health care services under emergency conditions; with amendments (Rept. No. 92-1375). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee of Conference. Conference report on S. 3442 (Rept. No. 92-1376). Ordered to be printed.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 1108. A resolution providing for the consideration of H.R. 16188. A bill to amend the Immigration and Nationality Act, and for other purposes (Rept. No. 92-1377). Referred to the House Calendar.

Mrs. GRIFFITHS: Committee on Ways and Means. H.R. 14386. A bill to continue until the close of June 30, 1974, the existing suspension of duties on certain forms of copper; with amendments (Rept. 92-1378). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS of Arkansas: Committee on Ways and Means. H.R. 16299. A bill to provide for a 2-year extension of the existing treatment provided for accrued vacation pay (Rept. No. 92-1379). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.R. 16012. A bill to authorize the Secretary of the Interior



to construct, operate, and maintain various Federal reclamation projects, and for other purposes; with an amendment (Rept. No. 92-1380). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 11449. A bill to provide that the United States disclaims any interest in a certain tract of land (Rept. No. 92-1381). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 10857. A bill to authorize the Secretary of Agriculture to exchange certain national forest lands within the Carson and Santa Fe National Forests in the State of New Mexico for certain private lands within the Piedra Lumbre Grant, in the State of New Mexico, and for other purposes (Rept. No. 92-1382). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 9018. A bill to modify the boundaries of the Santa Fe, Gila, Cibola, and Carson National Forests in the State of New Mexico, and for other purposes; with amendments (Rept. No. 92-1383). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Report on an inquiry into freight car shortages (Rept. No. 92-1384). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia:

H.R. 16531. A bill to provide for medals of recognition for all police and firemen in the District of Columbia; to the Committee on District of Columbia.

By Mr. DELANEY:

H.R. 16532. A bill to amend title 38 of the United States Code to provide that any social security benefit increases provided for by Public Law 92-336 be disregarded in determining eligibility for pension or compensation under such title; to the Committee on Veterans' Affairs.

H.R. 16533. A bill to require States to pass along to public assistance recipients who are entitled to social security benefits the 1972 increase in such benefits, either by disregarding it in determining their need for assistance or otherwise; to the Committee on Ways and Means.

By Mr. DELLUMS:

H.R. 16534. A bill to establish minimum prison and parole standards in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 16535. A bill to amend the Internal Revenue Code of 1954 to provide that in the case of a dependent 62 or more years of age the support test shall be satisfied if the taxpayer contributes \$1,500 or more to the support of such dependent; to the Committee on Ways and Means.

H.R. 16536. A bill to amend the Social Security Act to provide that the Secretary of Health, Education, and Welfare (in the case of the old-age, survivors, and disability insurance program or the medicare program) or the appropriate State agency (in the case of any of the public assistance or medicaid programs) shall be liable for attorney's fees incurred by an individual in successfully challenging a decision which denies him the benefits or assistance, or reduces or limits the benefits or assistance, to which he is entitled under such program; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 16537. A bill to authorize the Secretary of the Interior to establish the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FULTON:

H.R. 16538. A bill to exempt parts and accessories to be used on local transit buses from Federal excise tax; to the Committee on Ways and Means.

By Mr. HECHLER of West Virginia:

H.R. 16539. A bill to provide for the establishment of the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 16540. A bill to provide for accelerated research and development in the care and treatment of autistic children, and for other purposes; to the Committee on Ways and Means.

By Mrs. HICKS of Massachusetts:

H.R. 16541. A bill to provide that a certain percentage of money received by the United States from royalties and rentals of any seabed within the national jurisdiction of the United States shall be paid to the State of the United States adjacent to any such seabed and that a certain percentage shall be distributed to other States of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KOCH:

H.R. 16542. A bill to protect nondisclosure of information and sources of information coming into the possession of the news media; to the Committee on the Judiciary.

By Mr. KUYKENDALL:

H.R. 16543. A bill to amend the Social Security Act to provide that future increases in retirement or disability benefits under Federal programs shall not be taken into consideration in determining a person's need for aid or assistance under any of the Federal-State public assistance programs; to the Committee on Ways and Means.

By Mr. MANN:

H.R. 16544. A bill to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to provide increased penalties for distribution of heroin by certain persons; to the Committee on Interstate and Foreign Commerce.

By Mr. METCALFE:

H.R. 16545. A bill to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 16546. A bill to revise the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

By Mr. ROGERS (by request):

H.R. 16547. A bill to amend title 38 of the United States Code to provide that any social security benefit increases provided for by Public Law 92-336 be disregarded in determining eligibility for pension or compensation under such title; to the Committee on Veterans' Affairs.

By Mr. ROUSH (for himself and Mr. HILLIS):

H.R. 16548. A bill to further the purposes of the Wilderness Act of 1964 by designating certain lands for inclusion in the national wilderness preservation system, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STEPHENS:

H.R. 16549. A bill to suspend the duty on cyclohexanone oxime until the close of December 31, 1972; to the Committee on Ways and Means.

By Mr. COLLIER:

H. Con. Res. 691. Concurrent resolution expressing the sense of Congress with respect to the withdrawal of American troops from South Vietnam, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RODINO:

H. Con. Res. 692. Concurrent resolution expressing the sense of the Congress with respect to the discriminatory schedule of exit fees recently decreed by the Soviet Union as part of a campaign against Jews seeking to emigrate to other countries; to the Committee on Foreign Affairs.

By Mr. THOMPSON of Georgia (for himself, Mr. BRAY, Mr. KUYKENDALL, Mr. PODELL, Mr. SYMINGTON, Mr. SCHEUER, and Mr. KEMP):

H. Con. Res. 693. Concurrent resolution expressing the sense of Congress that the United Nations should impose sanctions against countries harboring terrorists; to the Committee on Foreign Affairs.

By Mr. CELLER (for himself, Mr. BOGGS, Mr. O'NEILL, Mr. GERALD R. FORD, Mrs. GRASSO, Mr. ABZUG, Mr. ROONEY of New York, Mr. EILBERG, Mr. HALPERN, Mr. KOCH, Mr. MIKVA, Mr. PODELL, Mr. ROSENTHAL, Mr. SCHEUER, Mr. WOLFF, Mr. YATES, Mr. FASCELL, Mr. GAIAMO, Mr. BOLAND, Mr. PUCINSKI, Mr. EVANS of Colorado, Mr. EDWARDS of California, Mr. SIKES, Mr. HARRINGTON, and Mr. NIX):

H. Res. 1106. Resolution expressing the sense of the House on the tragic killings of Israeli Olympic team members at the 20th Olympiad at Munich.

By Mr. CELLER (for himself, Mr. BINGHAM, Mr. NIX, Mr. SARBANES, Mr. THOMPSON of Georgia, Mr. RODINO, Mr. BRASCO, Mr. BIAGGI, Mr. MORGAN, Mr. DANIELSON, Mr. SYMINGTON, Mr. EDMONDSON, Mr. FLOOD, Mr. MONAGAN, Mr. REID, Mr. CAREY of New York, Mr. HAYS, Mr. BADILLO, Mr. DRINAN, and Mr. ANNUNZIO):

H. Res. 1107. Resolution expressing the sense of the House on the tragic killings of Israeli Olympic team members at the 20th Olympiad at Munich; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H. Res. 1109. Resolution expressing the sense of the House on the tragic killings of Israel Olympic team members at the 20th Olympiad at Munich; to the Committee on Foreign Affairs.

By Mr. SIKES:

H. Res. 1110. Resolution expressing the sense of the House with respect to the murder of the Israel delegates to the Olympic games; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LONG of Maryland:

H.R. 16550. A bill for the relief of the estate of Peter Boscas, deceased; to the Committee on the Judiciary.

By Mr. MANN:

H.R. 16551. A bill for the relief of Renato M. Dioquino; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 16552. A bill to donate certain surplus railway equipment to the Hawaii chapter of the National Railway Historical Society, Inc.; to the Committee on Government Operations.

By Mr. ROGERS (by request):

H.R. 16553. A bill for the relief of Charles P. Bailey; to the Committee on the Judiciary.