there be no morning business or no morning hour and that the Senate proceed directly to the pending resolution.

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

PRECEDENTS FOR PAYING COUNSEL FEES

Mr. ERVIN. Mr. President, before we adjourn, I ask unanimous consent that a statement showing the precedents for the Senate to pay counsel fees be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM

The Republicans will propose amendments to the Gravel resolution which would prohibit the financing of Senator Gravel's legal expenses. However, there are a number of precedents for this provision of the resolution.

During recent history the Senate has, on two occasions, authorized the retention of private counsel to represent Members and staff aides who have been sued in their official capacities when the issues involved in the litigation relate to the privileges of the Congress. In the first case, *Dombrowski* v. *Eastland*, the Judiciary Committee voted to retain Roger Robb as counsel to represent Senator Eastland and Mr. Sourwine. Upon the request of Chairman Eastland, the Rules Committee authorized payment out of the Judiciary Committee's funds for attorney's fees, expenses and assessed court costs. In the second case, *McSourley* v. *McClellan* now pending in court, the Permanent Investigating Subcommittee has followed a similar procedure to retain H. Jack Miller to represent Chairman McClellan.

In the Eastland and McClellan cases, the plaintiffs sued because Senate Committee employees carried out the orders of their Committee Chairman to seize documents and records belonging to the plaintiffs. It was further alleged that the Senators and employees involved had used the Committee processes. In the Gravel case the Department of Justice is seeking to question an aide of the Senator's because that aide carried out the directions and orders of his Senator.

The Justice Department has also claimed that the Senator and his aide used the Committee process for an improper purpose. The only difference between the prior cases and the Gravel case is that Senator Gravel decided to intervene to protect the Senate and himself whereas Senators Eastland and McClellan were sued. However, it now seems reasonably clear that Senator Gravel acted wisely for at the time the subpoena was issued the Senate was not in session and he had only 36 hours within which to act. If he had not moved to intervene, the Senate's vital interests would have been totally unrepresented.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 9:30 a.m.

Senators GRAVEL, MONDALE, and TUNNEY will each be recognized for not to exceed 15 minutes, and in the order stated.

There will be no period for the transaction of routine morning business.

The Senate will then immediately resume its consideration of the Ervin-Mansfield resolution, on which there is an agreement of 1½ hours on the resolution and 1 hour on any amendment thereto.

When that resolution has been disposed of, the Senate will take up S. 3178, the suspension of section 315, equal broadcasting time. Final action is hoped for tomorrow on the equal broadcasting time bill.

The leadership also hopes to dispose of S. 2895, dealing with egg prices. Moreover, if cleared, the leadership hopes to dispose of Senate Joint Resolution 193, Cape Canaveral, and S. 3153, Gulf Islands National Seashore.

There will be rollcall votes tomorrow, and we may very well have a long day.

ADJOURNMENT UNTIL 9:30 A.M.

Mr. SAXBE. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9:30 a.m., tomorrow.

The motion was agreed to; and at 6:35 p.m. the Senate adjourned until tomorrow, Thursday, March 23, 1972, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 22, 1972:

AGENCY FOR INTERNATIONAL DEVELOPMENT

Jarold A. Kieffer, of Minnesota, to be an Assistant Administrator of the Agency for International Development, vice Herbert Salzman, resigned.

U.S. DISTRICT COURTS

Otto R. Skopil, Jr., of Oregon, to be a U.S. district judge for the district of Oregon, vice Alfred T. Goodwin, elevated.

James M. Burns, of Oregon, to be a U.S. district judge for the district of Oregon, vice Gus J. Solomon, retired.

U.S. COAST GUARD

The following named officer of the U.S. Coast Guard Reserve for promotion to the grade of rear admiral:

Charles J. Hanks.

HOUSE OF REPRESENTATIVES—*Wednesday, March 22, 1972*

The House met at 12 o'clock noon.

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

Search me, O God, and know my heart: try me and know my thoughts: and see if there be any wicked way in me and lead me in the way everlasting.—Psalm 139: 23, 24.

Eternal Father, to whom the darkness and the light are both alike in the midst of the troubles of these trying times, worn and weary by worry and work, we turn to the quiet calm of Thy presence. For a moment we would be still and know that Thou art God.

Endow us with insight to understand the needs of our people and help us to work for greater justice in our land, for fuller freedom among the nations and for an enduring peace in our world. May we realize that Thou art our Father, our fellowmen are our brothers, and we are our brothers keepers. With this vision of Thy kingdom may we make our decisions, mold our laws and build our Nation. Thus may we walk from darkness to light, from weakness to strength, from fear to faith and from any ill will to an abiding good will. In the mood of the Master, we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 904. An act to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3054) entitled "An act to amend the Manpower Development and Training Act of 1962," agrees to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NELSON, Mr. KENNEDY, Mr. MONDALE, Mr. CRANSTON, Mr. HUGHES, Mr. STEVENSON, Mr. RANDOLPH, Mr. TAFT, Mr. JAVITS, Mr. SCHWEIKER, Mr. DOMINICK, and Mr. BEALL to be the conferees on the part of the Senate.

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

S. 764. An act to authorize the disposal of lead from the national stockpile and the supplemental stockpile;

S. 773. An act to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile;

S. 1379. An act to authorize the Secretary of Agriculture to establish a volunteers in the national forests program, and for other purposes;

S. 3086. An act to authorize the disposal of nickel from the national stockpile; and

S. Con. Res. 55. Concurrent resolution providing for the recognition of Bangladesh.

HOUSING BOOM CONTINUES TO PACE OUR ECONOMIC EXPANSION

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

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

Mr. WIDNALL. Mr. Speaker, the unprecedented boom in new home construction accelerated in February. Private housing starts soared 8.4 percent over the previous month, to a seasonally adjusted annual rate of nearly 2.7 million units. This unusually strong advance indicates that the housing sector will continue to be a potent contributor to the economic expansion and provide the new homes so essential to the well-being of this Nation's families.

It is important to put these statistics in perspective. The many record-breaking months of housing construction recently may give some the idea that the housing sector has always been strong. This is, of course, a mistaken impression. Until recently, we have never had a year when housing starts totaled 2 million units. Until recently, we would have to go way back to 1950 to find a month when housing starts reached an annual rate of 2 million.

During the 1960's, housing starts never reached an annual total of even 1.6 million units. In contrast, the total for 1971 is now estimated to be nearly 2.1 million units. February 1972 is the third consecutive month that the level of starts has remained above the 2.4 million unit mark. And the level of permits for new home construction remains at 2.1 million, suggesting that starts will remain strong for many months to come.

It is easy to find bad economic news if one searches hard enough. But the housing sector will give pessimists no consolation. Housing construction has been unusually vigorous. And the signs are that this sector will continue to add strength to the current economic expansion.

HON. OGDEN R. REID WELCOMED TO DEMOCRATIC PARTY

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

Mr. HAYS. Mr. Speaker, I join with my colleague, the gentleman from Indiana (Mr. BRADEMAS) and the majority leader in welcoming the conversion of the gentleman from New York (Mr. REID) to the Democratic Party. I have been a friend of OGDEN REID since he came to the House. I think he is a sound, dedicated, hard-working Member. I think he will be a valuable addition to our party.

Might I say this is in great contrast to the mayor of Fun City, who lately converted to the party, Mr. Lindsay. I also knew him when he was here. He served on my NATO Committee. He made absolutely no contribution. He is phonier than a Confederate $3 bill with Abraham Lincoln's picture on it.

TRIBUTE TO THE LATE LAURENCE E. TIERNEY, JR.

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

Mr. KEE. Mr. Speaker, at 2:45 a.m. this morning, Mr. Laurence E. Tierney, Jr., known widely by his friends in "Larry," died at St. Mary's Hospital in Richmond, Va., following extensive and complicated surgery.

Mr. Speaker, Mr. Tierney was a neighbor and very dear personal friend of mine in my home city of Bluefield, W. Va., and he was known as the tower of strength. A man of complete dedication not only in southern West Virginia but throughout a good part of the United States.

Unfortunately, time does not permit me to list his unexcelled positions of responsibility in numerous business enterprises, each one of which grew and prospered under his able leadership. While he retired from many of his business activities, he had the ability to select extremely qualified men to carry on under his most capable direction.

Some time ago, he sold his vast coal interests and at the time of his death, he was chairman of the board of directors of the Flat Top National Bank in my home city of Bluefield. The example he set will long continue to influence and inspire us.

Mr. Speaker, while we are all filled with sadness, I take this opportunity to extend my prayers to Mr. Tierney's family and I have a strong feeling that he will watch over us from his house in the kingdom of heaven.

DRUG ABUSE PREVENTION

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

Mr. EDWARDS of Alabama. Mr. Speaker, yesterday President Nixon signed into law the Drug Abuse Office and Treatment Act of 1972. This bill gives permanent status to the Special Action Office for Drug Abuse Prevention. Under this Office, Government efforts will be coordinated to prevent drug addiction through education, treatment rehabilitation, training and research, and tough law enforcement. The Office will pull together the drug abuse prevention threads which now run independently through 13 Federal agencies. It is my belief that this new approach, coupled with the full cooperation of the Congress and the people, can not only root out the misery peddlers on our city streets, but also provide help to the many victims of this national problem. We must present a balanced attack on this problem. That is, we must move through tough law enforcement against the supply sources for illegal drugs while at the same time moving through strong drug abuse prevention programs against the demand for drugs among our citizens.

We need to fumigate every corner of the breeding grounds for drug addiction. Intense, coordinated efforts such as planned by the Special Action Office for Drug Abuse Prevention will give us a good start on this massive problem.

THE NEWEST CONSUMER FRAUD

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

Mr. SMITH of Iowa. Mr. Speaker, I noticed in the newspapers yesterday there were two full-page advertisements by Giant Foods and Supervalue alleging to help the consumer to spend his money better. I was curious, so I went out this morning shopping to the Giant store and the Supervalue store across the road in the 3900 block of Minnesota Avenue. I found as a matter of fact the cost per unit of proteins in the food they are pushing was more than in the food they do not want people to buy. In fact some cuts of meat were as little as one-fifth as expensive per protein unit as pizza, which is the kind of food one ad encouraged people to buy. These ads constitute an outright consumer fraud. They take the consumer's money to buy an advertisement to mislead the consumer. During a special order today following other business previously scheduled, I am going to detail the facts relative to this newest consumer fraud.

INTEREST RATES ON HOUSING

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

Mr. PATMAN. Mr. Speaker, I join my good friend, WILLIAM B. WIDNALL, from New Jersey, the ranking minority member on the Banking and Currency Committee, in expressing appreciation that we have a large number of housing starts. It is wonderful.

However, it is a great pity that the people who are building these homes are having to pay from $30,000 to $40,000 on the purchase of a $20,000 home, in interest rates. I believe it is terrible we permit that to be done.

We have been unable to reduce the rates. They can be reduced. They could be reduced to 5 percent on housing loans to the purchaser and owner. There are ways of doing it without additional cost to the Government, to save the people tremendous sums of money. I certainly am dissatisfied that we are not able to do more to save the consumer more money on the purchase of homes, something that is so necessary in the promoting of environmental quality.

THE EFFECT OF CHANGING THE PAR VALUE OF GOLD ON INTEREST RATES

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

Mr. GROSS. Mr. Speaker, it seems to me that implicit in the action which was taken yesterday to devalue the dollar, sponsored and fathered by the gentleman from Texas (Mr. PATMAN) is an increase in interest rates and inflation, because, if I read the papers correctly, many hundreds of millions, perhaps billions of dollars will be extracted from the U.S. Treasury to take care of the so-called short fall in U.S. contributions to various international institutions due to the deliberate dollar devaluation.

I wonder who is going to take care of the "short fall" for every citizen of this

country whose dollars will also be depreciated as a result of yesterday's action by some 8 percent.

CONFERENCE REPORT ON S. 18, GRANTS TO RADIO FREE EUROPE AND RADIO LIBERTY

Mr. MORGAN. Mr. Speaker, I call up the conference report on the bill (S. 18) to amend the U.S. Information and Educational Exchange Act of 1948 to provide assistance to Radio Free Europe and Radio Liberty, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of March 14, 1972.)

Mr. MORGAN (during the reading). Mr. Speaker, I ask unanimous consent that the statement be considered as read. It was printed in the RECORD on March 14, I am sure the Members have read the report and the statement.

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

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania.

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

After long and frustrating deliberation, the managers on the part of the House reached agreement on S. 18, which authorizes the funds necessary to keep Radio Free Europe and Radio Liberty operating until the end of the current fiscal year—June 30, 1972.

The Senate agreed to the House figure of $36 million for fiscal year 1972, an increase of $1 million over the Senate authorization.

The House bill included an authorization for fiscal year 1973, but the Senate refused to agree to any authorization for fiscal year 1973. The House accepted the Senate provision which provides funds only through next June 30.

The Senate conferees agreed, however, as set forth in the statement of the managers "that further legislation will be considered before the end of the fiscal year."

The principal issue which confronted the conference committee was the fact that the majority of the Senate conferees wanted Radio Free Europe and Radio Liberty to close down next June 30.

The House conferees insisted that we would not accept the Senate bill if, by accepting their bill, we were put in the position where we might be said to have accepted the Senate contention that the two programs were to terminate on June 30. We did not agree to the termination of of these programs, and the statement of managers includes a statement agreed to by both sides that further legislation will be considered before the end of the fiscal year.

We were confronted with the fact that both Radio Free Europe and Radio Liberty had run out of money and would have to close down unless agreement was reached.

The continuing resolution which had financed their operations since last July expired on February 22. They had been able to meet their payrolls for a couple of weeks, but they said it was necessary to notify their employees that they were closing down unless an agreement on the authorization was reached on March 15.

The Committee on Foreign Affairs was impressed by the testimony of the witnesses who appeared before us last fall in support of Radio Free Europe and Radio Liberty. People who had lived behind the Iron Curtain and who had depended on these two programs for uncensored news gave convincing testimony as to the effectiveness of both of these operations.

I remember particularly that when there were riots at certain seaports in Poland over a year ago, the only way that news of these riots reached the people of Poland outside the cities was from the broadcasts of Radio Free Europe.

I believe that the United States should continue to support these programs. I also believe that this view is shared by a majority of the other body.

The latest information I have is that more than 60 Senators have joined in sponsoring Senate Resolution 272, expressing support for Radio Free Europe and Radio Liberty, but the Senate conferees apparently were not influenced by this indication of the attitude of a majority of the Senate.

The bill that passed the House on last November by a vote of 271 to 12 provides a much more realistic and constructive approach than the legislation we have brought back from conference.

I believe that the conference report before us is the best agreement that could be reached under the circumstances, however, and I urge its approval.

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

Mr. MORGAN. I am glad to yield to the distinguished gentleman from Michigan.

Mr. GERALD R. FORD. Let me compliment the gentleman from Pennsylvania, the distinguished chairman of the committee, and the gentleman from California (Mr. MAILLIARD), the ranking Republican member of the committee, for trying to get a better settlement than has been brought back to the House today. I know that both of them and the other members of the conference on the House side strove mightily to attempt to get a longer life for Radio Free Europe and Radio Liberty and better funding, but complications arose in the conference which, unfortunately, could not be resolved except for the conference report which is before us today.

Could the gentleman from Pennsylvania outline, if possible, what he thinks will happen between now and the end of this authorizing legislation?

Mr. MORGAN. I understand that funds have already been appropriated and are available as soon as the authorization is approved. I can assure the minority leader that as soon as the message comes up from the Executive asking for an extension for the year 1973, the Committee on Foreign Affairs will hold hearings and take action to bring the matter before the House before the end of the fiscal year I believe that the proposal for a study commission to decide what future arrangements should be made for continuing these programs as provided in the House is a good idea and will receive careful consideration by the Foreign Affairs Committee when the matter comes before us again. I feel it is the best approach, and I hope we can extend the life of the agency through 1973 until this study is completed.

Mr. GERALD R. FORD. I thank the gentleman, and I wish him well because I agree with him that this program has had a fruitful and beneficial life from the point of view of the United States. To kill these two programs now I think would be a most unwise act as far as our country is concerned.

Mr. MORGAN. I think that the many expressions of support for Radio Free Europe and Radio Liberty which came from all parts of the country show that these programs are in the best interest of the United States.

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

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

Mr. GROSS. I thank the gentleman for yielding.

Would the gentleman refresh my memory? Is the $36 million provided in the conference report the total for fiscal 1972?

Mr. MORGAN. That is right.

Mr. GROSS. The total authorization for this purpose for fiscal year 1972?

Mr. MORGAN. That is correct. This is for fiscal year 1972 which ends June 30.

Mr. GROSS. I thank the gentleman.

Mr. MORGAN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. PODELL).

Mr. PODELL. Mr. Speaker, we have before us a bill to amend the United States Information and Education Exchange Act of 1948 to provide assistance to Radio Free Europe and Radio Liberty.

Radio Liberty's history reads of good worthy goals, accomplished by not-so-worthy means. The revelation that Radio Liberty's espousal of the cause of freedom was financed with Central Intelligence Agency funds illustrates this point most cogently.

Thus I welcome S. 18, designed to make Radio Liberty an agent of the public interest, financed by the public and accountable to it. I welcome the proposed study commission and its goal to evaluate the need and appropriateness of such broadcasting in an era of detente.

But there is one sort of broadcasting that is clearly needed now, today, more than ever. That is regularly scheduled Yiddish broadcasts directed to Soviet Jews. Such broadcasts should not replace the regular news and feature items aired in Russian. They should be in addition to such Russian language material.

Such programs serve a dual purpose:

First, they would provide information on cultural, educational, and religious

topics that Russian Jews can find nowhere else. For in Russia, all books on Jewish history and culture are locked in libraries for the use of scholars with official authorization. And I need not tell you that the Russian Government rarely favors interested Jews with such permission. In fact, several courageous men and women have served sentences in the notorious Russian labor camps for exactly this crime—unauthorized possession of Jewish educational material. Radio Liberty Yiddish programing could fill this gap now in a time when the consciousness of Russian Jews and their interest in their cultural heritage grows daily.

Second, Yiddish broadcasts to Russian Jews by a radio station financed by the U.S. Government would communicate to the Soviet Jews struggling to retain their cultural identity in an atmosphere of persecution and repression that the people of the United States support them in their valiant fight.

Some people have minimized the potential impact of such broadcasts with deceptive figures on the number of Jews who speak Yiddish. It is true that most Soviet Jews do speak Russian; but it is also true, and much more significant, that most Soviet Jews understand Yiddish. Many, in fact, prefer to use it as a means of retaining their Jewish identity.

Some Americans, free to educate themselves and their children as they see fit, look at the decreasing usage of Yiddish in this country and wrongly conclude that Yiddish is a language of the "shtet Europe shetl" that exists no more. I disagree with this conclusion.

Soviet Jews have no freedom to send their children to cultural schools. But they do have Yiddish with its cultural richness and texture, that expresses 2,000 years of Jewish history like nothing else can, to teach their children. They would be glad, as emphasized by many prominent young Russian Jews who have escaped to the West, for Radio Liberty's help in that task.

It is a task that Radio Liberty can safely undertake without fear of upsetting our efforts to achieve a detente with the Russians. I base this conclusion on a news interview that quoted Ambassador Anatole Dobrynin, of the Soviet Union, as saying that such broadcasting would have no effect on Russian-American relations.

I have written to the Secretary of State and to Radio Liberty on this matter.

I hope that Radio Liberty will use its new freedom wisely and in the public interest, and broadcast regularly scheduled programs in Yiddish.

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

Mr. Speaker, I rise today in support of the conference report on S. 18, the bill to authorize funds for the operation of Radio Free Europe and Radio Liberty.

It was an extremely difficult and frustrating conference. I am keenly disappointed that we were not able to sustain the position of the House, which had passed a reasonable and constructive bill on November 19, 1971.

I am sure most Members are aware of this intransigence of several of the Senate conferees. In their effort to kill the radios, they rebuffed our every effort to negotiate a reasonable compromise.

While the conference agreement leaves much to be desired, it does at least continue the radios through the remainder of this fiscal year. It specifies that the conferees agreed to legislation which will continue the programs at the authorized rate of $36 million only for the balance of the current fiscal year "with the clear understanding, however, that further legislation will be considered before the end of this fiscal year."

I hope the House will demonstrate its strong support for the continuation of Radio Free Europe and Radio Liberty by voting overwhelming approval of this conference report.

Mr. BROOMFIELD. Mr. Speaker, the adoption of the conference report on S. 18 today represents the culmination of many months' laborious effort to save Radio Free Europe and Radio Liberty as voices of freedom behind the Iron Curtain. While it is necessary to accept this report, the legislative solution it contains is inadequate because it provides for the continuance of these two valuable radio organizations only until the end of this fiscal year. This is an insufficient reflection of the confidence this body has shown in the two radios. With the adoption of this conference report, we are now faced with the prospect in the near future of going through the hearings again and repeating the whole legislative process in order to obtain legislation for next year. The House bill would have provided a 2-year authorization and a commission to carefully study the desirability of continuing the radios and making their recommendations to the Congress before the end of that period.

In conference, the Senate conferees seemed to be unaware of the fact that the name of the game when the conferees of the two bodies meet is compromise. The Senate conferees refused to budge one iota from their 1-year authorization and from the requirement that the funding be through the State Department rather than through an independent source.

You will recall, Mr. Speaker, that the House version of S. 18 passed this body with 27 votes in favor and only 12 votes against. The Percy-Humphrey sense of the Senate resolution, Senate Resolution 272, advocating the continuance of Radio Free Europe and Radio Liberty has now been cosponsored by 67 Members of that body. This is a clear indication of what the Members of Congress think of the work that is being done by the radios.

As a dramatic indication of how important the voice of Radio Liberty is to those compelled to live behind the Iron Curtain, in the Soviet Union, a letter was sent this week to Congress signed by 97 residents of Israel who were able to leave the Soviet Union. Their plea to the Congress is to preserve Radio Liberty. In their letter they say:

> It is very difficult to explain to you, people of a free country, how vital and important it is for everybody behind the Iron Curtain to get a true and objective information about world affairs.
>
> We suppose that you have already received many letters and requests from righteous persons all over the world, asking you not to close down this station. We believe that they are, as we are, wondering how could you even take into consideration the shutting down of this source of encouragement and hope for so many people!

The record of the hearings in committee is replete with similar statements by former residents of Eastern Europe. We have done the right thing in preserving the radios but it is unfortunate that we must start our labors anew in order to keep the radios from falling victim to those who seek their demise.

The fact that there will be legislation concerning the radios is a tribute to the persistence, patience, and leadership of the distinguished chairman of the Foreign Affairs Committee, the gentleman from Pennsylvania.

Mr. DERWINSKI. Mr. Speaker, I support the conference report with reluctance. I believe Radio Free Europe and Radio Liberty should have long-term authorization and appropriations support, not the very limited time set by this report.

It is my understanding that necessary steps will be taken in the House and Senate to overcome the obstructionist tactics of the junior Senator from Arkansas and legislation extending the operations of these two radio stations will develop in time.

I would remind my colleagues of the House that much as we wish it, the battle for the minds of men is not yet over. So long as censorship prevails in the Soviet bloc, their citizens will seek to know the truth.

If we tire of the competition and write off the minds of millions in the Soviet bloc, we reduce their ability to influence their governments toward the liberalization of policies. To achieve a generation of peace, we must continue to compete for the minds of men.

Mr. SCHEUER. Mr. Speaker, my recent trip to the Soviet Union increased my understanding and appreciation of the vitally needed service to Soviet citizens—Jews and non-Jews alike—provided by Western radio broadcasts. In my conversations with Jews and dissidents in Moscow and other cities, I was told over and over again that the programs of the Voice of America and Radio Liberty, BBC, and Kol Israel make available not only hard information suppressed by official media, but also build for them a deeply needed emotional bridge to the West.

The broadcasts reassure them that they are not alone, that people in the outside world have not forgotten them and continue to take a sympathetic interest in their struggle for basic human rights.

I share the desire to end the cold war and its relics. But, as the Washington Post has noted, Radio Liberty's broadcasts are not "provocative, propagandistic diatribes." Instead, Radio Liberty provides the people of the Soviet Union with news that they are unable to obtain in any other way, and it does so, again in the words of the Post, "professionally, responsibly and effectively." The broadcast of news in this manner cannot be viewed as a continuation of the cold

war, and the free flow of information cannot be viewed as an obstacle to the continued search for detente.

It may very well be that the broadcasts of Radio Liberty ought to be further toned down, but the need for reform should not impel us to "throw the baby out with the bathwater." We should make every effort to support Radio Liberty, and the desire for better relations between the United States and the Soviet Union should not prevent the acceptance of this bill which will permit Radio Liberty to continue its broadcast operations.

Mr. RODINO. Mr. Speaker, I am very pleased to give my strong support to the conference report on S. 18, to permit continued funding for Radio Free Europe and Radio Liberty through fiscal year 1972. However, I am at the same time deeply distressed by the recent impasse that for a time threatened to silence the broadcasting of factual news and opinion by these two stations to the peoples of the Soviet Union and the Communist East bloc nations.

It is imperative, in my judgment, that we immediately move to consider legislation to resolve the future role of Radio Free Europe and Radio Liberty following this brief reprieve for the stations' operations.

I have a special interest in these two voices of freedom, Mr. Speaker, for I am the author of Public Law 90–215, enacted in 1967, which amended the Immigration and Nationality Act to permit the naturalization of the dedicated employees of Radio Free Europe and Radio Liberty. Previously these individuals, who for long years selflessly served the interest of the United States abroad, had been unable to obtain citizenship. Despite their permanent resident alien status, they could not fulfill the residency requirements of our Immigration and Nationality Act because they remained in Europe to transmit messages of truth and hope to the peoples of Russia, Bulgaria, Czechoslovakia, Hungary, Poland, and Romania.

I urge approval of the conference report, and I would like to include in the RECORD an article from Time magazine of March 6, and an editorial from the Newark Star-Ledger of March 16 commenting on the importance of continuing the broadcasts of Radio Free Europe and Radio Liberty.

It is my hope that Congress will act expeditiously to consider the role of Radio Free Europe and Radio Liberty, and the proper means of financing their broadcasts, for, as the Time article noted:

They have both won a reputation for veracity and reliability inside and outside the Communist countries.

The articles follow:

[From Time, Mar. 6, 1972]

TURNING OFF THE RADIOS

For more than two decades, the Soviet Union and its Eastern European allies have tried to silence Radio Free Europe, which beams programs of news, music and political commentary to five Eastern European countries, and Radio Liberty, which broadcasts exclusively to the Soviet Union. Last week both stations were on the brink of being shut down—by U.S. Senator J. William Fulbright.

The chairman of the Senate Foreign Relations Committee is waging a singlehanded and (so far) highly effective battle against the two stations whose broadcasts from West Germany, he feels, jeopardize America's efforts to improve relations with Communist nations. "These radios," says Fulbright, "should take their rightful place in the graveyard of cold war relics."

STOP PAYMENTS

One basis of Fulbright's two-year-old campaign is that the stations, instead of being the private organizations that they claimed to be, were actually supported by the Central Intelligence Agency. Last spring the Nixon Administration ordered the CIA to stop its payments and proposed the creation of a public-private corporation similar to COMSAT that would run the two stations under congressional scrutiny. But Fulbright has created a deadlock between the House and Senate over bills that would keep the stations alive until this or some other new arrangement could be worked out. As a result, a temporary congressional appropriation expired last week, leaving RFE and Radio Liberty with only enough money for a few more weeks of operation.

As it happens, Fulbright's criticism of the stations is itself a cold war relic. To be sure, when they were founded in the early 1950s, both Radio Free Europe and Radio Liberty were indeed propaganda tools that sought to undermine the Communist governments. To its enduring discredit, Radio Free Europe, in the opening stage of the 1956 revolution, encouraged Hungarian freedom fighters to believe that the West would intervene militarily on their side. Since then, however, there have been massive personnel and policy changes at both stations.

MUSIC HOURS

Most of the old émigré right-wingers, who unrealistically ranted for an overthrow of the Communist regimes, were weeded out in favor of younger and more perceptive East Europeans and Soviet defectors. In general, these staffers have tried to encourage a process of liberalization within the Communist societies. No one can evaluate to what degree the stations have affected developments in the East bloc, but they both have won a reputation for veracity and reliability inside and outside the Communist countries.

Radio Free Europe employs 1,600 people, 960 of them at its headquarters in Munich. Operating on a $21 million budget, it broadcasts a total of 557 hours each week in native language to Poland, Czechoslovakia, Rumania, Bulgaria and Hungary. About half of the programs is news and analysis of events in the various East bloc countries. Other programs range from music hours featuring the latest Western rock to special reports on living conditions of foreign workers in Western Europe.

Much of RFE's information comes from monitoring of East European news services and radio broadcasts, and interviews with travelers, The station's 100 political analysts, many of them natives of Eastern Europe, often are able to draw deductions that an official Eastern European commentator could never make. Example: the notion that the Polish government actually encourages alcoholism because it collects a big tax on vodka.

To protect its reputation for accuracy, RFE's broadcasts, if anything, err on the side of caution. When reports of Alexander Dubcek's ouster first came from Prague over a Western news ticker, RFE waited for Czechoslovakia's confirmation before airing the item. Despite the fact that for years RFE held up Yugoslavia as an example of how a Communist regime could peacefully develop toward liberalism, RFE has given extensive coverage to the Croatian crisis that has shaken Yugoslavia's progress toward greater governmental freedoms. Judging by the annual polls of East bloc tourists in Western Europe, RFE's audience is impressive: 78% of all radio-listening Poles, 81% of the Hungarians, 77% of Rumanians, 78% of Bulgarians and 60% of the Czechoslovaks. At present, all the East bloc countries except Czechoslovakia and Bulgaria have given up trying to jam RFE since the broadcasts tend to get through anyhow.

Samizdat Essay. Radio Liberty, which has a $14 million budget, employs 800 persons, including 250 Soviet defectors. It broadcasts 24 hours daily in 19 languages. A research staff of 40 gleans Russian publications for details about happenings in the country. Through private channels, Radio Liberty receives underground *samizdat* (literally, self-publishing) manuscripts that are clandestinely circulating in the Soviet Union and broadcasts them to listeners in Russia.

At Radio Liberty, a typical day's broadcasting, in addition to hourly news bulletins, might include a *samizdat* essay by a Soviet engineer on the need for economic reform in Russia and a synopsis of a Polish film that is not being shown in Russia. Radio Liberty tries to fill in gaps caused by Soviet censorship. For example, it carries criticism by Western psychiatrists about Soviet imprisonment in mental hospitals of political dissenters.

The Soviet and Eastern European regimes understandably want RFE and Radio Liberty closed down since they challenge the governments' control over the information reaching their people. Despite Fulbright's argument that the stations must be silenced as a U.S. contribution toward relaxing tensions in Europe, many Western Europeans maintain exactly the opposite. As one West German editorial put it: "In this era of *détente*, it is all the more important that the voice of free opinion is not silenced." Even though his Ostpolitik seeks better relations with the Communist countries, West German Chancellor Willy Brandt obviously agrees. He has consistently rejected Polish and Soviet suggestions that the stations' licenses to operate from West German territory be withdrawn.

[From the Star-Ledger, Mar. 16, 1972]

VOICES OF FREEDOM

The Nixon Administration has won a partial victory in averting the unfortunate shutdown of Radio Free Europe and Radio Liberty, which have played vital roles in keeping open lines of communication for people in Eastern Europe and the Soviet Union.

The transmissions of these stations have provided factual news of the outside world to people whose governments would prefer to force-feed with distorted domestic propaganda.

Despite a highly favorable report by the Library of Congress, which made a study at the request of the Senate Foreign Relations Committee, the stations were threatened with extinction because of differences between House and Senate conferees on bills authorizing the continuation of these broadcasts.

Under an arrangement worked between the White House and congressional aides, the Administration agreed to drop its efforts to obtain long-term funds for American-operated stations and accepted a plan to keep them on the air at least three more months.

The two stations were set up at the height of the cold war to broadcast news and commentary to people behind the Iron Curtain. They have been attacked and reviled by Moscow and other Communist countries because their transmissions often included news not available in the tightly-controlled Communist media.

The existence of electronic allies of liberal elements in the Communist world could be a bargaining point for the President when he visits Moscow next May. Any final decision on the fate of Radio Free Europe and Radio

Liberty should be deferred until after Mr. Nixon returns from the Soviet Union when Congress can take a fresh look at U.S.–Russian relations.

Mr. MORGAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the conference report just agreed to.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 13592, NATIONAL SICKLE CELL ANEMIA PREVENTION ACT

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 904 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 904

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. 13592) to amend the Public Health Service Act to provide for the prevention of sickle cell anemia. 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 Interstate and Foreign Commerce, 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.

Mr. O'NEILL. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

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

Mr. O'NEILL. I yield to the gentleman from California.

(By unanimous consent, Mr. BURTON was allowed to speak out of order.)

(Mr. BURTON asked and was given permission to revise and extend his remarks and to include extraneous matter.)

DEMOCRATIC STUDY GROUP WELCOMES REPRESENTATIVE OGDEN REID TO THE RANKS OF THE NATIONAL DEMOCRATIC PARTY

Mr. BURTON. Mr. Speaker, as chairman of the Democratic Study Group, I am pleased to welcome Representative OGDEN REID to the ranks of the National Democratic Party in the House of Representatives. As noted in an editorial in this morning's New York Times, he has long been a leader of the progressive wing of the Republican Party. His joining our party brings to us "another future leader of great decency, dedication, and talent."

Since the latter part of the 19th century, Representative REID'S family has devoted itself to public service in the finest tradition of the Republican Party. In light of this tradition, it is easy to understand Representative REID'S disillusionment with the current direction of the Republican Party.

We encourage men of conscience on the other side of the aisle to emulate Representative REID'S fine example. Thus strengthened, we will go on to make the House of Representatives the progressive, responsive institution conceived by the founders of the Republic.

The editorial follows:

DEMOCRAT REID

Leaving the Republican party is a much tougher wrench for Representative Ogden R. Reid than it was for Mayor Lindsay. His grandfather was a founder of the G.O.P. and its Vice Presidential candidate in 1892 on a slate headed by Benjamin Harrison. The Westchester Congressman was the last member of his family to edit The New York Herald Tribune in its long career as a voice of intelligent Republicanism.

That Mr. Reid has decided he can no longer stay in the party is graphic evidence of how far to the right it has drifted under the leadership of President Nixon. Unquestionably, the stiff primary challenge Mr. Reid faced from powerfully backed conservative elements in the state G.O.P. helped prompt his switch into a Democratic party that is hardly at the peak of its popular appeal or internal unity. But an even stronger spur was the increasing distaste Mr. Reid felt for pretending ties with an Administration whose policies he could not swallow on such issues as civil liberties, education, child care, the fight against racial discrimination and the pace of extrication from Vietnam. Above all, his break came out of despair at the divisive trend of most Administration approaches.

As believers in a strong and vital two-party system, we are sad to see the Republican party in this state—so long a leader in the party's progressive wing—becoming a conservative bastion with diminished appeal to independents of the type responsible for the repeated elections of Governor Rockefeller and Senator Javits. But the Governor himself has been a poor recent steward of that tradition and Mr. Reid risked total isolation. His decade of service in the House has been marked by steady growth in the quality and diversity of his accomplishment. Still short of his 47th birthday, he brings to the Democrats another future leader of great decency, dedication and talent.

REPRESENTATIVE REID QUITTING GOP; PLANS RACE AS A DEMOCRAT

(By Richard L. Madden)

WASHINGTON, March 21.—Representative Ogden R. Reid of Westchester County, whose family's involvement with the Republican party dates back almost a century, will announce tomorow his switch to the Democratic party.

Friends of the 46-year-old liberal Republican said that among the factors involved were a decision that he could not support President Nixon for re-election, the prospect of a difficult Republican primary fight in his newly drawn Westchester district, and a feeling that his chances for advancement to statewide office, such as Governor, were blocked on the Republican side.

Mr. Reid, who is completing his 10th year in the House and who has been increasingly critical of the Nixon Administration, scheduled a news conference for 10:30 A.M. tomorrow at the Carlyle Hotel in New York City to make what his office called "an important political announcement."

Mr. Reid was reported by his office to be in New York and unavailable for comment. However, other political figures—Republican as well as Democratic—who have talked to him in recent days said they were convinced that he would announce his candidacy for reelection as a Democrat.

Such a shift would follow by seven months the move by Mayor Lindsay, a political ally of Mr. Reid, into the Democratic party and would further weaken the ranks of the so-called progressive wing of the Republican party in New York State.

In anticipation of Mr. Reid's announcement, the Westchester County Republican organization, which had been scheduled to hold a convention in White Plains tomorrow night to designate Congressional candidates, postponed its meeting, Republican officials began discussing potential candidates who might make a strong race against the Representative.

PERSUASION SAID TO FAIL

It was understood that John N. Mitchell, the former Attorney General who is now directing Mr. Nixon's re-election campaign, met with Mr. Reid last weekend in an apparently unsuccessful effort to talk the Representative out of bolting the Republican party.

At a news conference in Albany today, Governor Rockefeller acknowledged that he had discussed the matter with Mr. Reid "over the last two or three weeks." The Governor indicated that he expected a party switch.

Mr. Rockefeller said that any statement should come from Mr. Reid, whom he praised as a "long and old friend" who had been a strong supporter of previous Rockefeller campaigns for the Presidency and Governor. The Governor added:

"Now I know, and have known for quite a while, that he [Mr. Reid] has been frustrated with getting—the problem of getting things done—in Congress, and that his rate of progress onto the statewide scene in the state has not been as rapid as I think he would like to see it. So I understand the considerations he faces."

"THE WRONG PARTY"

Mr. Rockefeller continued: "Now, my personal feeling would be that for anyone to switch his allegiance from the Republican party to the Democratic party would be joining the wrong party at the wrong time, but that is a personal feeling.

Two years ago Mr. Reid scored only a narrow victory in the Republican primary, but he won handily in the general election, with his traditional drawing of Democratic and independent votes.

Max Berking, the Westchester County Democratic chairman, declined comment on Mr. Reid's intentions, but he said that he thought the Representative would be welcomed by Democratic officials, who are scheduled to meet Thursday night to designate candidates.

While Mr. Reid has been increasingly critical of the Nixon Administration, a decision to leave the party was regarded as somewhat uncharacteristic for the Representative, whose ties to the Republicans have been strong.

His grandfather, Whitelaw Reid, was the unsuccessful Republican nominee for Vice President on Benjamin Harrison's ticket in 1892. Mr. Reid, a former president and editor of the now defunct New York Herald Tribune, was the United States Ambassador to Israel in the Eisenhower Administration.

If Mr. Reid is re-elected as a Democrat, his 10 years of seniority in the House also might be endangered.

Mr. O'NEILL. Mr. Speaker, House Resolution 904 provides an open rule with 1 hour of general debate for consideration of H.R. 13592, the National Sickle Cell Anemia Prevention Act.

The purpose of H.R. 13592 is to amend the Public Health Service Act to provide for the prevention of sickle cell anemia.

A national program will be established for diagnosis, prevention, and treatment of the disease together with screening and counseling programs and informational programs.

Grants and contracts by the Secretary are authorized for the establishment and operation of voluntary screening and counseling programs as part of other existing public health care programs. In order to carry out this section of the legislation, $20 million are authorized for fiscal year 1973, $25 million for fiscal year 1974, and $30 million for fiscal year 1975.

The Secretary is authorized to make grants and contracts for research and development programs. In order to carry out this section of the bill, $5 million are authorized for fiscal year 1973, $10 million for fiscal year 1974, and $15 million for fiscal year 1975.

The bill sets forth the requirements applicable to grants under the act.

Mr. Speaker, sickle cell anemia is one of the greatest killers among young black children in the Nation today. Annually, an estimated 1,155 new cases are discovered; and for each of these new cases a very painful and usually fatal disease has begun. This figure for the estimated number of new cases discovered is considerably higher than the estimate for other major hereditary childhood diseases. For instance, cystic fibrosis has only 1,206 new cases discovered annually; muscular dystrophy, 813.

At least 50,000 black Americans suffer from sickle cell anemia. Each year, one in 500 black births is afflicted with this crippling disease, and at least 5,000 require hospitalization. Although there is a wide range in the severity of the disease process, black Americans afflicted with this disease rarely survive to adulthood. Most die before they reach the age of 20.

It is important to distinguish between those who have the sickle trait and those that suffer wiht the disease. Those who have only one positive sickle cell gene may not suffer from the disease, but can transmit the disease to their children. Experts have estimated that of the 25 million black people in America, approximately 2.5 million may have the sickle cell trait. This means that if two carriers produce a child, there is a 25-percent chance that the child will have sickle cell anemia and a 50 percent chance that the child will be a carrier.

Sickle cell anemia results from an abnormal hemoglobin molecule in the red blood cells which cause the cells in the body to take on a sickle S-shape. Once the cells have this form, several clinical manifestations may ocur: Severe anemia can result; the normal flow of blood to the vital organs such as the heart, kidney, lungs, is impeded by the sickle-shaped cell. When the normal flow of blood is impeded, intense pain results; most victims die from the disease, since the repeated oxygen crisis from lack of blood flow to vital organs causes a toll on the body.

Sickle cell anemia is a genetically hereditary form of anemia which afflicts blacks almost exclusively. At the present time, there is no known cure for this disease.

I need not emphasize the significance and importance of the legislation before us today. The national program established by H.R. 13592, National Sickle Cell Anemia Prevention Act, would not only conduct research to improve the treatment of persons suffering from sickle cell trait or sickle cell anemia. More importantly, the bill authorizes grants and contracts to assist in establishing and operating voluntary sickle cell anemia screening and counseling programs. The screening process would be to determine who has the disease and who are the carriers of the disease; this is the one major area of the disease which needs to be further developed.

It is estimated that between 8 and 13 percent of the black population carries sickle cell trait. This bill will enable tests to be run in schools in black areas to help both parents and children understand the disease and understand how best to keep healthy those who are afflicted with the disease or those who carry the trait.

This bill is a stepped-up effort to make a real national commitment to attack this crippling and, in most cases, fatal hereditary disease. Research treatment and information about sickle cell anemia have been conducted by NIH and the Veterans' Administration. President Nixon, in his health message to Congress in 1971, called for an increase of $6 million in the budget for research into sickle cell anemia. These efforts are only initial commitments to find ways to treat and cure this disease. H.R. 13592 authorizes $25 million for the first fiscal year this act goes into effect. But this, too, is only a beginning to help victims of sickle cell anemia.

While I wish to express my strong support for this measure, I feel that the bill as reported by the committee is only a halfway measure since there are two commonly found genetic blood disorders leading to anemia in America, the other one being Cooley's anemia. Initially, this anemia was prevalent of persons of Mediterranean descent, namely Greeks and Italians. Today, however, America's Mediterranean population has intermarried. The disease is now found not only in Americans of Italian and Greek origin, but also in Americans of Jewish, Scandinavian, and even Oriental origin. Like sickle cell anemia, the victim of this disease rarely lives to adulthood. Like sickle cell anemia, Cooley's anemia is a hereditary disease in which 25 percent of children born of individuals with even a mere trait of the disease will have a severe form of the disease and 50 percent will be carriers. While the severity of the disease covers a wide range in sickle cell victims, victims of Cooley's anemia always suffer from severe forms. From early life on, the victims of Cooley's anemia must undergo daily blood transfusions in order to maintain a blood count sufficient for survival.

Like sickle cell anemia, not much Federal research and grant programs have been given to find treatment for victims of Cooley's anemia. I believe that both forms of anemia are serious problems and that Federal assistance is essential to make progress against these two fatal diseases. Why should this act merely provide funds and assistance to attack sickle cell anemia and do nothing for the equally fatal Cooley's anemia? For these reason, I strongly support BOB GIAIMO's amendment for $7.1 million in Federal assistance to combat Cooley's anemia.

Mr. Speaker. I urge the adoption of the rule in order that the legislation may be considered.

Mr. LATTA. Mr. Speaker, I agree with the statement just made by the gentleman from Massachusetts, Mr. O'NEILL, the purpose of the bill is to establish a national program for diagnosis, prevention and treatment of sickle cell anemia together with screening and counseling programs and informational programs.

Sickle cell anemia is said to occur in approximately one in 500 black births in the United States per year. Although there is a wide range in the severity of the disease process, those who have the disease rarely survive to adulthood.

The cost of this bill is $25,000,000 for fiscal year 1973, $35,000,000 for fiscal year 1974; and $45,000,000 for fiscal year 1975.

Since H.R. 13592 is a clean bill, introduced after the conclusion of hearings, the report of the Committee on Interstate and Foreign Commerce does not include reports from the executive agencies on this particular bill. However, other bills dealing with the same subject, were opposed by HEW on the grounds that programs already existing within HEW were sufficient to achieve the purposes of these bills. The other executive agencies expressing views either concur with HEW or oppose particular sections of the bills.

There are no minority views included in the report of the Committee on Interstate and Foreign Commerce.

The bill was ordered reported unanimously by a voice vote. Similar legislation passed the Senate on December 8, 1971—S. 2676.

Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. QUILLEN).

(By unanimous consent, Mr. QUILLEN was allowed to speak out of order.)

MISUSE OF FLAG BY NBC

Mr. QUILLEN. Mr. Speaker, the National Broadcasting Co., in its primary election coverage this year, has, in my opinion, violated the Federal Flag Code by using the U.S. flag in its advertising and as an introduction to its election campaign coverage.

For the past several weeks, I have watched with distaste and repulsion as NBC flashes its "Decision '72" before millions of television viewers. I object to the use of the U.S. flag as a part of the numeral seven and I contend that this image is in very poor taste.

To those of us who have a deep feeling for our flag and its symbolism, this action on the part of NBC is degrading and disrespectful.

Mr. Speaker, I do not take the floor to question the patriotism of the officials or anyone at NBC, but to spotlight this violation of the Federal Flag Code in the hope that it will immediately be corrected.

Volume 36 United States Code, section 176(i), states:

The Flag should never be used for advertising purposes in any manner whatsoever.

The use of the flag in advertising for campaign coverage by NBC is clearly an infraction of the Federal Flag Code.

Unfortunately, the Code does not prescribe any penalties for noncompliance with its rules, nor does it include any other provision for enforcing compliance. The Code, as distinguished from the antidesecration law, is intended to be a guide to be followed on a voluntary basis by all U.S. civilians or civilian groups to the end that, as far as practicable, the manner in which the flag is displayed shall be uniform.

Surely, if a television network of the stature of the National Broadcasting Co. cannot abide by these guidelines, how can we expect our citizenry to show proper respect for the flag. More importantly, how can we impress upon our young people that this emblem is the traditional symbol of our free land.

While NBC's use of the flag in the numeral 7 of its "Decision '72" format might might not constitute an intentional or knowing contempt of the flag, I contend that it is wrong to include it in this way. Indeed, it is an insult to this emblem of justice and freedom—the embodiment of our Nation's principles.

I am confident the network artists can come up with a better promotional gimmick for its election coverage and special reports this year than having the flag imposed in the numeral 7 in their "Decision '72" advertising.

The National Broadcasting Co. and all television networks and news media have a tremendous responsibility to the American public. They are a great influence on the thinking of our citizens and they are charged with setting a good example.

Their purpose is not to offend and I feel in most instances they strive to conduct their programing and news broadcasts in the best possible taste.

However, by using the U.S. flag as a promotional gimmick to advertise their "Decision '72" coverage, the National Broadcasting Co. is violating the Federal Flag Code in the worst possible respect.

Needless to say, Mr. Speaker, I hope that last night's coverage of the Illinois primary is the last time I personally have to watch this distasteful misuse of the American flag.

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

Mr. O'NEILL. 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.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 85]

Aspin	Galifianakis	O'Hara
Baring	Gallagher	Passman
Belcher	Gaydos	Patman
Biaggi	Gray	Pike
Bingham	Hagan	Pirnie
Bolling	Halpern	Pryor, Ark.
Cabell	Harvey	Purcell
Celler	Hawkins	Rangel
Chappell	Hébert	Rees
Chisholm	Heckler, Mass.	Reid
Clark	Heinz	Rostenkowski
Clay	Howard	Ruppe
Collins, Ill.	Hull	Saylor
Conyers	Johnson, Pa.	Scheuer
Corman	King	Shoup
Crane	McEwen	Sisk
de la Garza	Mahon	Smith, Calif.
Dellums	Mallary	Stanton,
Dowdy	Metcalfe	James V.
Dwyer	Mikva	Stokes
Edwards, La.	Mitchell	Stubblefield
Eshleman	Moorhead	Teague, Tex.
Fuqua	Obey	Yates

The SPEAKER. On this rollcall, 363 Members have answered to their names, a quorum.

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

NATIONAL SICKLE CELL ANEMIA PREVENTION ACT

Mr. STAGGERS. 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. 13592) to amend the Public Health Service Act to provide for the prevention of sickle cell anemia.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS).

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. 13592, with Mr. EVINS of Tennessee 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 West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS).

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

Mr. Chairman, I rise in support of H.R. 13592, the proposed National Sickle Cell Anemia Prevention Act.

This is a 3-year bill with total appropriation authorizations of $105 million to provide for voluntary sickle cell anemia screening and counseling programs; for informational and educational programs; for research programs; and for treatment programs.

Sickle cell anemia is an inherited blood disease primarily affecting black Americans. Approximately 1,000 black infants are born each year with sickle cell anemia, and it is estimated that between 25,000 and 50,000 individuals are currently afflicted with it. These unfortunate individuals usually die before the age of 20; few survive beyond age 40; and most are disabled before death. There is no known cure for the disease.

In general, the program contemplated under the bill will involve screening individuals for the sickle cell trait, and counseling individuals with this trait that in the event they marry a person who also has the trait, the likelihood is one in four that a child born to them will have sickle cell anemia; two in four that a child will carry the sickle cell trait; and one in four that a child born to them will neither have sickle cell anemia nor the genetic abnormality known as the sickle cell trait.

The bill also provides for further research into the diagnosis, treatment, and prevention of the disease.

The bill was considered by the Subcommittee on Public Health and Environment, and unanimously reported to the full committee. The bill was unanimously reported to the House by a voice vote; I know of no opposition to the bill, and urge its passage.

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

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

Mr. PEPPER. Mr. Chairman, I want to commend the distinguished chairman of the committee, the gentleman from West Virginia (Mr. STAGGERS) and the members of his Committee on Interstate and Foreign Commerce for bringing forth this much needed legislation to provide $105 million for a 3-year Federal program to combat sickle cell anemia.

I was pleased to move in the Rules Committee that this measure—H.R. 13592—be reported out favorably, and, I am happy to say, the bill was reported out unanimously.

Sickle cell anemia is an affliction which primarily affects blacks and yet, many of its potential victims do not understand its painful, and frequently fatal, implications.

The Congress, devoted for more than three decades to major efforts to deal with the various diseases, has previously taken no notice of this ailment which hits one out of every 500 black children and causes the death of many of them before the age of 20.

Cystic fibrosis, which afflicts only one in every 1,400 children, is known to every potential donor of charitable funds; but cystic fibrosis hits home in the white suburbs as well as in the black community.

Sickle cell anemia is associated primarily, however—but not exclusively—with blacks. Those who carried the new gene had an advantage over those who did not. The disadvantages of the mutation are manifest when a child inherits the sickle cell gene from both parents.

The estimates vary as to the number of blacks afflicted with this disease; but it is generally agreed that 40,000 to 50,000 persons have the disease, and an additional 8 to 13 percent of all blacks carry the trait.

One thing about sickle cell anemia is not in dispute. Those who have the disease rarely grow to maturity; thus, it is a disease of children and young adults. Its victims do not survive, but the carriers of a new generation of victims do survive and reproduce.

Current treatment for those suffering from the disease is minimal, at best. This treatment can minimize, however, the sickle cell "crisis" and prolong the life of its victims.

One of the objectives of this legislation would be to provide medical research to find ways to cope with these crises, as well as to develop programs to identify the carriers of the trait, so that they can minimize the possibility of future pairing of the single cell trait.

Federal support for research on sickle cell anemia has previously been provided by the National Institutes of Health, but the budget for fiscal year 1971 was a mere $1 million. This was split between the National Heart and Lung Institute and the National Institute of Arthritic and Metabolic Diseases.

In the 1972 budget, an additional $5 million dollars of the Heart Institute's budget was earmarked for programs dealing with sickle cell anemia. But, this is an insignificant fraction of the almost $2 billion in Federal funds allotted for medical research.

This legislation would show the dramatic increase in congressional support for sickle cell anemia research, which is so long overdue. Without a doubt, sickle cell anemia research is an idea whose time has come.

I strongly urge, not only for the black people of our country, but for black people everywhere, that the House approve this very vital legislation.

Mr. STAGGERS. Mr. Chairman, I thank the distinguished gentleman from Florida.

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

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

Mr. BENNETT. Mr. Chairman, I congratulate the committee for bringing out this much needed legislation. Sickle cell anemia has long been a cruel burden for many of our citizens, an inheritable, debilitating, painful and often fatal disease. With the heavy thrust of the Federal Government to stamp out this disease, there is very real hope for the eradication of the disease in the near future. I am happy to urge the prompt enactment of this legislation to do precisely that.

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

Mr. STAGGERS. I yield to the gentleman.

Mr. MADDEN. Mr. Chairman, I want to commend the distinguished chairman of the Committee on Interstate and Foreign Commerce, the gentleman from West Virginia (Mr. STAGGERS) for bringing this legislation to the floor of the House.

The pending bill (H.R. 13592) which was unanimously reported out of the Rules Committee yesterday, is identical with the legislation I filed several months ago along with a number of other Members of the House.

Chairman STAGGERS and members of the House Interstate and Foreign Commerce Committee are to be commended for the ample hearings held on this legislation and also for reporting the same out of committee for House action.

Sickle cell anemia is a deadly disease and has affected thousands of individuals and families throughout the Nation over the years. I do hope that this legislation is acted upon favorably by the House today as it will provide an initiating program and involve the expenditure of approximatley $105 million over the next few years to effect and promote scientific research for the purpose of curbing and eliminating this mysterious scourge inflicted upon so many of our people.

It is unfortunate that there is at present no effective medical attack or concentrated effort to learn the nature, origin, and risk of this disease. The Congress must persist and strengthen all efforts of research to combat this disease.

More than 10 years after sickle cell anemia was identified as the tragic killer, we are finally beginning to become aware of its terrible tolls. It is a blood disease resulting from the inheritance of a genetic factor relating to the so-called sickle cell trait. It is a painful and deadly disease. It kills over half its victims before the age of 20. Few survive beyond the age 40 and most are crippled long before death.

The disease strikes approximately one out of every 500 black persons. Medical research estimates that over 2 million Americans carry the so-called sickle cell trait. These persons are generally not in danger of the disease itself, but the children of parents who both carry the trait, run high risk of inheriting the disease.

Yet, when compared to other serious diseases, sickle cell has received only minimal attention and research compared with the frequent occurrence of other diseases—neglect of sickle cell anemia research is inexcusable. Cystic fibrosis, a disease that affects primarily white persons occurs with a frequence of one in every 2,940 births. Sickle cell occurs in roughly one out of every 500 births of black children.

There is still no nationwide voluntary organization devoted to sickle cell anemia, but groups in many cities throughout the country are now active and increasing in effectiveness. There is still no cure for sickle cell anemia and it would be cruel for us today to promise one. Thus this bill will provide new impetus and support for continuing and expanding research efforts. In addition to research however. there is a tremendous need to provide education of the public on the nature and inheritance of sickle cell disease.

I do hope that the House today will unanimously vote for the pending bill without adopting any crippling or curtailing amendments.

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

Mr. Chairman, the origin of the sickle or half-moon shaped cells in the bloodstream of many black citizens is not clearly traceable. Scientists believe that it developed centuries ago as a defense of the system against malaria. We do know that those who have what is known as the sickle cell trait—one such gene—do resist malaria remarkably well. When a child is born with two such genes, however, it ceases to become a blessing and becomes a curse. Such a child will probably not live beyond 20 years and all through those years it will suffer much pain at irregular intervals. Once this condition exists there is little to be done.

Research goes on but it is well recognized that more research would be desirable. This bill would provide some extra money for that purpose. It is not claimed here that the problem is being neglected. On the contrary, there are Government programs of several types presently underway. Research supported by NIH amounts to about $1.5 million. Maternal and Child Health Services under social security give some help as does the new family planning activities approved by Congress last year.

This bill is intended to give somewhat greater direction and support to the effort and particularly to upgrade and emphasize the aspects of screening and counseling. This is vitally important because adults with the sickle cell trait are very apt to produce a child with the disease and this is a most unsettling thought. By encouraging adults to be tested before marriage the incidence can be greatly lowered. It is basically a family planning problem. Information must be developed and disseminated to bring the story to those who may be carriers. There are probably 2.5 million people in the United States who carry the sickle cell trait and about 50,000 with the actual disease.

The bill before us today provides $25 million for fiscal year 1973 for both research and screening. The administration has already provided about $15 million for these purposes in its budget and probably will not go much beyond that, but some further leeway is provided in case progress indicates the desirability of stepping up the effort later in the year which will extend to July 1973. The next 2 years provide $35 and $45 million, respectively, and it is hoped that progress made during the first year will make the use of such sums practical. The Senate bill passed last December provides considerably more and will have to be comprised when we later meet in conference.

I recommend passage of H.R. 13592.

The question is asked as to how this bill compares with the legislation in the other body. The Senate passed fairly the identical bill in December 1971 as S. 2676. Their figures for 1973, 1974, and 1975 were as follows: $33 million, $49 million, and $65 million. With the exception of the fiscal year 1975, our figures very much approximate those of the Senate. I would anticipate that when we go to conference we will have no difficulty in resolving that question. Actually I believe our figures are adequate in this field.

Personally I would sort of stand on our figures pretty firmly insofar as I have anything to do with a conference.

Mr. HALL. Mr. Chairman, will the gentleman yield at that point and along that line?

Mr. SPRINGER. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the statements of both the chairman and the ranking minority member of this committee. Certainly the time has come when we should and must do something about this dread genetic disease. There is a point to which I shall speak later, but I wish now to rise to the point of funding in view of the recent technological breakthroughs in the testing and mass surveys that can be made using special urea solutions and computers which are already in operation for immediate determination, and at 2 cents per test instead of a dollar a test. Did the committee have this under consideration rather than using the proprietary Sickledex test?

Mr. SPRINGER. All of what the gentleman has talked about was gone into by the committee. It is my understanding that as of yesterday, when we were talking about this, not in the subcommittee, we discussed that fact that the matter of testing is something more complicated than it is pictured in the amendment which will later be offered. It is a little more difficult in testing, but outside of that we think what we are doing at the present time is not adequate, but we believe we are approaching something which will be of great value.

Mr. HALL. Mr. Chairman, will the gentleman yield further?

Mr. SPRINGER. I yield to the gentleman from Missouri.

Mr. HALL. Possibly I did not get my point across. I think we have a technical breakthrough here, not only in the research requisite for origin and diagnosis of the disease, but for mass surveys and isolation of those who carry it, with all the advice, with all the treatment they require, and, finally, in the treatment of the disease, but specifically in a technique of mass survey that can be computerized. These are metabolic and molecular breakthroughs. Indeed, it is being done in some of the services—NIH and the U.S. Army, plus the Veterans' Administration. If we were to collate and coordinate with those people so that the time is ripe for the borning of this self-help domestically, to possibly eliminate the disease, much in the same manner as polio was eliminated, simply by taking a cube of sugar with urea, if and when it is done.

Therefore, I am complimenting the committee, but at the same time I am hoping that you are aware of the reduced cost of mass surveys and testing at the time that you set up the appropriation, and I hope you will stick by your guns, even in conference, if it is found that you do not need all of this funding, that it can be reduced, rather than added onto as requested by the other body.

I include the following:

SICKLEDEX TEST FOR HEMOGLOBIN S—A CRITIQUE

(By Robert M. Nalbandian, M.D.; Raymond L. Henry, Ph. D.; Jeanne M. Lusher, M.D.; Lt. Col. Frank R. Camp, Jr., M.S.C., U.S.A.; and Col. Nicholas F. Conte, M.D., M.C., U.S.A.)

(The Sickledex test has been proposed as "specific" for hemoglobin S in the absence of a disclosure of the principle and reagents. Its convenience and simplicity has already assured widespread usage. But serious errors will be made unless the chemistry of the test is understood and coupled with the insights of modern molecular hematology. Evidence indicates that the Sickledex test consists of potassium phosphate, sodium dithionite, and saponin. When this test is used with insight, much diagnostically valuable information can be obtained.)

The proprietary Sickledex test is rapidly gaining favor as a diagnostic test for hemoglobin S because of its speed, simplicity, and convenience.[1-7] This wide usage is proceeding in the absence of knowledge of the reagents and the principle of the test. However, when in 1968 Diggs and co-workers proposed the Sickledex test,[1] the reagents and principle were not disclosed. While the Sickledex test is an excellent screening test, it has distinct limitations unless molecular basis for the test is clearly understood.

Studies in our laboratory[8] led us to the conclusion that the Sickledex reagent consists of a quantity of phosphate buffer, sodium dithionite, and saponin and so was very similar to the Itano solubility test.[9] If into such a reagent system an appropriate quantity of hemoglobin S in intact red blood cells is introduced, a series of events will occur as follows: (1) the cells will lyse; (2) the hemoglobin S tetramers will deoxygenate; (3) the conditions at the molecular level will be ideal for the formation of microfilaments and microcables;[10 11] (4) when hemoglobin S is present a nematic crystal system will form.[12 13] The presence of hemoglobin S will thus be recognized by the appearance of a turbid solution, which in the Sickledex test is regarded as positive. However, under such conditions not only will hemoglobin S form a turbid nematic liquid system but so also will other non-S sickling hemoglobins such as C (Harlem), C (Georgetown), Bart's (personal communication, H. Lehmann, July 1969), H,[14] and possibly others too.

In an attempt to confer additional specificity to the test, Henry et al[15] and Nalbandian[11] and co-workers modified the Sickledex test by the introduction of urea, since it has been shown that urea would disperse those nematic liquid crystal systems uniquely caused by hemoglobin S (or its structural variant hemoglobin C [Harlem]). In our own laboratories (Blodgett Memorial Hospital, Grand Rapids, Mich, and US Army Medical Research Laboratory, Fort Knox, Ky) we have prepared reagents made from potassium phosphate, sodium dithionite, and saponin which function entirely satisfactorily and are in no detectable way inferior to the proprietary and undisclosed Sickledex solution. This has been achieved at a reagent cost of about 2 cents per determination in contrast to the substantially higher cost of the proprietary Sickledex test reagent.

Knowledge of the presumptive reagents, and principle of the test lead to an understanding of false-positive and false-negative reactions, and the pitfalls of faulty technique. These have been well discussed in part by Diggs and Walker.[7] False-negative Sickledex test reactions may be obtained by (1) inadequate quantities of blood from anemic patients (hemoglobin levels below 10 gm/100 ml or hematocrit readings less than 30%); (2) deterioration and inactivity of the reducing agents (probably sodium dithionite); (3) deterioration and inactivity of the lytic agent (probably saponin); (4) various improper techniques in illumination and visualization of the lined reader scale; and (5) quantities of hemoglobin S too small to detect as at birth and, possibly, in transfusions. False-positive tests have been recognized in the Sickledex to be due to (1) polycythemic blood or the addition of too much blood in relationship to the quantity of reagent; (2) interference by dysglobulinemias such as macroglobulinemia, myeloma, and cryoglobulinemia. We reiterate that hemoglobin Bart's will give a false-positive Sickledex test, and so may non-S sickling hemoglobins such as C (Harlem), a clinically benign disease, C (Georgetown), possibly Alexandria,[8 11] and Heinz-body-forming hemoglobins.

It is generally not appreciated that hemoglobin S is genetically delayed and does not begin to become the predominant hemoglobin component until after three months of age.[16] Maximal levels of hemoglobin S are not achieved until 5 to 6 months of age. Hence, it is pointless to attempt to screen black babies for the presence of hemoglobin S before 6 months of age by any test unless extraordinary measures are employed. Indeed, it may give erroneous results, since hemoglobin Bart's may be present at birth in some cases of thalassemia.[16]

All hemoglobin specimens which test positive by the Sickledex test should be studied by electrophoresis and, if desired, by the urea modification of Henry et al (see above).

FOOTNOTES

[1] Diggs LW, Schorr JB, Ascari WQ, et al: A new diagnostic test for hemoglobin S. Presented as an exhibit before the 22nd joint annual meeting of the American Society of Clinical Pathologists and the College of American Pathologists, Miami Beach, Fla., Oct. 1968.

[2] Loh WP: A new solubility test for rapid detection of hemoglobin S. *J Indiana Med Assoc* 61:1651-1652, 1968.

[3] Diggs LW, Durst D, Walker RD: The test tube turbidity method for detection of HBS. Read before the International Congress of Hematology, Munich, Germany, Aug 1970.

[4] Ballard MS, Radel E, Sakhadeo S, et al: A new diagnostic test for hemoglobin S. *Pediatrics* 76:117-119, 1970.

[5] Canning DM, Huntsman RG: An assessment of Sickledex as an alternative to the sickling test. *J Clin Path* 23:736-737, 1970.

[6] Loh WP: Evaluation of a rapid test tube turbidity test for the detection of sickle cell hemoglobin. *Amer J. Clin Path* 55:55-57, 1970.

[7] Diggs LW, Walker R: Technical points in the detection of sickle cell hemoglobin by the tube test. *Amer J Med Techn* 37:33–36, 1971.

[8] Nalbandian RM, Kessler DL, Henry R: Nonspecificity of tests for hemoglobin S. *Bull Path* 10:277, 1969.

[9] Itano HA: Solubilities of naturally occurring mixtures of human hemoglobin. *Arch Biochem Biophys* 47:148–159, 1953.

[10] Nalbandian RM, Henry RL, Nichols BM, et al: *The Murayama Test: I. Evidence for the Modified Murayama Hypothesis for the Molecular Mechanism of Sickling, report 893.* Fort Knox, Ky, US Army Medical Research Laboratory, 1970.

[11] Nalbandian RM: *Molecular Aspects of Sickle Cell Hemoglobin: Clinical Applications.* Springfield, Ill, Charles C Thomas Publisher, 1971.

[12] Harris JW: Studies on the destruction of red blood cells: VIII. Molecular orientation in sickle cell hemoglobin solutions. *Proc Soc Exp Biol Med* 75:197–201, 1950.

[13] Perutz MF, Mitchison JM: State of haemoglobin in sickle-cell anaemia. *Nature* 166:677–679, 1950.

[14] Heller J, Yakulis V: A simple and reliable test for sickling. *JAMA* 203:990, 1968.

[15] Henry RL, Nalbandian RM, Nichols BM, et al: *An Automated Screening Method for the Specific Detection of Homozygous and Heterozygous S Hemoglobin,* report 898. Fort Knox, Ky, US Army Medical Research Laboratory, 1970.

[16] Nalbandian RM, Henry RL, Camp FR Jr, et al: Embryonic, fetal, and neonatal hemoglobin synthesis: Relationship to abortion

Footnotes at end of article.

and thalassemia. *Obstet Gynec Survey* 28: 185–191, 1971.

NEW STRATEGY FOR SICKLE CELL DISEASE

The importance of the two papers by Nalbandian and his associates published elsewhere in this issue of The Journal is that they demonstrate how, armed with determination and a suitable screening test, concerned civil authorities can efficiently survey a population at risk from sickle cell disease.

Unfortunately, there is still considerable doubt about what type of treatment should be offered to those affected persons such mass surveys bring to light. Despite the wide publicity it has attained, the use of intravenous urea as a remedy for the painful sickle cell crisis has many problems associated with it, though these are currently being evaluated by investigators in several research centers.[1]

The protocol recommended by Nalbandian[2] requires intensive care facilities, venous catheterization with the tip positioned by x-ray in the superior vena cava and an indwelling urinary catheter. A sterile 30% solution of urea in 10% invert sugar is infused slowly to maintain levels of blood urea nitrogen in the range of 150 to 200 mg/100 ml. Urea and electrolyte concentrations are measured at hourly intervals. Other chemical and hematological procedures are recommended. Water balance is carefully monitored. The infusions are continued until "the patient reports complete or virtually complete relief from pain."

Since the pains associated with the crises are due to varying degrees of focal stasis of sickled erythrocytes leading to hypoxia, perivascular edema, and infarction, and since the duration of crises is variable, it is difficult to evaluate therapeutic effectiveness. One of the handicaps of any form of treatment is that the drug cannot go to the focal area involved because the blood vessels are obstructed by sickled cells. It is therefore imperative that treatment be started before infarction and necrosis have occurred.

The disadvantages of any form of intravenous therapy for recurrent sickle cell crises are the necessity of admissions to emergency rooms and hospitals, the technical difficulties, and the expense. Skilled intravenous teams are necessary, but are in short supply. In infants and children, those who most often have painful crises, intravenous therapy is impractical, while adults may have veins that are hard to find and to cannulate, especially if they have been used frequently in the past. During the severe crises patients writhe in agony, object to restraint, and find it difficult to hold still for hours or days while intravenous solutions slowly infuse. It is erroneous to state that treatment with urea is inexpensive just because commercial urea costs approximately $1 per pound. By the time the urea has been prepared in intravenous kits together with the sugar solution solvent, the cost is many tens of dollars, while to this sum must be added the cost of admission to an intensive care ward, of the hematological tests, and of the physician's fee.

Urea owes its effectiveness to the fact that it easily traverses cell membranes, breaks molecular bonds, and causes the helical aggregates (tactoids) of reduced hemoglobin within the red cells to revert to the soluble state. Unfortunately, urea in high concentrations is also capable of causing alterations in molecules other than sickle cell hemoglobin and in cells other than erythrocytes.

Whether or not urea fulfills its expectations and proves to be the answer to sickle cell crises, patients with sickle cell anemia and related diseases owe a debt of gratitude to Dr. Nalbandian and to other investigators for helping to increase public awareness and concern about the magnitude and seriousness of the problem, for exploring new methods of treatment, for developing more specific tests, for the introduction of an automated test, and for the popularization of mass screening programs.

The idea that chemical engineering at the molecular level may make it possible to overcome the handicaps of an hereditary abnormality serves as a challenge to explore the possibilities of other drugs[3,4] that may be as effective as urea, while being easier to administer and of less toxic potential.

L. W. DIGGS, M.D.

MEMPHIS.

---

[1] Scott RB: Urea therapy in sickle-cell anemia. *New Eng J Med* 285:1025–1026, 1971.

[2] Nalbandian RM (ed): *Molecular Aspects of Sickle Cell Hemoglobin: Clinical Applications.* Springfield, Ill. Charles C Thomas, 1971.

[3] Cerami A, Manning JM: Potassium cyanate as an inhibitor of the sickling of erythrocytes in vitro. *Proc Nat Acad Sci* 68:1180–1183, 1971.

[4] Kraus LM, Kraus AP: Carbamyl phosphate mediated inhibition of the sickling of erythrocytes in vitro. *Biochem Biophs Res Comm* 44:1381, 1971.

Mr. SPRINGER. May I say in reply to my colleagues from Missouri that not only did we go into this funding quite carefully, but I have also talked to the chairman of the Subcommittee on Appropriations which handles this matter. He intends to make a statement a little later in the day as to what has been done to date. We do not want to leave the impression that nothing in this field has been done and that we are originating something new. I would like all of our colleagues to know what has been done and what this legislation proposes to do.

In addition, the gentleman from Kentucky, I think, wants to reply to a question that my distinguished colleague from Missouri brought to his atention a moment ago.

Mr. CARTER. In response to the distinguished gentleman from Missouri, say the committee has gone into the cost of these tests and, indeed, there has been a breakthrough which we need to take advantage of, and we trust that it will cost less money than was thought previously.

I thank the distinguished gentleman for yielding.

Mr. SPRINGER. Mr. Chairman, I yield 6 minutes to my distinguished colleague, the gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Chairman, a disease that attacks one of each 500 children in the Nation, kills more than half its victims before they are 20 years old and which inflicts great pain and crippling is hardly the sort of malady that would normally go neglected in terms of research and prevention in a nation such as ours.

If a nation of enormous generosity toward funding the eradication of countless diseases around the globe, many of which never were important threats in the United States; in a nation in which biomedical research will not rest until ways have been found to deal effectively with all threats to American health—in such a nation a disease such as sickle cell anemia would likely have a difficult time perpetuating itself. We could well expect the kind of campaign that would be mounted to deal with such a heinous child-killer.

But, as you all know, such has not been the case. American medical crusades have been directed against any number of ailments of similar or reduced threat to the American populace. Yet attempts to understand and control sickle cell anemia have largely been of the token variety.

I speak today not to argue whether or not the most significant reason for this past misplacement of medical care priorities has had to do with the reality that sickle cell anemia strikes not one of every 500 children in America, but rather one of every 500 black children. This neglect may indeed be an accurate production of the present sociological climate in this Nation; but arguing this premise is not my present concern.

It is my concern, as a Congressman and as a physician, to see that this neglect of a disease that afflicts about 2 million black Americans is dealt with immediately in correct proportion to its degree of threat to American health.

In my estimation, the provisions of these bills presently being considered represent an effective early response to that threat. That is why I helped sponsor them; the $90 million asked for here should be granted with no more delay to research and counsel people about this child-killing disease in repayment to black America for this period of gross medical neglect. The Nation at the very least has a moral obligation to provide immediate facilities and resources for counseling on the scope of the disease.

People have a right to know if they are unknowingly carrying the sickle cell trait.

The program of voluntary testing must be extensive enough to reach all black persons, so couples who have recessive sickle genes will know they do, thus enabling them to decide if they want to risk the 1 in 4 chance that any children they create together will be stricken with this killer disease. To keep these persons needlessly in the dark any longer would be unimaginably cruel.

The second, more clear-cut concern is to reduce that 1 in 4 ratio.

Medical research has conquered all manner of killers in the past; a concerted effort, at long last, by the same medical researchers could do the same to sickle cell anemia. We will never know what success we can have until we give it a far harder try than ever we have in the past.

I do not confirm or reject all the rhetoric connected with the history of nontreatment of sickle cell anemia. This Congress must not concern itself with such rhetoric until there is time for retrospect after this child-killer is eradicated from this Nation. I have no patience with delaying rhetoric when the lives of children are at stake.

I urge my fellow Congressmen to join me in support of this truly emergency legislation. Each moment spent here in argument is time wasted for the saving of lives.

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

Mr. CARTER. I yield to the distinguished gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I wish to associate myself with the remarks of

the distinguished gentleman in the well and point out to the House of Representatives that our subcommittee is particularly fortunate in having our good friend, the gentleman from Kentucky, on the committee. He is a practicing physician. Likewise, on the Democratic side we have Dr. Roy, the gentleman from Kansas, so we have two medical doctors on our subcommittee which deals with all these health problems. I believe that our country is fortunate to have the very qualified expert services of these two gentlemen.

Mr. CARTER. Mr. Chairman, I thank the distinguished gentleman for his very kind remarks.

I would like to say, in return, not because of the compliment the gentleman paid me, but because I really know and feel over the years that the gentleman has been one of the greatest legislators in this body, and that he is a great compromiser.

I am in hopes that in the near future Mayor Washington in his wisdom will see fit to name the vocational training school here in the District of Columbia, which was fathered by the distinguished gentleman from Minnesota, the Ancher Nelsen Vocational School.

Mr. NELSEN. I thank the gentleman.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the Delegate from the District of Columbia, Mr. WALTER FAUNTROY.

Mr. FAUNTROY. Mr. Chairman, I rise in support of H.R. 13592 and to commend the fine work of this committee, and in particular the fine work of its subcommittee, whose chairman, PAUL ROGERS, was so helpful. The speed with which the committee held hearings and reported this bill indicates to me the concern of many Members of Congress about the tragedy of this dreaded disease which affects primarily black people causing their death and heaping upon them a pain and suffering which no one should have to bear. It is a pain and suffering which is made harder because of the dearth of programs and the dearth of funds which could, if available, perhaps find the cure and an alleviation of the affliction.

Sickle cell anemia strikes one of approximately every 500 young black children killing more than half of them before they reach the age of 20. It is a genetic malady whose horrors are passed from generation to generation recurring predictably when the necessary genetic conditions are present. The gene is normally passed onto the children of parents who both carry the sickle cell trait. Approximately one in 12 blacks carry the trait with the chance of both parents carrying the trait being one in 144.

Blacks who inherit the disease itself suffer periodic crises in which the normally spherical red blood cells are distorted into crescent-like shape. These deformed cells block narrow capillaries, depriving nearby tissues of needed oxygen and causing excruciating pain. Persons who have only the trait generally do not need care for this condition, as it generally does not cause any difficulty except in instances of extreme stress at certain altitudes or during certain phases of other ailments.

Each major crisis—and there is an average of three per year—requires an average of 7 days hospitalization. In addition, there are generally four to five less serious crises that, while they do not require hospital treatment, require varying degrees of restricted activity. It is not necessary to detail the distraught feelings and the financial loss that affect parents whose children are suffering with this disease.

Yet, the problem instead of decreasing, as are many others, is becoming greater. The majority of blacks now live in urban areas. For these areas, because of the incident rate, the disease becomes not just a significant health problem, it has become a prevalent health problem demanding immediate attention. To understand the meaning of this, one must look at the incident rates for other major cogenital and genetic childhood diseases. Muscular dystrophy occurs at rates of one per 5,000 births, cystic fibrosis at one per 2,940, and diabetes mellitus at one per 2,500, while sickle cell anemia occurs at the rate of one per 500. In 1967, there were 1,155 cases of sickle cell anemia, 813 of muscular dystrophy, and 1,206 of cystic fibrosis.

Here in the District of Columbia, where the black population approaches 70 percent, it is estimated that the costs of care for the 1,000 afflicted children approaches $4 million. And, the disease far exceeds childhood diabetes, nephrosis or cystic fibrosis as a cause of illness.

Like many other diseases, the key to effective pallative treatments is early diagnosis. Today, there are inexpensive screening tests which can be offered prior to marriageable age.

Those who are found to carry an abnormal hemoglobin gene could be counseled to be sure that their mates were tested. Only in this way can heterozygote pairs be detected, and only in this way can informed decisions be made about childbearing among "at risk" parents. This is not to suggest that a couple will decide to have no children; it is to suggest that whatever they do will be done on the basis of an informed and intelligent decision.

The bill (H.R. 13592) which is now before you, establishes a national program for diagnosis, prevention, and treatment of sickle cell anemia, together with screening and counseling programs and information programs. My original bill and a similar measure that passed the other body are more far reaching than the bill reported to you today. These other bills would have brought the Veterans' Administration and the Department of Defense directly into the screening programs; but, while these provisions were deleted by the committee, the bill I am urging you to support is still a giant step which, if you will take it, is a most important commitment to the finding of a cure and a prevention of this dreaded disease.

Since the purpose of this bill is to provide a coordinated and overall effort against sickle cell disease, the primary thrust of the bill, in addition to research, is the providing of funds for the creation of screening and counseling programs. Screening will allow black parents to learn whether their combination of genes presents a high chance of their passing the disease onto their offspring. Based on this information, counseling programs can advise the parents of alternatives. As Dr. Robert B. Scott has written in the AMA Journal—

> Whether a young couple will decide to have no children or plan a family of limited size or disregard the knowledge of the risk would be entirely their own decision, one which no one could make for them. However, the opportunity to protect their families from the tragedy of sickle cell anemia will have been offered.

This is the reason that I had hoped we would have included the Department of Defense because it is here that so many young men come through in a systematic and orderly way. Until we have a volunteer army, I think it is safe to presume that every young man will be examined by the Armed Forces medical people who could determine if he were a trait carrier and then either offer him counseling or direct him to the places where counseling is available. If we had done this, we would have maximized the utilization of the services that we are providing in this authorization.

I point this out merely because of the enormity of the tragedy when uncounseled persons marry and have, through chance, children with the disease. We must do something to alleviate this misfortune. The start to that "something" is in this bill with those above mentioned aspects and its second thrust of providing grants for research, and the development of programs for diagnosis, prevention and treatment of sickle cell anemia. Under this provision, funds would be made available to public and nonprofit private entities such as medical schools, hospitals and foundations, for the development of programs in basic research, in reaching those people who are not now reached by any existing program.

Mr. SATTERFIELD. Will the gentleman yield?

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

Mr. SATTERFIELD. I would just like to comment on one thing. The gentleman mentioned that the Senate bill was more extensive than ours. I assume you are referring to that part of the Senate bill dealing with the Veterans' Administration. I just want to take this opportunity to assure you and the House that, although the committee bill does not include the Veterans' Administration, the Subcommittee on Hospitals of the House Veterans' Affairs Committee has conducted public hearings on this subject and is now in the process of attempting to develop legislation.

Mr. FAUNTROY. Thank you. I will look forward to passing that, also, when it comes through.

Mr. SPRINGER. Mr. Chairman, I yield as much time as he may consume to the gentleman from New York (Mr. KEMP).

Mr. KEMP. Mr. Chairman, I rise in support of H.R. 13592, the National Sickle Cell Anemia Control Act. On January 31, 1972, I introduced H.R. 12750 which also provides for the control of sickle cell anemia and is similar to the measure we have before us today.

At this point I include an article from the December 2, 1971, issue of the Buffalo Challenger, a black weekly, and I call attention to the quote of Dr. Lemuel Diggs where he emphasizes that episodes of the disease "are considered medical emergencies":

DRIVE URGED FOR SICKLE CELL ANEMIA

Sickle cell anemia, a hereditary disease that strikes hundreds of thousands of people—Black and white—throughout the world requires much more basic laboratory and human research before doctors can discover a cure for the blood disorder, experts concluded after a two day symposium that ended in New York yesterday. (11/19/71).

Physicians also told the 1200 symposium participants at the Commodore Hotel that the number of babies with sickle cell anemia born to future generations could be reduced substantially if more genetic counseling services were offered to patients.

The doctors urged that continuous counseling be given in the new cases detected by blood tests at the screening clinics that are springing up across the country.

Symposium scientists also said that more could be done by applying what is already known in the everyday medical care of sickle cell patients.

Further, the doctors stressed that much misinformation has been disseminated concerning what the disease does to its victims in this country. Africa, Greece, and other Mediterranean countries, India, Central and South America and elsewhere.

Sickle cell anemia, which was the first disease found to result from derangements of molecular machinery, affects people in two ways—one serious, the other minor. A laboratory test called hemoglobin electrophoresis can distinguish between the two forms—the disease and the trait.

In the overwhelming majority of cases no health hazard exists for the person with sickle cell trait, doctors emphasized at the symposium. An estimated 10 per cent of the Black population in this country carries the sickle cell trait.

Dr. Yvette F. Francis, who directs the sickle cell clinic at Jamaica Hospital here said, that each time a woman with a sickling trait becomes pregnant from a man with the sickling trait, the chance is one out of four or 25 per cent, that the baby, regardless of sex will get the disease.

No health problem exists, the geneticists said, if a person without the sickle cell trait marries someone with the sickle trait. Half the children produced by such couples would have the harmless sickle cell trait, but none would have sickle cell anemia.

Sickle cell anemia is gaining increasing public attention, partly because it concerns at least two million American Blacks and also because politicians are paying more attention to the problems and costs of delivering health care.

These were among the reasons why the Medical Society of the County of New York, National Foundation March of Dimes and Foundation for Research and Education in Sickle Cell Disease sponsored the symposium about a disease that has existed since ancient times, but was first reported in a medical journal only in this century.

Sickle cell disease results because too many of its victim's red blood cells are destroyed, thereby making the person anemic.

Anemia is the condition that results when the blood has too few red cells to carry the oxygen needed to meet the body's biochemical demands.

For reasons that scientists said, they did not fully understand, many of the red cells in sickle cell anemia patients become knife-like and fragile when exposed to low amounts of oxygen.

When red cells, sickle, they clog small arteries, cut off further oxygen supplies and perpetuate a vicious cycle that can seriously damage organs such as the kidney, lung, bone or brain.

Some sickled cells, depending on the duration of their exposure to low amounts of oxygen, can resume their normal oval shape when exposed to high levels of oxygen. Nevertheless, sickle cells survive for shorter periods than the 100 day life span of normal red cells.

Beginning in infancy sickle cell anemia can produce bizarre painful symptoms anywhere in the body of a person who inherits a double dose of the sickle genes.

Dr. Lemuel W. Diggs of Memphis said that the disease usually occurred in repeated, painful episodes, called "crises," that are considered medical emergencies.

Mr. Chairman, that is exactly what we have before us today—a medical emergency. One just has to be impressed with the magnitude of the extensive manifestations and complications that this disease can produce. Here is a condition that among other things can produce severe pain, blindness, strokes, lung clots, heart attacks, heart failure, miscarriages, gallstone, chronic healing-resistant skin ulcers, poor weight gain, mimics the clinical picture of rheumatic fever, and appendicitis, leads to frequent infectious complications such as pneumonia, septicemia, and meningitis, and then seemingly, so as an act of kindness to the problems just elucidated, death itself.

The magnitude of 2 million people in this country are affected with this condition and we are practically all aware of other diseases such as diabetes, tuberculosis, and leukemia. It is appalling that although the latter occur with less frequency, many people do not even know the sickle cell amenia is in existence.

Mr. Chairman, sickle cell anemia is a hidden, stalking killer, and can be likened to the closing lines from the immortal pen of Edgar Allen Poe's classic tale of striking similarity, "The Masque of the Red Death." Unless we likewise chart the proper course of action, "this thief in the night, too, can spread darkness, decay, and death over the inimitable dominion of many a proud and beautiful people."

Mr. STAGGERS. Mr. Chairman, I yield whatever time he may need to the gentleman from Missouri (Mr. SYMINGTON), a member of the subcommittee.

Mr. SYMINGTON. Thank you, Mr. Chairman.

I simply wish to say that I join in the remarks, particularly those of my colleague on the committee, Dr. CARTER, and I share the views of the distinguished ranking member of the committee, Mr. NELSEN, that through the presence and the active interest of the two men of medicine who serve on the committee, we have benefited greatly. We have also benefited on the floor from hearing from my own distinguished colleague from Missouri, Dr. HALL. We are indeed lucky to have men with these disciplines available when we try to get this type of legislation through.

Basically, I think all three of them have agreed that this bill is essentially preventive medicine in and of itself, and this is the kind of medicine that we had better start practicing in this country, considering the cost of curative medicine.

This bill recommends counseling, which will be absolutely essential in order to help stabilize the number of afflicted people, and give us time—and we are indeed going to need a little time—to do the research that this bill also provides for.

Let us hope in another few terms of Congress we can consider this job done.

Mr. EDMONDSON. Will the gentleman yield?

Mr. SYMINGTON. I am glad to yield to my colleague from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I want to congratulate the gentleman on his thoughtful statements about this bill and on the significance of it as a new approach to a very serious national health problem. We need to make a commitment of this kind to solve such problems in our country.

I would like to commend the committee for the fine work on this bill. I support it enthusiastically.

Mr. SYMINGTON. I do want to state on my own behalf and I am sure on behalf of other members of the subcommittee that we give our thanks to the chairman of the subcommittee, Mr. ROGERS of Florida, for the leadership he has shown in this matter.

Mr. STAGGERS. Mr. Chairman, I yield time he may require to a member of the subcommittee, Mr. ROY of Kansas.

Mr. ROY. Thank you, Mr. Chairman.

I rise in support of the bill.

I would also like to associate myself with the remarks of the other members of the subcommittee and would like to congratulate our chairman Mr. ROGERS and Mr. NELSEN, the ranking minority member, for their expeditious handling of this legislation.

As an obstetrician and gynecologist, I am acutely aware of the need for genetic counseling, the provision for which is provided for by legislation, for those who are likely to have children with sickle cell anemia. I believe this is an especially important part of this bill.

Sickle cell disease is a disease affecting the red blood cell which until recently has been neglected by our society. It affects primarily the people of African origin. It is estimated that 10 percent of approximately 2.5 million black men and women in our country are carriers of the sickle cell trait. Additionally, it is calculated that one in 500 blacks will have the disease. If two people with the sickle cell trait marry, one in four of their offspring may have the disease, and two in four may carry the trait.

The people who are affected by sickle cell anemia are subjected to approximately three "crises" a year which consist of extreme pain and swelling of hands and feet, joints, and abdominal pain. Over a period of time, leg ulcers and jaundice develop, bones become abnormally shaped; kidney failure, heart failure and blindness may also develop. The most tragic result of this disease is that very few people with it live beyond the age of 25.

This situation must not be allowed to continue. This bill would give us the means to carry out voluntary screening and counseling for sickle cell trait and anemia of our fellow black Americans.

In this way, those who carry the trait will be knowledgeable of its potential damage. This bill also provides funding for research into the treatment of this disease for which there is no known treatment.

I strongly urge unanimous passage of this bill as a step in the attack of this dread disease.

Mr. STAGGERS. Mr. Chairman, I would like to say that I agree with the statements made about Dr. CARTER and Dr. ROY and Mr. NELSEN and PAUL ROGERS and every member of the subcommittee. They have worked long and hard on all of the bills that have come out. Without fear of contradiction, I can say that this subcommittee turns out probably twice as much legislation as any other subcommittee in the House. And, all of it is for the benefit of all the people of this land.

We have neglected too long the health of America. We are just now beginning to come to the point where we realize that this is one of our weak points.

In addition, Mr. Chairman, I would like to say that the subcommittee certainly has done a great job and I again want to compliment each and every member of this subcommittee for the time they have put into this program and the work which they have done on it.

I now yield, Mr. Chairman, to the distinguished chairman of the subcommittee, the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS. I thank the chairman.

Mr. Chairman, I thank our distinguished chairman of the full committee for his kind remarks on behalf of all of the members of the subcommittee. Under his leadership and direction and his urging and prodding the subcommittee has been a very active subcommittee. It has tried to do what in my opinion is a competent job for the Congress and for the American people.

Mr. Chairman, this bill that we have before us today, H.R. 13592, is an important bill and, particularly, it is an important bill to Americans all over the country in every community.

Sickle cell anemia is a genetically transmitted blood disorder which affects an estimated 50,000 Americans and it is believed that another 2.5 million Americans carry the genetic trait which may cause the disease to be transmitted to their offspring. The disease is marked by extremely painful "crises" caused when sickle cell hemoglobin is deprived of oxygen and the normally round doughnut-shaped red blood cells take on a sickle or quarter moon shape. These sickled cells are unable to pass through the capillaries and jam up causing the oxygen deprived tissue to die. Afflicted persons are also extremely susceptible to infection and have an average life span of about 20 years.

The existence of sickle cell anemia, which afflicts black people almost exclusively, has been known for over 60 years. Yet, as recently as 1968 a survey in Richmond, Va., found that only 30 percent of those questioned had even heard of the disease. Medical researchers referred to sickle cell anemia as the forgotten disease until very recently. There is no known cure for the disease and most treatment methods are in experimental stages at present. Until very recently federally funded research in this area was virtually nonexistent.

Mr. Chairman, this bill is the first meaningful effort by the Federal Government in dealing with this significant health problem, sickle cell anemia. The bill provides for a national program to combat sickle cell anemia under a new title XI of the Public Health Service Act. The bill provides authorizations for $75,000,000 for screening, counseling, and education programs, and $30,000,000 for research and programs for diagnosis, prevention, and treatment of sickle cell disease over the next three fiscal years. I might also add that this program is strictly voluntary and the law would provide for strict confidentiality of all test results, records, or other information gathered as a result of participation in this program.

Mr. Chairman, sickle cell anemia is a real problem and it must have a real solution. We must move now to bring the resources of the Federal Government to bear on this problem and we must initiate programs which will hopefully result in the prevention of this disease and treatment methods for those 50,000 Americans who presently suffer from the ravages of sickle cell anemia and the 2,500,000 who are carriers. Certainly these people have a right to expect to live a normal life free from the daily expectation of pain and even death they now face.

Mr. Chairman, this legislation does zero in on a specific disease. It does not go to every blood disease in the country. We are trying to do something for this specific disease—sickle cell anemia. That is the only disease which the hearings zeroed in on. Until the committee has a chance to spread upon the record the necessity of doing something for other specific diseases and to develop information concerning what the research effort ought to be and in what direction it ought to be geared—then I hope the House will sustain the committee in having as its sole purpose the zeroing in on sickle cell anemia.

I would urge that this House pass this bill, showing that we are serious in getting to the solution of this problem of sickle cell anemia.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the distinguished minority leader, Mr. GERALD R. FORD.

Mr. GERALD R. FORD. Mr. Chairman, I take this time only because within the last several years in my hometown of Grand Rapids, Mich., some excellent research and testing work was done on the problem of sickle cell anemia. As a result of those tests in the Grand Rapids school system, under the distinguished leadership of Dr. Robert M. Nalbandian, some interesting and constructive results were achieved. As a consequence of this leadership in the city of Grand Rapids, under Dr. Nalbandian, a local television station WZZM—channel 13—undertook to put together a documentary, at their own expense, telling the story of sickle cell anemia.

I am glad to report that that television documentary, solely put together under talent, has been nominated as one of ten candidates for a television Emmy award in the documentary field. Naturally, I would hope that this locally produced television documentary "Paradox of Neglect," would be selected as the winner in the Emmy competition. However, whether that particular documentary wins or not, the Grand Rapids school system under the technical leadership of Dr. Nalbandian has performed a superb service in the medical field by conducting these tests with the black school children in Grand Rapids.

I have in my possession a number of technical documents describing the work that was done by Dr. Nalbandian and his team. The results that have been achieved certainly justify the program. These results were achieved at minimal cost and expense. I freely admit that prior to my lengthy conversations with Dr. Nalbandian I did not understand what the disease was and knew less about the seriousness of it. But after seeing the documentary film produced by WZZM–TV and after spending a considerable amount of time with Dr. Nalbandian, I want to compliment the Interstate and Foreign Commerce Committee for launching this expanded attack upon sickle cell anemia. This disease poses a most serious probem. This legislation will get us started on the right kind of program.

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

Mr. GERALD R. FORD. I yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, may I say that the subcommittee is familiar with the work that has been done in the Grand Rapids schools, and it is excellent. It is too bad that we cannot insert in the RECORD the film which the distinguished minority leader has mentioned, but I trust that when we get back into the House that the gentleman will take the liberty of inserting the material, which I know he has at hand, in the RECORD, in order that our colleagues may know a summary of what has been done in this field in Grand Rapids.

Mr. GERALD R. FORD. Mr. Chairman, I thank the gentleman from Illinois (Mr. SPRINGER) for his comments.

I will place in the RECORD the material that Dr. Nalbandian and his associates have given me.

I say further that if you have not seen this television documentary, "Paradox of Neglect," you should make an effort to do so. It is the most dramatic depiction of sickle cell anemia that I have ever seen. It is much easier to understand from seeing and hearing than it is to understand from reading. I would hope that at some future time this film would be made available for individuals in the House to see.

I am glad to say that after the film was shown to Senator EDWARD BROOKE that he filmed an introduction to the film which is now part of the documen-

tary. He was convinced it was one of the finest television documentaries he had ever seen, and he was glad to be a part of it.

So I would urge the Members of the House to see the film, and if they cannot I will try to get the text so that they can get the benefit of this fine work.

Mr. Chairman, at this point I insert in the RECORD a number of reports on sickle cell anemia and Dr. Nalbandian's work, which have appeared in medical publications. The reports follow:

[From the Journal of the National Medical Association, January 1972]

SICKLE CELL ANEMIA—CONQUEST OF A MOLECULAR DISEASE

(By Robert M. Nalbandian, M.D., Associate Pathologist, Blodgett Memorial Hospital, Grand Rapids, Mich.; Adjunct Associate Professor of Physiology, School of Medicine, Wayne State University, Detroit, Mich., Consultant to U.S. Army, Medical Research Laboratory, Fort Knox, Ky.

Sickle cell anemia is a cruel, crippling, episodic disease. Although it lingers, it is lethal for its victims, 99% of whom are black. The epochal paper of Pauling and associates [1] formulated and supported by experimental evidence the penetrating concept that sickle cell anemia was caused by genetically controlled structural features of an abnormal hemoglobin molecule. According to Pauling this disease now has "a known molecular basis for pathogenesis, a molecular basis for diagnosis, and a molecular basis for treatment." [2] His statement is supported by a series of brilliant investigations since 1949 on hemoglobin at the molecular level. Murayama of the National Institutes of Health achieved a major, significant advance when, based upon his construction of a precision scale model of the hemoglobin molecule, he elucidated his hypothesis [3 4] for the molecular mechanism of sickling, recently only slightly modified by him.[3] Our inferences and deductions, made from the assumption that the modified Murayama hypothesis was correct, have produced an astonishing number of important discoveries, strengthening thereby the validity of his hypothesis very substantially. As a consequence, for the first time in medicine, we have a uniquely comprehensive view of a lethal disease extending as a continuous spectrum from the aberrant hemoglobin molecule to the clinical level of diagnosis and treatment in the afflicted patient.

These recent advances, all derived from the Murayama hypothesis, are discussed in detail elsewhere. [2 5 8]

1. The Murayama test is the first specific test with a molecular basis for the detection of S hemoglobin.[2 5 8]

2. A therapeutic molecular strategy director at the sickling event was developed.[2 5 7] This consisted of mounting a chemical attack on the implicated hydrophobic bonds between interacting tetramers of S hemoglobin.

3. In the search for a chemical desickling agent the specifications of molecular properties were first derived from molecular theory and *preceded* the selection of urea.[2 5]

4. An automated dithionite test [10] and a tube version,[9] each with a molecular basis for the detection of hemoglobin S, have been developed, appropriate for mass screening of large human populations. The automated method processes 120 specimens per hour at a reagent cost of 2c each. These testing techniques have been shown to be entirely accurate in two extended field trials: 1) more than 23,000 soldiers examined at the U.S. Army Medical Research Laboratory at Fort Knox, Kentucky and 2) over 5000 black school children and indicated blood relatives in Grand Rapids, Michigan.

5. Experimental work has led directly to the design of successful clinical protocols for the use of intravenous urea in the treatment of sickle cell crisis [2, 6] and the use of oral urea in the prophylactic treatment of sickle cell disease.[2, 7]

The therapeutic decision *deducted* from molecular information to use urea in the treatment of sickle cell disease moved Pauling to write: [2] "Most methods of therapy have been empirical in origin. We might consider that medicine is now entering a new stage in which detailed molecular understanding of the nature of disease will be used effectively in the search for therapeutic methods." The protocols [2, 5-7] which we have published for the intravenous and oral modes of urea therapy in the treatment of sickle cell disease were evolved with great care over the past 2 years, drawing upon the collected experience of several clinicians at several medical centers. The treatment is safe and effective IF the protocols are faithfully followed in all particulars. Urea, even though produced in the liver and endogenous to the body, when used as a pharmaceutical agent may, like any other agent, be mishandled with adverse consequences for the patient. Hence, faithful compliance with the provisions of the published protocols is essential if therapeutic failures and medical misadventures are to be avoided.

These investigations of the therapeutic use of urea for sickle cell disease and shown to be safe and effective are now in the final stage of evaluation, namely, controlled randomized studies. Substantial funding will be required to expedite the last phase of this research. Our clinical protocols are published [2 5-7] for the attention of serious students of this disease so that evaluation of this chemotherapeutic modality may proceed at an accelerated pace by the use of identical, reliable protocols simultaneously at independent medical centers. Until such studies have been completed and reported, these protocols are not intended for general medical use. Pauling states [2] that the urea modality of treatment "offers a great promise for the future. The suffering of the sickle cell homozygotes can be and should be decreased by the use of methods of therapy" as described.

While the conquest of this disease is of vital concern to 500,000 American blacks and to millions of Africans and non-blacks elsewhere in the world there are even more profound aspects to this body of research. Lethal effects of a genetic disease have ostensibly been conquered by chemical methods deduced from a fund of specific, highly sophisticated molecular information. Our attention was directed toward the incorrect structure of the genetic product, S hemoglobin, rather than toward the incorrect code in the gene. By chemical manipulation of the hemoglobin S molecule with urea, the deadly property of sickling was inhibited without interference with the critically essential function of oxygen transport. Certainly, this is exquisitely delicate molecular remodeling. The methods culminating in the chemotherapeutic use of urea in sickle cell disease now become a model for the conquest of other genetic disease, well before the era of gentic engineering.

Investigators are invited to turn their attention to these recent innovative diagnostic and therapeutic advances in sickle cell anemia at the molecular level of reference. There are no final answers in medicine. Imminent discoveries beckon us all onward.

FOOTNOTES

[1] PAULING, L., H. A. ITANO, S. J. SINGER, and I. C. WELLS. Sickle Cell Anemia, A. Molecular Disease. Science, 110:543, 1949.

[2] NALBANDIAN, R. M. (ed.), Molecular Aspects of Sickle Cell Hemoglobin: Clinical Applications, Chas. C. Thomas Co., Springfield, Ill. 1971.

[3] Listing of U.S. Army Medical Research Laboratory Reports No. 893 through 898. New Eng. J. Med., 284:165, 1971.

[4] MURAYAMA, M. Molecular Mechanism of Red Cell "Sickling." Science, 153:145, 1966.

[5] MURAYAMA, M. Structure of Sickle Cell Hemoglobin and Molecular Mechanism of the Sickling Phenomen. Clin. Chem., 14:578, 1967.

[6] NALBANDIAN, R. M., G. SHULTZ, J. M. LUSHER, J. W. ANDERSON, and R. L. HENRY. Sickle Cell Crisis Terminated by Intravenous Urea in Sugar Solutions—a Preliminary Report. Am. J. Med. Sci., 261:309, 1971.

[7] NALBANDIAN, R. M., J. W. ANDERSON, J. M. LUSHER, A. AGUSTSSON, and R. L. HENRY. Oral Urea and the Prophylactic Treatment of Sickle Cell Disease—a Preliminary Report. Am. J. Med. Sci., 261:325, 1971.

[8] NICHOLS, B. M. and R. M. NALBANDIAN, R. L. HENRY, P. L. WOLFF and F. R. CAMP, JR. Murayama test for Hemoglobin S: Simplification in Technique. Clin. Chem., 17:1057, 1971.

[9] NALBANDIAN, R. M., B. M. NICHOLS, F. R. CAMP, JR., J. M. LUSHER, N. F. CONTE and R. L. HENRY. Dithionite Tube Test—A Rapid, Inexpensive Technique for the Detection of Hemoglobin S and Non-S Sickling Hemoglobin. Clin. Chem. 17:1028, 1971.

[10] NALBANDIAN, R. M., B. M. NICHOLS, F. R. CAMP, JR., J. M. LUSHER, N. F. CONTE and R. L. HENRY. Automated Dithionite Test for the Rapid, Inexpensive Detection of Hemoglobin S and Non-S Sickling Hemoglobinopathies. Clin. Chem. 17:1033, 1971.

AN AUTOMATED MASS S.C.A.T. PROGRAM IN GRAND RAPIDS SCREENING PROGRAM FOR SICKLE CELL DISEASE

(By Robert M. Nalbandian, M.D.; Bruce M. Nichols; Albert E. Heustis, M.D.; Winston B. Prothro, M.D.; and Frederick E. Ludwig, M.D.)

The automated dithionite test, which identifies hemoglobin S at reagent cost of 2 cents each and at a rate of 120 specimens per hour, has been used successfully in both civilian and military mass screening programs for the detection of sickle cell disease. Black school children in Grand Rapids, Mich., were used as the initial test population for a trial of the technique in an ordinary community. Families of those students with positive tests were selected out of a total black population for additional testing. Several patient-controlled options were then offered to afflicted families, including choice of physician, clinics, treatment, and genetic counseling. Country-wide adoption of this automated method should lead to the accumulation of accurate statistics for the first time on incidence, morbidity, mortality, gene frequency, and susceptibility to other diseases of sickle-cell afflicted individuals.

A comprehensive mass screening program for sickle cell disease which includes diagnosis, treatment, and genetic counseling has been successfully accomplished with the black population of Grand Rapids, Mich. The automated screening technique processes specimens at the rate of 120/hr per unit at a reagent cost of 2 cents each and requires only 0.5 ml of anticoagulated whole blood.

While there are numerous screening programs for the detection of sickle cell disease in operation at various medical centers in the United States, these programs are limited in scope, reaching only a small number of the black population at risk. Furthermore, tests in current use do not have a known molecular basis for specificity and none are automated.

TECHNIQUES

All specimens were collected in 5-ml vacuum test tubes with edetic acid (EDTA) as the anticoagulant.

All blood specimens collected in the initial mass screening are processed by the auto-

mated dithionite test.[1] Periodic updating of the population at risk is to be conducted twice a year. Such updating may be done conveniently by either the automated dithionite test or the dithionite tube test[2] at no difference in cost. The reagents of the dithionite tests (four types have been developed) essentially consist of (1) potassium phosphate, (2) sodium dithionite, and (3) saponin. When hemoglobin S, either homozygous or heterozyous, red blood cells are exposed to such reagents, the cells lyse, the hemoglobin deoxygenates, and a nematic liquid crystal forms which interferes with the transmittance of light. Loss in transmittance does not occur with hemoglobin A in such systems. Diagnostically significant curves are obtained by automated techniques with the use of a sequential multiple analyzer. Details of principle, techniques, and documentation of the validity and reliability of the test have been published elsewhere recently.[1,2] False-negative results may be obtained if the sodium dithionite or the saponin is not potent or if there is very severe anemia. False-positive tests may be obtained with hemoglobin Bart's and perhaps some other non-S sickling hemoglobins. Therefore, since the automated dithionite test is a mass screening technique, hemoglobin electrophoresis of all positive dithionite specimens will not only yield accurate diagnoses for hemoglobin S, but also will lead to the identification of other hemoglobinopathies, now often overlooked or misdiagnosed.

Hemoglobin electrophoresis at pH 8.4 was done by the equipment and method of the Helena Laboratories, Beaumont, Tex.

All collection of blood specimens was done in several Grand Rapids schools by teams of "bleeders" consisting of a clerk and a paid, professionally skilled person who did the actual venipuncture. The latter included medical technologists, registered nurses, medical students, and physicians. At all bleeding stations, either a doctor of medicine or a registered nurse supervised the overall operation. A simple code for identifying individuals and schools was developed and used. All collected specimens of blood were refrigerated but not frozen on the day of collection and were processed in an interval from a few hours up to ten days after collection.

Each positive tested individual was given at the genetic counseling session a wallet card identifying the hemoglobinopathy as suggested by Moran.[3] Instructions were given that the card was to be shown whenever medical attention or hospitalization is sought.

In our study (Table 1) 309 cases of sickle cell hemoglobin were found among 5,192 individuals tested. The total cost per test (Table 2) was 82 cents each. The total cost per positive test was $13.69 each. Using our methods and techniques, LTC Frank R. Camp, Jr., and COL Nicholas F. Conte of the US Army Medical Research Laboratory, Fort Knox, Ky., have successfully screened to date more than 23,000 troops and have found over 165 cases of sickle cell hemoglobin at a cost per test of 0.17 cents and a cost per positive test of $19.03 each (unpublished data). Dr. Leo P. Cawley (oral communication, March 1971) and Dr. Edwin L. Bemis and associates (oral communication, Sept. 1971) have instituted current community-wide mass screening programs in their respective cities by the use of our techniques. Commander Lawrence G. Dickson of the US Naval Medical Research Institute, Bethesda, Md. (oral communication, July 1970), has coupled our automated dithionite test with an automated technique for the detection of glucose-6-phosphate dehydrogenase deficiency. The results of mass screening of naval recruits for these factors may ultimately be used as a basis for determining geographical zones of assignment for military duty.

TABLE 1.—SUMMARIZED DATA ON POPULATION BASE AND RESULTS OF MASS SCREENING PROGRAM

	Number of students			
	White	Black	Not specified[1]	Total
Grand Rapids school system	27,041	7,917	----	----
Screening tests performed	52	4,465	675	5,192
Hemoglobinopathy diagnosed:				
AS	1	264	41	306
SC	----	1	1	2
SS	----	1	----	1

[1] The race of 675 students was not specified because of clerical omission.

TABLE 2.—*Summary of expenses involved in screening program—5,192 tests*

	Cost
Reagents	$259.05
Supplies (vacuum test tubes, needles, etc)	1,233.71
Electrophoresis (supplies, reagents)	24.10
Wages:	
Professional	1,693.09
Nonprofessional	1,019.80
Total	4,229.75
Cost per test	0.82
Cost per positive test	13.69

COMMENT

Comprehensive Mass Screening Program.—Any mass screening program for the detection of hemoglobin S must be designed so that the lowest possible cost per positive test will be achieved. Otherwise the cost of mass screening of the total US black population would come to a prohibitive sum.

In metropolitan areas comprehensive mass screening can be achieved economically in two phases. The first is an initial mass screening by automated technique of black school children at selected schools. Second, the blood relatives of children showing positive tests are tested. In these families, individuals with positive tests are then further tested by hemoglobin electrophoresis to determine hemoglobin genotypes, information which is highly pertinent to genetic counseling. Such an approach eliminates the needless screening of large numbers of sickle-cell-negative individuals and keeps the cost of the screening program low. The screening program requires a semiannual updating of the population by screening tests. All black school children entering at the kindergarten level or transferring into the school system at any grade level are tested. Again, the families of positive-testing students are also tested.

We believe that voluntary, well-publicized educational programs antedating by several weeks the initial and subsequent mass screenings are essential to the success of this type of project.

Patient-Controlled Options.—All individuals or families detected during the program to be afflicted with sickle cell disease were offered a set of options: (1) They were free to do nothing more. (2) They could seek the advice of a physician of their choice. (3) They could seek the advice of a physician knowledgeable in the indications and administration of urea therapy. (4) They could visit the sickle cell anemia clinic and obtain urea treatment from designated physicians at the Blodgett Memorial Hospital. (Urea therapy, which is still under investigation and evaluation[4-6] was used as part of an ongoing research program in the absence of other known effective treatment for sickle known effective treatment for sickle cell disease.) (5) Finally, they were given the opportunity to obtain family-wide genetic counseling from black geneticists from Michigan State University. (The genetic counseling aspect of this program is under the guidance of Prof. Herman Slatis and will be reported subsequently by him and his colleagues elsewhere.)

FUTURE COMPREHENSIVE SCREENING PROGRAMS

On the basis of our experience with this mass screening program we wish to emphasize certain points.

1. For maximum effectiveness, screening programs should be presented to the entire community by black leaders including physicians, dentists, nurses, and religious leaders. Essential to the success of the program is a preceding educational campaign making use of the news media—radio, television, newspapers, and magazines. In addition, parent-teacher associations and health-oriented groups are most useful, and educational projects on sickle cell disease at all grade levels in the school system if undertaken well in advance of the actual screening will be effective in mobilizing students to participate. In those schools where such programs were well carried out almost 99% of the student body gave blood specimens.

2. The mass screening of a segment of the population of a large metropolitan area is a complex undertaking. The logistics must be closely coordinated among the personnel of the local school system, the health department, the physician's organizations, the local hospital laboratories, medical technologists, and registered nurses.

3. The opportunity for human error is markedly reduced if the actual bleeding team consists of professional personnel, while a registered nurse or a physician should also be in attendance when blood specimens are being collected.

4. In order to avoid possible medicolegal entanglements, the program must be free and voluntary. Permission slips signed by the parents authorizing the collection of the blood specimen and the performance of the test should always be obtained.

5. In our study we noted some reluctance by high school students to submit to testing. A particular effort should always be made to involve this particular age group since afflicted individuals of reproductive age will benefit most from genetic counseling.

6. Careful record compilation and coding is essential if each community is to continue to benefit from such a program.

Comprehensive mass screening programs (diagnosis, treatment, genetic counseling) for sickle cell disease can now be mounted in any interested community, since an automated, inexpensive testing technique is now available. Such a model study has been successfully accomplished in Grand Rapids, Mich. As a consequence, there are now a small number of successful, ongoing civilian

[1] Nalbandian RM, Nichols BM, Camp FR Jr, et al: Automated dithionite test for the rapid inexpensive detection of hemoglobin S and non-S sickling hemoglobinopathies. *Clin Chem* 17:1033–1037, 1971.

[2] Nalbandian RM, Nichols BM, Camp FR Jr, et al: Dithionite tube test: A rapid, inexpensive technique for the detection of hemoglobin S and non-S sickling hemoglobin. *Clin Chem* 17:1028–1932, 1971.

[3] Moran, T. J.: Detection of hemoglobin S in a community hospital. *JAMA*, to be published.

[4] Nalbandian RM (ed): *Molecular Aspects of Sickle Cell Hemoglobin: Clinical Applications*. Springfield, Ill. Charles C. Thomas Publisher, 1971.

[5] Nalbandian RM, Shultz S, Lusher JM, et al: Sickle cell crisis terminated by intravenous urea in sugar solutions: A preliminary report. *Amer. J. Med. Sci.* 261:309–324, 1971.

[6] Nalbandian RM, Anderson JW, Lusher JM, et al: Oral urea and the prophylactic treatment of sickle cell disease: A preliminary report. *Amer. J. Med. Sci.* 261:325–334, 1971.

and military mass screening programs for the detection of sickle cell disease by techniques and methods described and cited in this paper.

ABTRACT No. 51—MASS SCREENING FOR HEMOGLOBIN S IN LARGE CIVILIAN AND MILITARY POPULATIONS BY THE AUTOMATED DITHIONITE TESTS

Robert M. Nalbandian, M.D., Frank R. Camp, Jr., M.S., Nicholas F. Conte, M.D., and Keats K. Vining, F.A.C.P., Departments of Pathology and Medicine, Blodgett Memorial Hospital, Grand Rapids, Michigan and U.S. Army Medical Research Laboratory, Fort Knox, Kentucky.

Four new dithionite tests have recently been developed for the detection of hemoglobin S. One of these, the automated dithionite test, has been used in large mass screening programs in metropolitan and military populations constituting in aggregate a field-test of over 27,000 individuals. The automated technique processes 120 specimens per hour on a ½ cc of anticoagulated whole blood at a reagent cost of 2¢ each. In Grand Rapids a comprehensive mass screening program was undertaken successfully. The initial test population were the black school children. Positive testing children identified the affected families in the community. Members of such families were then also tested. Several patient-controlled options were offered including choice of physician, clinic treatment, and genetic counseling. By this selective approach to the black population at risk in large metropolitan communities the needless effort and expense of screening sickle cell negative individuals is avoided, resulting in a low total cost per test (83¢ each) and a low total cost per positive test ($13.85 each) when all administrative costs are included. Detailed data of the Grand Rapids survey and the more than 20,000 troops studied at the U.S. Army Medical Research Laboratory will be presented. The automated dithionite test is an efficient reliable technique suitable for the mass screening of large human populations for the detection of sickle cell hemoglobin. An ancillary gain in the universal utilization of this automated, objective, reproducible technique will be the accumulation of accurate statistics for the first time on incidence, morbidity, mortality, gene frequency, and susceptibility to other disease of sickle cell victims.

ABSTRACT—A COLLECTED BIBLIOGRAPHY OF CLINICAL ADVANCES IN SICKLE CELL DISEASE BASED ON THE MURAYAMA MOLECULAR HYPOTHESIS

OBJECTIVE

To collect and make conveniently available in one source a bibliography of all scientific communications dealing with diagnostic and therapeutic advances in sickle cell disease derived from the Murayama hypothesis for the molecular events involved in the sickling of a hemoglobin S red cell.

METHOD

The published papers, abstracts, presentations at national and international scientific meetings, a book, a scientific exhibit, a television documentary, and other scientific communications are collected and arranged in the order of publication or presentation. Listed in this bibliography are 74 such items. The cited research work emanates principally from three institutions: Department of Pathology, Blodgett Memorial Hospital, Grand Rapids, Michigan; Department of Physiology, School of Medicine, Wayne State University, Detroit, Michigan; and the US Army Medical Research Laboratory, Fort Knox, Kentucky.

CONCLUSIONS

The Murayama hypothesis for the molecular events involved in the interior of a sickling hemoglobin red cell is based in part on his construction of a precision scale model of the hemoglobin S molecule. Murayama, drawing in part upon the molecular investigations of others, such as Pauling, Braunitzer, Konigsberg, Muirhead, Perutz, and Ingram, has in effect provided us with a molecular definition of disease and a description of molecular interaction which has pathogenetic significance in sickle cell disease. This is the first time any disease has been understood in such terms at the molecular level in medicine. The cited references in this bibliography are all directly derived from the Murayama hypothesis either by deduction or inference. These scientific communications represent advances at the clinical level. Our group has bridged the growing gap between advancing sophisticated basic science work and an effective transliteration of such information into clinical gains in sickle cell disease. All of the following discoveries are such extensions of the Murayama hypothesis:

1. Five inexpensive, new tests for hemoglobin S, each with a molecular basis: (a) Murayama test; (b) four dithionite tests.

2. Several successful mass screening studies for sickle cell hemoglobin in large military and civilian populations by the automated dithionite test.

3. A therapeutic molecular strategy for mounting a chemical attack on the intertetrameric hydrophobic bonds essential to the sickling event.

4. The theoretical specifications defining an effective desickling agent including some particulars of molecular structure which antedated and led to the selection of urea.

5. Optical and electron microscopy evidence for the desickling effect of urea.

6. The evolution of a safe and effective clinical protocol for the intravenous use of urea in sugar solutions in the treatment of acute sickle cell crisis without the effect of narcotics or analgesics.

7. The evolution of a simple clinical protocol for the oral, prophylactic treatment of sickle cell disease and related clinical conditions.

Each and every time a prediction was made from the Murayama hypothesis experimental results confirming the deduction or inference were consistently forthcoming. Without too much exaggeration, one may view the Murayama hypothesis as a scientific cornucopia of innovative clinical advances in sickle cell disease.

It is for the convenience of the serious student of sickle cell disease who may wish to advance the clinical knowledge of sickle cell disease by the *molecular route* of the Murayama hypothesis that we have compiled this pertinent bibliography.

The citations in this publication span only two years—from November 1969. The scientific content of these citations only begins to suggest the truth, power, and beauty of the Murayama hypothesis. It is our hope that other workers will pick up this powerful tool which Murayama has given us and will advance the clinical gains in diagnosis and treatment of sickle cell disease, a deadly if lingering affliction which numbers its worldwide victims in the untold millions.

A COLLECTED BIBLIOGRAPHY OF CLINICAL ADVANCES IN SICKLE CELL DISEASE BASED ON THE MURAYAMA MOLECULAR HYPOTHESIS

PAPERS

1. Nalbandian, R. M., D. L. Kessler, and R. L. Henry. Nonspecificity of tests for hemoglobin S. Bull. Path. 10:277, 1969.

2. Nalbandian, R. M., and D. L. Kessler. The Murayama test, a specific test for hemoglobin S. Bull. Path. 10:323, 1969.

3. Nalbandian, R. M., R. L. Henry, B. M. Nichols, F. R. Camp, Jr., and P. L. Wolf. The Murayama test. Part I. Evidence for the modified Murayama hypothesis for the molecular mechanism of sickling. USAMRL Report No. 893, 17 September 1970 (DDC AD No. 715 248).

4. Nalbandian, R. M., R. L. Henry, B. M. Nichols, F. R. Camp, Jr., and P. L. Wolf. The Murayama test. Part II. Principles, technique, interpretation, and data. USAMRL Report No. 894, 17 September 1970. (DDC AD No. 715 249).

5. Nalbandian, R. M., R. L. Henry, M. I. Barnhart, and F. R. Camp, Jr. Sickling reversed and blocked by urea in invert sugar: Optical and electron microscopy evidence. USAMRL Report No. 895, 17 September 1970. (DDC AD No. 715 250).

6. Nalbandian, R. M., R. L. Henry, G. Shultz, F. R. Camp, Jr., and P. L. Wolf. Sickle cell crisis terminated by use of urea in invert sugar in two cases. USAMRL Report No. 896, 17 September 1970. (DDC AD No. 721 005).

7. Henry, R. L., R. M. Nalbandian, B. M. Nichols, P. L. Wolf, and F. R. Camp, Jr. Modified Sickledex tube test. A specific test for S hemoglobin. USAMRL Report No. 897, 17 September 1970. (DDC AD No. 715743).

8. Henry, R. L., R. M. Nalbandian, B. M. Nichols, P. L. Wolf, and F. R. Camp, Jr. An automated screening method for the specific detection of homozygous and heterozygous S hemoglobin. USAMRL Report No. 898, 17 September 1970. (DDC AD No. 715744).

9. Nalbandian, R. M., R. L. Henry, T. N. Evans, F. R. Camp, Jr., P. L. Wolf, and N. F. Conte. Embryonic, fetal, and neonatal hemoglobin synthesis: Relationship to abortion and thalassemia. USAMRL Report No. 910, 17 November 1970. (DDC AD No. 717231).

10. Nalbandian, R. M., R. L. Henry, B. M. Nichols, F. R. Camp, Jr., and P. L. Wolf, Molecular basis for a simple, specific test for S hemoglobin: The Murayama test. Clin. Chem. *16*:945, 1970.

11. Nalbandian, R. M., R. L. Henry, F. R. Camp, Jr., P. L. Wolf, and T. N. Evans. Embryonic, fetal, and neonatal hemoglobin synthesis: Relationship to abortion and thalassemia. Obstet. Gynec. Surv. *26*: 185, 1971.

12. Nalbandian, R. M., and T. N. Evans. Sickle cell disease: A molecular approach to pathogenesis, diagnosis, and treatment. Mich. Med. *70*: 411, 1971.

13. Nalbandian, R. M. The molecular basis for the pathogenesis, diagnosis, and treatment of sickle cell disease. Lab. Med. *2*:12. 1971.

14. Nalbandian, R. M., G. Shultz, J. M. Lusher, J. W. Anderson, and R. L. Henry. Sickle cell crisis terminated by intravenous urea in sugar solutions—a preliminary report. Amer. J. Med. Sci. *261*:309, 1971.

15. Nalbandian, R. M., J. W. Anderson, J. M. Lusher, A. Agustsson, and R. L. Henry. Oral urea and the prophylactic treatment of sickle cell disease—a preliminary report. Amer. J. Med. Sci. *261*:325, 1971.

16. Nalbandian, R. M., R. L. Henry, M. I. Barnhart, B. M. Nichols, F. R. Camp, Jr., and P. L. Wolf. Sickling reversed and blocked by urea in invert sugar. Amer. J. Path. *64*:405, 1971.

17. Nichols, B. M., R. M. Nalbandian, R. L. Henry, P. L. Wolf, and F. R. Camp, Jr. Murayama test for hemoglobin S: Simplification in technique. Clin. Chem. *17*:1059, 1971.

18. Nalbandian, R. M., R. M. Nichols, F. R. Camp, Jr., J. M. Lusher, N. F. Conte, R. L. Henry, and P. L. Wolf. Dithionite tube test—a rapid, inexpensive technique for the detection of hemoglobin S and non-S sickling hemoglobin. Clin. Chem. *17*:1028, 1971.

19. Nalbandian, R. M., B. M. Nichols, F. R. Camp, Jr., J. M. Lusher, N. F. Conte, R. L. Henry, and P. L. Wolf. Automated dithionite test for the rapid, inexpensive detection of hemoglobin S and non-S sickling hemoglobinopathies. Clin. Chem. *17*:1033, 1971.

20. Nalbandian, R. M., B. M. Nichols, F. R. Camp, Jr., N. F. Conte, J. H. Lusher, and R. L. Henry. The detection of sickle cell disease in large human populations by an

automated technique. USAMRL Report No. 936, 11 June 1971.

21. Nalbandian, R. M., B. M. Nichols, F. R. Camp, Jr., J. M. Lusher, N. F. Conte, R. L. Henry, and P. L. Wolf. Dithionite tube test—a rapid, inexpensive technique for the detection of hemoglobin S and non-S sickling hemoglobin. USAMRL Report No. 942, 4 August 1971.

22. Nalbandian, R. M., B. M. Nichols, F. R. Camp, Jr., J. M. Lusher, N. F. Conte, and R. L. Henry. Automated dithionite test for the rapid, inexpensive detection of hemoglobin S and non-S sickling hemoglobinopathies, USAMRL Report No. 943, 4 August 1971.

23. Nichols, B. M., R. M. Nalbandian, R. L. Henry, P. L. Wolf, and F. R. Camp, Jr. The Murayama test for hemoglobin S—a simplification in technique. USAMRL Report No. 944, 4 August 1971.

24. Nalbandian, R. M., R. L. Henry, J. M. Lusher, F. R. Camp, Jr., and N. F. Conte. Sickledex test for S hemoglobin—a critique. USAMRL Report No. 945, 4 August 1971.

25. Henry, R. L., R. M. Nalbandian, B. M. Nichols, P. L. Wolf, F. R. Camp, Jr., and N. F. Conte "An Automated, Modified Sickledex Test Technique for the Specific Detection of Homozygous and Heterozygous S Hemoglobin." In *Advances in Automated Analysis*, New York, Mediad, 1970, pp 471–476.

26. Nalbandian, R. M., B. M. Nichols, F. R. Camp, Jr., N. F. Conte, J. M. Lusher, and R. L. Henry. The detection of sickle cell disease in large human populations by an automated technique. Milit. Med., 1971 (in press).

27. Nalbandian, R. M., R. L. Henry, P. L. Wolf, and F. R. Camp, Jr. Molecular basis for the specific test for hemoglobin S (Murayama test). Ann. Clin. Lab. Sci. 1:26, 1971.

28. Nalbandian, R. M., R. L. Henry, M. I. Barnhart, and F. R. Camp, Jr. The molecular basis for the treatment of sickle cell crisis by use of urea in invert sugar solutions. Ann. Clin. Lab. Sci., 1971 (in press).

29. Henry, R. L., R. M. Nalbandian, R. M. Nichols, P. L. Wolf, F. R. Camp, Jr., and N. F. Conte. Modified Sickledex tube test: A specific test for S hemoglobin. Clin. Biochem., 4:196–207, 1971.

30. Nalbandian, R. M., R. L. Henry, J. M. Lusher, F. R. Camp, Jr., and N. F. Conte. Sickledex test for S hemoglobin—a critique. JAMA 218:1679–1680, 1971.

31. Nalbandian, R. M., B. M. Nichols, A. E. Heustis, W. B. Prothro, and F. K. Ludwig. A mass screening program for sickle cell disease. JAMA, 218:1680–1682, 1971.

ABSTRACTS

1. Nalbandian, R. M., D. L. Kessler, B. M. Nichols, R. L. Henry, F. R. Camp, Jr., P. R. McCurdy, and P. L. Wolf. The Murayama test: The first specific test for hemoglobin S. J. Reticuloendothel. Soc. 7:654, 1970.

2. Nalbandian, R. M., D. L. Kessler, R. L. Henry, F. R. Camp, Jr., B. M. Nichols, P. R. McCurdy, and P. L. Wolf. The molecular basis for the first specific test for hemoglobin S: The Murayama test. Fed. Proc., 29:423, 1970.

3. Nalbandian, R. M., R. L. Henry, B. M. Nichols, D. L. Kessler, F. R. Camp, Jr., and K. K. Vining, Jr. The molecular basis for the treatment of sickle cell crisis by intravenous urea. Ann. Int. Med. 72: 795, 1970.

4. Nalbandian, R. M., D. L. Kessler, R. L. Henry, M. I. Barnhart, F. R. Camp, Jr., P. R. McCurdy, and B. M. Nichols. The molecular basis for the first specific test (Murayama test) for hemoglobin S and the therapeutic use of urea. Abstracts, 6th Int. Meeting of the Reticuloendothelial Soc., 1970, p 106.

5. Nalbandian, R. M., D. L. Kessler, R. L. Henry, F. R. Camp, Jr., P. R. McCurdy, P. L. Wolf, and B. M. Nichols. The molecular basis for the first specific test for hemoglobin S: The Murayama test. Abstracts, 13th Int Congr. Hemat., 1970, p 333.

6. Henry, R. L., R. M. Nalbandian, D. L. Kessler, M. I. Barnhart, F. R. Camp, Jr., and B. M. Nichols. The molecular basis for the treatment of sickle cell crisis by intravenous urea. Abstracts, 13th Int. Congr. Hemat., 1970, p 260.

7. Barnhart, M. I., J. M. Lusher, R. L. Henry, and R. M. Nalbandian. Electron microscopic evidence of reversal of sickling in crisis by iv urea in invert sugar. Blood, 36: 837, 1970.

8. Nalbandian, R. M., R. L. Henry, F. R. Camp, Jr., and P. L. Wolf. A unique, specific test for S hemoglobin. Lab Invest. 24:441, 1971.

9. Nalbandian, R. M., R. L. Henry, F. R. Camp, Jr., and P. L. Wolf. An electron microscopic study of reversal of red cell sickling. Lab. Invest. 24: 442, 1971.

10. Barnhart, M. I., J. M. Lusher, R. L. Henry, and R. M. Nalbandian. Reversal and inhibition of sickling by ruea-glucose. Fed. Proc. *30*:684, 1971.

11. Nalbandian, R. M., B. C. Houghton, R. L. Henry, and P. L. Wolf. The molecular basis for the oral, prophylactic use of urea in the treatment of sickle cell anemia. Fed. Proc *30*:684, 1971.

12. Nalbandian, R. M., R. L. Henry, P. L. Wolf, and F. R. Camp, Jr. The molecular basis for each of three new specific tests for S hemoglobin. Amer. J. Clin. Path. *56*:131, 1971.

13. Nalbandian, R. M., R. L. Henry, G. Shultz, and N. Avery, Jr. SS crisis treated successfully by urea in invert sugar. Ann. Intern. Med. *74*:827, 1971.

14. Nalbandian, R. M., R. L. Henry, B. M. Nichols, F. R. Camp, Jr., and P. L. Wolf. "Molecular Basis for a Simple, Specific Test for S Hemoglobin: Murayama Test." In *The Year Book of Pathology and Clinical Pathology*, W. B. Wartmen (ed). Chicago, Year Book Publishers, 1971, pp. 357–358.

NATIONAL AND INTERNATIONAL MEETINGS

1. Nalbandian, R. M., D. L. Kessler, B. M. Nichols, R. L. Henry, F. R. Camp, Jr., P. L. Wolf, and P. R. McCurdy. The Murayama test: The first specific test for hemoglobin S. Presented at the 6th Annual National Meeting of the Reticuloendothelial Society, San Francisco, Cal., Dec. 2–5, 1969.

2. Nalbandian, R. M., D. L. Kessler, R. L. Henry, F. R. Camp, Jr., B. M. Nichols, P. R. McCurdy, and P. L. Wolf. The molecular basis for the first specific test for hemoglobin S: the Murayama test. Presented at the 54th Annual Meeting of the Federation of American Societies for Experimental Biology, Atlantic City, New Jersey, April 12–17, 1970.

3. Nalbandian, R. M., R. L. Henry, B. M. Nichols, D. L. Kessler, F. R. Camp, Jr., and K. K. Vining, Jr. The molecular basis for the treatment of sickle cell crisis by intravenous urea. Presented at the 51st Annual Meeting of the American College of Physicians, Philadelphia, April 12–17, 1970.

4. Nalbandian, R. M., D. L. Kessler, R. L. Henry, M. I. Barnhart, F. R. Camp, Jr., P. R. McCurdy, and B. M. Nichols. The molecular basis for the first specific test (Murayama test) for hemoglobin S and the therapeutic use of urea. Presented at the 6th International Meeting of the Reticuloendothelial Society, Freiburg, Germany, July 28–August 1, 1970.

5. Henry, R. L., R. M. Nalbandian, D. L. Kessler, M. I. Barnhart, F. R. Camp, Jr., and B. M. Nichols The molecular basis for the treatment of sickle cell crisis by intravenous urea. Presented at the 13th International Congress of Hematology, Munich, Germany, August 2–8, 1970.

6. Nalbandian, R. M., D. L. Kessler, R. L. Henry, F. R. Camp, Jr., P. R. McCurdy, P. L. Wolf, and B. M. Nichols The molecular basis for the first specific test for hemoglobin S: the Murayama test. Presented at the 13th International Congress of Hematology, Munich, Germany, August 2–8, 1970.

7. Henry, R. L., R. M. Nalbandian, B. M. Nichols, P. L. Wolf, F. R. Camp, Jr., and N. F. Conte. An automated, specific method for the detection of S hemoglobin. Presented at Technicon International Congress, New York, N.Y., November 2–4, 1970.

8. Nalbandian, R. M. Molecular basis for the specific test for hemoglobin S (Murayama test). Presented at 38th Annual Meeting of the Association of Clinical Scientists, Washington, D.C., November 6–8, 1970.

9. Nalbandian, R. M., B. M. Nichols, and D. L. Kessler. The Murayama test for hemoglobin S—methodology. Presented at 38th Annual Meeting of the Association of Clinical Scientists, Washington, D.C., November 6–8, 1970.

10. Nalbandian, R. M. Molecular basis for the treatment of sickle cell crisis by the use of urea in sugar solutions. Presented at 38th Annual Meeting of the Association of Clinical Scientists, Washington, D.C., November 6–8, 1970.

11. Barnhart, M. I., J. M. Lusher, R. L. Henry, and R. M. Nalbandian. Electron microscopic evidence of reversal of sickling in crisis by iv urea in invert sugar. Presented at 13th Annual Meeting of the American Society of Hematology, San Juan, Puerto Rico, December 6–8, 1970.

12. Nalbandian, R. M., R. L. Henry, P. L. Wolf, and F. R. Camp, Jr. The molecular basis of each of three new specific tests for S hemoglobin. Presented at the Interim Meeting of the American Society of Clinical Pathologists, Las Vegas, Nevada, February 19–26, 1971.

13. Nalbandian, R. M., R. L. Henry, F. R. Camp, Jr., and P. L. Wolf. An electron microscopic study of reversal of red cell sickling. Presented at the 60th Annual Meeting of the International Academy of Pathology, Montreal, Quebec, Canada, March 9–13, 1971.

14. Nalbandian, R. M., R. L. Henry, F. R. Camp, Jr., and P. L. Wolf. A unique, specific test for S-hemoglobin. Presented at the 60th Annual Meeting of the International Academy of Pathology, Montreal, Quebec, Canada, March 9–13, 1971.

15. Nalbandian, R. M., R. L. Henry, G. Shultz, and N. Avery, Jr. SS crisis treated successfully by urea in invert sugar. Presented at the 52nd Annual Meeting of the American College of Physicians, Denver, Colorado, March 29–April 2, 1971.

16. Nalbandian, R. M., B. C. Houghton, R. L. Henry, and P. L. Wolf. The molecular basis for the oral, prophylactic use of urea in the treatment of sickle cell anemia. Presented at 55th Annual Meeting of the American Society for Experimental Biology, Chicago, Illinois, April 12–17, 1971.

17. Barnhart, M. I., J. M. Lusher, R. L. Henry, and R. M. Nalbandian. Reversal and inhibition of sickling by urea-glucose. Presented at the 55th Annual Meeting of the American Society for Experimental Biology, Chicago, Illinois, April 12–17, 1971.

18. Nalbandian, R. M., R. L. Henry, B. M. Nichols, F. R. Camp, Jr., and P. L. Wolf. Molecular basis for a simple, specific test for S hemoglobin: the Murayama test. Presented at the 23rd Annual Meeting of the American Association of Clinical Chemists and the 15th Annual Meeting of the Canadian Society of Clinical Chemists, Seattle, Washington, August 9–13, 1971.

19. Nalbandian, R. M., B. M. Nichols, F. R. Camp, Jr., R. L. Henry, and P. L. Wolf. Dithionite test for hemoglobin S: a tube and automated technic with a molecular basis for specificity. Presented at the 24th Annual Meeting of the American Association of Blood Banks, Chicago, Illinois, September 12–16, 1971.

20. Nalbandian, R. M., G. Shultz, J. W. Anderson, and J. M. Lusher. Acute sickle cell crisis treated by intravenous urea in sugar solutions. Presented at the 14th Annual Meeting of the American Society of Hematology, San Francisco, California, December 5–7, 1971.

BOOK

Nalbandian, R. M. (ed). Molecular Aspects of Sickle Cell Hemoglobin: Clinical Applications. Charles C. Thomas Co., Springfield, Illinois, May 1971.

EXHIBIT

Murayama M., R. M. Nalbandian, F. R. Camp, Jr., and N. F. Conte. Molecular basis for sickling and therapeutic use of urea. Scientific exhibit, constructed by Armed Forces Institute of Pathology. From: National Institutes of Health, Blodgett Memorial Hospital, Department of Pathology, Wayne State University School of Medicine, Department of Physiology, and US Army Medical Research Laboratory, Fort Knox, Ky.

BOOK CHAPTER

Nalbandian, R. M. "Advances in the Molecular Pathology of Sickle Cell Disease: Clinical Applications." In *Advances in Clinical Pathology*, American Society of Clinical Pathologists.

ENCYCLOPEDIA ARTICLE

Nalbandian, R. M. Sickle cell disease. The World Book Encyclopedia, 1971 (in press).

TELEVISION DOCUMENTARY

Nalbandian, R. M., and M. Murayama (technical advisors). Paradox of Neglect. TV Documentary (52 minutes running time), Station WZZM, Grand Rapids, Michigan.

LETTERS

1. Nalbandian, R. M., D. L. Kessler, and R. L. Henry. Anthropoid diseases in animals. New Eng. J. Med. *282*:103, 1970.

2. Nalbandian, R. M., P. L. Wolf, and F. R. Camp, Jr. Specificity of tests for hemoglobin S. JAMA *215*:489, 1971.

3. Nalbandian, R. M. Urea for sickle-cell crisis. New Eng. J. Med *284*:1381, 1971.

4. Nalbandian, R. M. Urea treatment of sickle-cell crisis. New Eng. J. Med. *285*:408, 1971.

INTERNATIONAL SYMPOSIUM

Mammen, E. F., G. F. Anderson, and M. I. Barnhart (eds). Sickle cell anemia. President at 20th Annual Symposium on Blood. Department of Physiology, School of Medicine, Wayne State University, Detroit, Michigan, January 20–21, 1971. Supplement to Thrombosis Diathesis et Haemorrhagica (scheduled for 1972).

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to my distinguished colleague, the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Chairman, I wish to express my full and complete support for H.R. 13592, the National Sickle Cell Anemia Prevention Act, and the national commitment it makes to find a way to diagnose and cure this inherited blood disease which primarily afflicts black people.

The Federal Government can no longer stand in the background and ignore the urgent need to put its muscle behind a concerted effort to study and control this tragic affliction. Most who have the disease will not live to age 20 after having suffered an incredibly agonizing life. Interest and research in the disease have been growing rapidly but much remains to be done. Federal resources can make the important difference between an early cure and a lifetime of suffering. That is why this legislation is a giant step in that direction.

Mr. SCHEUER. Mr. Chairman, I rise in support of this legislation to establish a national program for diagnosis, prevention, and treatment of sickle cell anemia, a blood disease which strikes only black Americans. This genetic disease, carried by one out of every 12 blacks, afflicts one out of every 500 black babies born in this country. It is a painful, deadly malady which has received far too little attention until very recently.

This legislation provides for a voluntary screening and counseling program and programs to develop and distribute educational materials relating to sickle cell anemia. The bill authorizes an initial $25 million for fiscal year 1973, increasing to $45 million by fiscal year 1975. These sums will greatly help reduce the incidence of this disease and bring new resources to bear on the problems of diagnosis and cure. I am confident that this bill will receive the overwhelming, favorable endorsement of the House today.

Mr. BADILLO. Mr. Chairman, I rise to offer my enthusiastic support for this legislation and to again emphasize for the RECORD that it is being enacted over the objections of the administration—just another example of how distorted and misdirected the Nixon administration's priorities really are.

It seems incredible that we have failed for this long to establish a national commitment to deal with the dread disease of sickle cell anemia. We know that more than 2 million Americans carry the so-called sickle cell trait; that the disease is incredibly painful, killing over half its victims before the age of 20 and crippling most before death.

We know, too, that sickle cell anemia is genetic in origin and that one out of every 12 black persons is a carrier.

When we compare the incidence of sickle cell anemia at birth with other diseases occurring among all races, the implications become obvious: in the United States, one out of every five black infants is born with sickle cell anemia while one out of every 2,500 of all races is born with diabetes, one out of every 2,880 with leukemia and one out of every 5,000 with muscular dystrophy.

In April 1969, the Harlem Hospital in New York sponsored a community health fair and tested a random sample of black people from the community for sickle cell anemia. Of 47 tested, seven showed the sickle cell trait—almost 15 percent.

The bill before us today is a start, but an important one. It will establish a national program for diagnosis, prevention, and treatment, a voluntary screening and counseling program, and new programs to develop and distribute educational materials relating to this dread disease. An important feature of the bill provides for community representation in the development and operation of programs.

I regret that the House bill is not as broad in scope or as generous in funding as is the Senate version and I particularly regret the failure of the House bill to bring the Veterans' Administration and the Department of Defense into the screening programs.

On balance, however, the bill deserves the support of every Member of this House and immediate implementation by the Department of Health, Education, and Welfare.

Mr. CONYERS. Mr. Chairman, after many silent years, the public and the Congress have finally recognized the need for public funds to fight the painful and tragic disease of sickle cell anemia which afflicts so many black Americans.

Only as recently as February 1972, President Nixon declared sickle cell anemia an area of administration concern. Now that the Senate has taken swift and generous action to give substance to administrative concern by unanimously passing the National Sickle Cell Anemia Act, the House must meet its responsibility.

The bill reported out by the House Interstate and Foreign Commerce Committee is a good one. It is not, however, as generous as its Senate counterpart. Whereas S. 2676 authorizes $142 million to fight sickle cell, the House version authorizes only $105 million. I would hope that we would raise the level of House funding to meet Senate levels. Adequate funding is essential if the fight against sickle cell is to be successful.

Furthermore, I should like to see included in the House version, those sections of the Senate bill which would provide protection of Armed Forces personnel and of veterans through the Department of Defense and the Veterans' Administration.

It is commendable that the Senate was able to pass such worthy legislation and that the House committee acted so quickly. It is reassuring that at long last the Congress considers sickle cell anemia not only a national problem, but one demanding national effort and priority.

Mr. STOKES. Mr. Chairman, today we meet to vote on a bill of utmost importance to black Americans, the National Sickle Cell Anemia Act. I would like to demonstrate how and why sickle cell anemia is so widely feared in the black community, and why this legislation is badly needed.

The statistics speak with a loud and disarming voice; 50,000 Americans are afflicted with sickle cell anemia and they lead intolerably painful existences as a result, rarely living past the age of 30. Two million other black Americans carry the sickle cell trait, and run the risk of transmitting the disease to their children.

Until now, little Federal money has been spent in the fight against this dreaded disease. Today, however, we vote on a bill which will change that situation. H.R. 13592 would provide $25 million for fiscal year 1973, $35 million for fiscal year 1974, and $45 million for fiscal year 1975. With these funds, voluntary screening and counseling programs would be instituted, along with programs to distribute educational materials to black communities. Persons nearing child-rearing age would be given first priority, followed by children under the age of 7.

We have learned two important lessons from our efforts to fund programs designed to combat sickle cell anemia. First, we have discovered that, if black people had not banded together to fight the political and medical establishment, the disease would still be ignored or unknown today. Second, we must realize that the battle against sickle cell anemia

is only part of the larger war against insufficient and inadequate health care in urban and rural communities throughout the land.

If this bill is passed by the House today, as I am confident it will be, we cannot afford to rest on our laurels. Instead, we must follow this bill through its implementation, and then move on toward a national system of health care which will insure that we never again make the mistake of neglecting a major disease.

Mr. WILLIAM D. FORD. Mr. Chairman, I want to join with my colleagues today in urging prompt passage of H.R. 13592, the National Sickle Cell Anemia Prevention Act.

This bill would establish programs for the diagnosis, prevention, and treatment of one of the most neglected health problems in the United States. It is estimated that between 50,000 to 80,000 Americans are afflicted with this disease. Approximately one in 500 black children will suffer from sickle cell anemia and its effects are particularly tragic. The average victim of the disease, under age 6, may require up to 10 visits to the hospital each year. After age 10, this child may expect to spend a minimum of 4 weeks of every year in the hospital, with each hospital visit costing almost $1,000. One-half of the victims die before they reach the age of 5, and 80 percent die before age 30. Despite these shocking statistics, the disease is still incurable and treatment methods are grossly inadequate.

In his health message to Congress on February 18, 1971, President Nixon stated that one "disease target for concentrated research should be sickle cell anemia." The President went on to say that:

> It is a sad and shameful fact that the causes of this disease have been largely neglected throughout our history. We cannot rewrite this record of neglect, but we can reverse it.

I completely share the President's views as expressed in this statement, and Congress, by the introduction of this legislation is obviously prepared to set forth a national commitment to combat this disease. But in spite of the administration's inspiring rhetoric, administration spokesmen opposed this bill during its consideration by the House Interstate and Foreign Commerce Committee.

Mr. Chairman, there have been many occasions during the Nixon administration when Congress has been called upon to take the leadership in areas where the administration's verbal promises have not been followed through with action. The administration's position on this bill, however, presents a shocking example of its continual lack of concern for the urgent problems afflicting black Americans in this country.

I strongly urge passage of this bill as a first step toward demonstrating Congress' desire to put forth a national commitment to eradicate this dread disease.

Mr. ANDERSON of California. Mr. Chairman, as an author of a bill which would establish a national sickle cell anemia program, I rise in support of H.R. 13592.

This measure would establish a national program for diagnosis, prevention, and treatment of sickle cell anemia—a disease that kills half of its victims before their 20th year, and most of the rest by age 40.

This painful and deadly blood disease is inherited when both parents carry the sickle cell trait. Approximately 2,500,000 black Americans carry this trait and pass it along to their offspring. Approximately one black child cut of every 500 born in the United States inherits this often fatal disease.

The bill before us today, H.R. 13592, would attack sickle cell anemia on two fronts: First, to determine who has the trait and the disease, and to counsel those who are afflicted, the bill provides $75 million over the next 3 years for the establishment and the operation of voluntary sickle cell anemia screening and counseling programs in the communities. In addition, information and educational material will be developed relating to sickle cell anemia and it will be distributed to doctors and clinics, and also to the general public.

Second, to develop methods of diagnosing, treating, and preventing sickle cell anemia, the bill authorizes $30 million over the next 3 fiscal years.

Currently, a variety of tests are available for the detection and the diagnosis of sickle cell disease. Several recently developed screening tests can be administered at less than 50 cents per sample.

Our efforts to detect the cause of sickle cell anemia have been quite successful. However, there is a great need to improve methods of treating those who have the anemia. Most physicians in treating sickle cell patients have used blood transfusions, surgery, and intravenous therapy to combat the disease. Unfortunately, these methods of therapy do not appear to provide complete relief or to remedy the cause of the disease. In some cases, the treatments have serious side effects. The bill before us today should result in the development of improved methods to treat and control the deadly disease.

I am pleased that grants and contracts will be made to organizations on the local level, since many community minded individuals and organizations in the area of Los Angeles that I represent, have been in the forefront of the fight to prevent sickle cell anemia.

As the Senate has already adopted similar legislation, I am hopeful that this measure will be rapidly approved in conference, and signed into law in the coming weeks.

Mr. ADDABBO. Mr. Chairman, I rise in support of the national sickle cell anemia bill, H.R. 13592, adopted unanimously by the House committee. I shall also support the amendment proposed by my good friend and colleague, Mr. GIAIMO, to bring Cooley's anemia under the bill. I do not feel that the inclusion of this amendment will in any way dilute the sickle cell anemia programs.

Sickle cell anemia is a vicious blood disease that is peculiar to black people. It is estimated that as many as 50,000 people suffer from this disease and few live beyond the age of 20. Many die much earlier after much suffering involving long periods of hospitalization.

The bill would establish a national program for diagnosis, prevention, and treatment of sickle cell anemia. It would also establish a voluntary screening and counseling program and programs to develop and distribute educational materials relating to this disease. Participation in the program would be strictly voluntary and all information discreetly handled.

This crash program is warranted in order that we make a commitment in the fight to control this vicious disease. Until now almost no Federal resources have gone into the study and control of the disease. Within my own district, there are many concerned citizens and organizations, who at their own expense and time, are working on this serious problem.

The Giaimo amendment, to bring Cooley's anemia under the bill, is a step in the right direction. This particular blood disease affects children of Italian and Greek background and study and control of this particular disease should also be included under these programs.

I fully support the sickle cell anemia bill and the Giaimo amendment, to include Cooley's anemia.

Mr. ROSTENKOWSKI. Mr. Chairman, sickle cell anemia is a malicious bigoted disease of the blood that affects one out of every 500 black people in the United States. It is a cruel, painful, and costly disease that has no cure, no prevention, and, until now, a disease that has been disgracefully neglected by the Congress and the medical society. An attempt to find a cause and a cure for sickle cell anemia is long overdue.

Today, Mr. Chairman, the House will consider the National Sickle Cell Anemia Act. This act will provide a national diagnosis, prevention, and treatment program for sickle cell anemia. It will also establish a voluntary screening and counseling program as well as programs to develop and distribute educational materials relating to sickle cell. As a primary sponsor in the House of the Sickle Cell Anemia Act, I cannot urge my colleagues strongly enough to support the quick passage of this act.

Sickle cell anemia kills most of its victims before they reach 20 years of age. It is clear that a widespread screening for the disease could provide black families with information concerning the probability of this genetic disease effecting their children, and thus, considerably limit its occurrence. This screening program and the research programs combined with extensive counseling and educational programs are a major step forward in establishing a national commitment in dealing with sickle cell anemia. Again, I urge unanimous support in the House for the Sickle Cell Anemia Prevention Act.

Mr. HILLIS. Mr. Chairman, I take the floor today to support legislation which is important to a great segment of our society.

It is unfortunate that in years past there has been no great concentrated effort to combat sickle cell anemia.

It is unfortunate that this dreaded disease has been allowed to thrive not only in the United States but throughout the world.

This amendment will set up a national program for the prevention and treatment of this disease.

We must remember that some 80,000 people throughout the world die annually of sickle cell anemia.

We must remember that those who have inherited this disease rarely live past the age of 20 years old.

We must remember that out of 25 million black Americans, 2.5 million are born with traces of sickle cell anemia and 50,000 of these Americans receive the full dose of this disease.

It is also important to remember that this disease is not only fatal, but extremely painful. A person who has sickle cell anemia can expect six to seven critical painful attacks each year.

I, and the great majority of Americans, for the past generations have supported campaigns to combat cancer, TB, heart disease and many other killers of mankind.

It appears as if sickle cell anemia has long been without a chief opponent.

With this amendment, this will end. I say, let us make a beginning. Let today be the beginning of our war against sickle cell anemia.

Mr. RODINO. Mr. Chairman, I am pleased to support the amendment that will be offered by our distinguished colleague (Mr. GIAIMO) to provide an additional $7.1 million for research, screening, treatment, and training programs for Cooley's anemia. I want, at the outset, to pay tribute to our colleague's fine work in bringing to our attention this widespread disease, which is incurable and usually fatal, and which was little known until he initiated his effort to combat it.

I strongly support H.R. 13592, the National Sickle Cell Anemia Act. There is an urgent need to act effectively to provide help for the many citizens, primarily black people, who are afflicted with this agonizing disease or who carry the genes to transmit it to their children.

Since Cooley's anemia is similar to sickle cell anemia, it would be most appropriate to expand the bill before us to provide additional authorization for programs to attack Cooley's anemia. Initially Cooley's anemia, medically termed *thallasemia major*, was peculiar only to persons of Mediterranean descent—Italians and Greeks primarily. However, with generations of intermarriage it is now found among Americans of many other racial strains. By including Cooley's anemia programs under H.R. 13592 we would be establishing one act to cover both these genetic blood disorders.

The nature of our country's population interchange means, undoubtedly, that the range of this disease will increase. It seems imperative to me that we begin now to provide needed help, instead of waiting until the magnitude of the problem is such that we will have to undertake a vast crash program when it reaches epidemic proportions.

Mr. GREEN of Pennsylvania. Mr. Chairman, I am happy to rise in favor of this most important legislation for the prevention of sickle cell anemia.

The tragedy of sickle cell anemia is the tragedy of problems afflicting blacks in that they go virtually unrecognized, unattended, and unsolved.

Perhaps because sickle cell anemia is a disease which afflicts blacks exclusively, its urgency has gone virtually unnoticed.

This has been manifested by the meager amounts spent on sickle cell research and by the absence of reliable treatment for the thousands of blacks suffering from the disease. Even where there are projects working for a solution to this problem, the lack of funds has been devastating.

Funds are sorely needed for research, counseling, public education, and volunteer screening, in both civilian and Government sectors. Also, it is absolutely necessary that centers for research and training in sickle cell anemia be developed. The legislation before us would provide for these important steps.

We must now pass this legislation. We can no longer ignore this disease which afflicts more than 100,000 black people across the country and the children of over 20,000 blacks in the city of Philadelphia.

Mrs. HICKS of Massachusetts. Mr. Chairman, I rise in support of H.R. 13592, the National Sickle Cell Anemia Control Act. This bill will provide Federal assistance for a disease that has crippled nearly 2 million Americans. H.R. 13592 provides approximately $100 million for programs to combat sickle cell anemia. It is time we gave this disease a top priority for in order to prevent or ameliorate its damaging symptoms support of relevant research grants are necessary. I commend the chairman and members of the House Interstate and Foreign Commerce Committee for favorably reporting this bill.

My district which is the Ninth Congressional District in Massachusetts lies within the city of Boston.

According to the U.S. Census 1970, as reported by the Research Bureau Boston Redevelopment Authority: In Boston, 104,483 of the 641,000 citizens are of black ancestry; this equals approximately 16.3 percent. The census of 1970 almost certainly underestimated the actual population of black citizens and there has been a definite increase in the number of blacks in Boston during the last year or so. It would be realistic to state that the population of blacks in Boston currently numbers between 110,000 and 120,000 which is approximately 20 percent of the population and live in the South End, North Dorchester, and Roxbury areas. A number of surveys have been conducted in the last 35 to 40 years as to the prevalence of sickle cell trait. The several surveys conducted of urban population give a prevalence level as stated of sickle cell trait of 8.5 percent which means that Boston contains in its population approximately 9,000 individuals with sickle cell trait. Accordingly, the prevalence in Boston of sickle cell anemia must be about 180 individuals.

Today I would like to confirm my continuing support for a significant increase in Federal funds for an attack on sickle cell anemia. I introduced in May of last year, H.R. 8423 in the belief that it was time to establish a priority effort to gain control of and eliminate this terrible disease of black America.

Sickle cell anemia was first identified more than 60 years ago. Research on a cure for this disease was initiated shortly thereafter but the first major breakthrough in demonstrating the molecular basis for the disease did not occur until 1949 when Dr. Linus Pauling, a well-known biochemist and Nobel prize winner, showed that the characteristic sickling of the red blood cell was due to an abnormal hemoglobin molecule. Just recently, and using Dr. Pauling's work as a basis for the investigation, a small step has been taken toward the evaluation of a new chemical treatment for patients in the acute stages of the disease. We need to exploit this progress which has been achieved if we are to avoid another half century of awaiting a cure.

This disease is unusual in its occurrence. Sickle cell anemia is limited primarily to black citizens of our country who have inherited the trait for the disease from each of their parents. The evidence suggests that the disease became established in the Negro population as a result of some poorly understood evolutionary processes associated with a resistance to malaria. In Africa, where this disease had its origin the biochemical protective mechanism afforded blacks with the sickling trait a greater degree of resistance against the lethal effects of malaria than blacks without the trait. As a result this mutation of the hemoglobin molecule has survived.

Individuals who inherit the trait for the disease from each of their parents suffer terribly from the disease. The manifestations of the disease in small children is particularly pitiful to see and patients with the disease seldom live beyond the age of 40. One difficulty in combating the disease has been that the disease requires special testing for identification and diagnosis and this testing has not been really available.

Federal support for investigation of sickle cell anemia is scattered throughout several institutes of the National Institutes of Health, including the National Institute of Arthritis and Metabolic Diseases; the National Heart and Lung Institute; and the National Institute of General Medical Sciences; and the Health Services and Mental Health Administration. Although coordination of effort has been assigned to the National Heart and Lung Institute, the history of research on this disease indicates that it has never received any priority of attention.

In 1971, President Nixon announced that Federal funds to combat sickle cell disease would be increased to $6 million. While this level of funding represents almost a fourfold increase in effort, it is not nearly enough to take immediate advantage of the knowledge which is already available and to extend this knowledge to the black population. Clearly what is needed is some means of improving the lot of individuals affected with sickle cell anemia, hopefully by so modifying this aberration of hemoglobin that it does not cause symptoms, or at worse, causes very minor symptoms. This means research. As I have indicated, there have been a few promising signs for the treatment of the disease. Genetic counseling services and screening to

identify the presence of the disease could be provided. These services should be provided to their fullest extent. Genetic blood disorders have been neglected for too long. Research, training, screening, prevention, and treatment programs will be established and coordinated effectively with passage of this legislation.

Mr. BYRNE of Pennsylvania. Mr. Chairman, I rise to express my wholehearted support for H.R. 13592, the National Sickle Cell Anemia Control Act.

Mr. Chairman, the terrible disease of sickle cell anemia most commonly strike black children, afflicting them with a life of pain. Most of its victims are unable to live beyond the middle thirties. Despite the prevalence of the disease and its unbearable consequences, little research has been conducted into methods of treatment and possible cures. Recently, however, scientific findings have indicated that there is a very real chance to do something about sickle cell anemia, if a concentrated effort is made.

Mr. Chairman, what is required is a national commitment against sickle cell anemia. This commitment must take the form of a substantially stepped-up research program within the National Institutes of Health to combat this dreaded disease which hopefully will lead to its eventual elimination.

Mr. Chairman, this bill provides the tools for this national commitment. I urge its immediate adoption.

Mr. RYAN. Mr. Chairman, it is essential to establish an effective national program for diagnosis, prevention and treatment of sickle cell anemia, an inherited blood disease which afflicts an estimated 50,000 black Americans. Another 2.5 million may be carriers of the trait. The purpose of H.R. 13592 is to establish such a program.

This bill would also establish a voluntary screening and counseling program and programs to develop and distribute educational materials relating to sickle cell anemia. Participation in any program would be wholly voluntary, with a guarantee of confidentiality of information obtained in the screening, counseling, and treatment process.

The National Sickle Cell Anemia Prevention Act also authorizes the Secretary of Health, Education and Welfare to make grants and contracts for projects for, first, research in the diagnosis, treatment, and prevention of sickle cell anemia, and second, the development of programs for diagnosis, treatment and prevention of sickle cell anemia.

The bill authorizes $25 million for fiscal year 1973, $35 million for fiscal year 1974, and $45 million for fiscal year 1975.

The bill also provides for community participation in the development and operation of programs, and gives priority screening and counseling first to persons entering childbearing years and second to children under 7. Priority for contracts and grants is to be given areas which HEW determines to have the greatest number of persons in need of the programs.

Sickle cell anemia is caused when an individual inherits two genes—one from each parent—which have the property of causing sickle cell anemia. The particular characteristic of sickle cell anemia is the occurrence of an abnormal hemoglobin molecule in the red blood cells, which causes the normally doughnut-shaped red blood cells to become crescent or sickle-shaped. Once the cells have assumed this shape, it becomes difficult for them to pass through the capillaries. Thus they accumulate in these vessels and block the flow of blood to surrounding tissues. The usual symptoms that result are stunted growth, pain, swelling of the joints, hemorrhage, tissue death, and consequent failure of vital organs such as the heart, spleen, and kidneys. Blindness, stroke and ulcers of the leg also occur. As a result, most sickle cell anemia victims fail to live beyond the age of 20.

This disease is believed to have developed in Africa centuries ago, because the single sickle cell gene is effective in combatting certain types of malaria.

Although the original bill sponsored by the distinguished gentleman from the District of Columbia (Mr. FAUNTROY) and the Senate passed bill are more far-reaching than this bill, nonetheless this bill is a major step forward in dealing with sickle cell anemia. I urge that it be passed by this House.

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

Mr. STAGGERS. 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,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Sickle Cell Anemia Prevention Act".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds and declares—

(1) that sickle cell anemia is a debilitating inheritable disease that afflicts approximately two million American citizens and has been largely neglected;

(2) that the disease is a deadly and tragic burden which is likely to strike one-fourth of the children born to parents who both bear the sickle cell trait;

(3) that efforts to prevent sickle cell anemia must be directed toward increased research in the cause and treatment of the disease, and the education, screening, and counseling of carriers of the sickle cell trait;

(4) that simple and inexpensive screening tests have been devised which will identify those who have the disease or carry the trait;

(5) that programs to prevent sickle cell anemia must be based entirely upon the voluntary cooperation of the individuals involved; and

(6) that the attainment of better methods of prevention, diagnosis, and treatment of sickle cell anemia deserves the highest priority.

(b) In order to preserve and protect the health and welfare of all citizens, it is the purpose of this Act to establish a national program for the diagnosis, prevention, and treatment of, and research in, sickle cell anemia.

AMENDMENTS TO PUBLIC HEALTH SERVICE ACT

SEC. 3. (a) Section 1 of the Public Health Service Act is amended by striking out "titles I to X" and inserting in lieu thereof "titles I to XI".

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is amended by renumbering title XI (as in effect prior to the enactment of this Act) as title XII, and by renumbering sections 1101 through 1114 (as in effect prior to the enactment of this Act), and references thereto, as sections 1201 through 1214, respectively.

(c) The Public Health Service Act is further amended by adding after title X the following new title:

"TITLE XI—SICKLE CELL ANEMIA PROGRAM

"SICKLE CELL ANEMIA SCREENING AND COUNSELING PROGRAMS AND INFORMATION AND EDUCATION PROGRAMS

"SEC. 1101. (a)(1) The Secretary may make grants to public and nonprofit private entities, and may enter into contracts with public and private entities, for projects for the establishment and operation of voluntary sickle cell anemia screening and counseling programs as part of other existing public health care programs.

"(2) The Secretary shall carry out a program to develop information and educational materials relating to sickle cell anemia and to disseminate such information and materials to persons providing health care and to the public generally. The Secretary may carry out such program through grants to public and nonprofit private entities or contracts with public and private entities and individuals.

"(b) For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $20,000,000 for the fiscal year ending June 30, 1973, $25,000,000 for the fiscal year ending June 30, 1974, and $30,000,000 for the fiscal year ending June 30, 1975.

"PROJECT GRANTS AND CONTRACTS FOR RESEARCH AND PROGRAMS FOR DIAGNOSIS, PREVENTION, AND TREATMENT

"SEC. 1102. (a) The Secretary may make grants to public and nonprofit private entities, and may enter into contracts with public and private entities and individuals, for projects for (1) research in the diagnosis, treatment, and prevention of sickle cell anemia, and (2) the development of programs for diagnosis, prevention, and treatment of sickle cell anemia.

"(b) For the purpose of making payments pursuant to grants and contracts under this section there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1973, $7,500,000 for the fiscal year ending June 30, 1974, and $10,000,000 for the fiscal year ending June 30, 1975.

"VOLUNTARY PARTICIPATION

"SEC. 1103. The participation by any individual in any program or portion thereof under this title shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program.

"APPLICATIONS; ADMINISTRATION OF GRANT AND CONTRACT PROGRAMS

"SEC. 1104. (a) A grant under this title may be made upon application to the Secretary at such time, in such manner, containing and accompanied by such information, as the Secretary deems necessary. Each applicant shall—

"(1) provide that the programs and activities for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) describe with particularity the programs and activities for which assistance is sought;

"(3) provide for strict confidentiality of all test results, medical records, and other information regarding screening, counseling, or treatment of any person treated, except for (A) such information as the patient (or his

guardian) consents to be released; or (B) statistical data compiled without reference to the identity of any such patient;

"(4) provide for appropriate community representation in the development and operation of any program funded by a grant under this title;

"(5) in the case of an application for a grant under section 1101(a)(1), provide assurances satisfactory to the Secretary that (A) the screening and counseling services to be provided under the program for which the application is made will be directed first to those persons who are entering their childbearing years and secondly to children under the age of 7, and (B) appropriate arrangements have been made to provide counseling to persons found to have sickle cell anemia or the sickle cell trait:

"(6) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(7) provide for making such reports in such form and containing such information as the Secretary may reasonably require.

"(b) In making any grant or contract under this title, the Secretary shall (1) take into account the number of persons to be served by the program supported by such grant or contract and the extent to which rapid and effective use will be made of funds under the grant or contract; and (2) give priority to programs operating in areas which the Secretary determines have the greatest number of persons in need of the services provided under such programs.

"PUBLIC HEALTH SERVICE FACILITIES

"SEC. 1105. The Secretary shall establish a program within the Public Health Service to provide for voluntary sickle cell anemia screening, counseling, and treatment. Such program shall be made available through facilities of the Public Health Service to any person requesting screening, counseling, or treatment, and shall include appropriate publicity of the availability and voluntary nature of such programs.

"REPORTS

"SEC. 1106. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on or before April 1 of each year a comprehensive report on the administration of this title.

"(b) The report required by this section shall contain such recommendations for additional legislation as the Secretary deems necessary."

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

COMMITTEE AMENDMENT

On page 4, strike out line 14 and all that follows down through line 19, and insert in lieu thereof the following:

"(b) For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1973, $10,000,000 for the fiscal year ending June 30, 1974, and $15,000,000 for the fiscal year ending June 30, 1975."

The committee amendment was agreed to.

AMENDMENTS OFFERED BY MR. GIAIMO

Mr. GIAIMO. Mr. Chairman, I offer several amendments and ask unanimous consent that they be considered en bloc as they all deal with the same subject matter.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. GIAIMO: Page 1, line 5, insert "and Cooley's" immediately after "Sickle Cell".

Page 2, line 20, insert "and Cooley's" after "sickle cell".

Page 4, insert after line 25, the following:

"PROGRAMS RELATING TO COOLEY'S ANEMIA

"SEC. 1103. (a)(1) The Secretary may make grants to public and nonprofit private entities, and may enter into contracts with public and private entities, for projects for the establishment and operation of Cooley's anemia screening, treatment, and counseling programs.

"(2) The Secretary may make grants to public and nonprofit private entities, and may enter into contracts with public and private entities and individuals, for projects for research in the diagnosis, treatment, and prevention of Cooley's anemia.

"(3) The Secretary may make grants to public and nonprofit private health profession schools for fellowships for training in the diagnosis, treatment, and prevention or Cooley's anemia. Fellowships provided under grants under this paragraph shall be limited to such amounts as the Secretary finds necessary to cover the cost of the training of, and stipends and allowances (including travel and subsistence expenses and dependency allowances) for, the fellows.

"(4) The Secretary shall carry out a program to develop information and educational materials relating to Cooley's anemia and to disseminate such information and materials to persons providing health care and to the public generally. The Secretary may carry out such program through grants to public and nonprofit private entities or contracts with public and private entities and individuals.

"(b)(1) For the purpose of making payments pursuant to grants and contracts under subsection (a)(1), there are authorized to be appropriated $500,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"(2) For the purpose of making payments pursuant to grants and contracts under subsection (a)(2), there are authorized to be appropriated $1,700,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"(3) For the purpose of making grants under subsection (a)(3), there are authorized to be appropriated $150,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"(4) For the purpose of carrying out subsection (a)(4), there are authorized to be appropriated $25,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

Page 5, line 2, strike out "1103" and insert in lieu thereof "1104".

Page 5, line 9, strike out "1104" and insert in lieu thereof "1105".

Page 7, line 4, strike out "1105" and insert in lieu thereof "1106".

Page 7, line 6, insert "and Cooley's" after "sickle cell".

Page 7, line 13, strike out "1106" and insert in lieu thereof "1107".

Mr. GIAIMO (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the remainder of the amendments be dispensed with, since they are merely technical amendments renumbering the various sections, and that they be printed in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from Connecticut (Mr. GIAIMO) is recognized.

Mr. GIAIMO. Mr. Chairman, I want to commend the committee headed by the distinguished chairman, the gentleman from West Virginia (Mr. STAGGERS) and the gentleman from Illinois (Mr. SPRINGER), the ranking Republican member; also the gentleman from Florida (Mr. ROGERS) who I know has done a great deal of work in this area and has a real dedication to the health needs of the American people.

Mr. Chairman, I support this legislation. I think we must do more in the area of sickle cell anemia research, screening and dissemination of information.

But, I do think if we are going to undertake this job at long last, we should not stop on the 1 yard line—we ought to go the additional 1 yard and do the complete job in this area of trying to find a cure for anemia and to set up a proper screening process.

This legislation commonly known as sickle cell anemia legislation is in fact legislation designed to find a remedy, a cure, treatment, and to set up screening processes for a genetic blood disorder. That is the heart and soul of this type of legislation. The doctors who are engaged in research in this area are trying to obtain more knowledge and to find cures for this genetic blood disorder.

Now, what is this genetic blood disorder? It is prevalent in two important types that few laymen and Congressmen heard about, just a few short years ago. If you had asked the man in the street what sickle cell anemia was 5 years ago, very few would have known. The same goes for Cooley's anemia.

Basically, sickle cell anemia is a genetic blood disorder manifested in an irregularity in the red blood corpuscles, which affects predominantly, as the chairman of the committee said, in 99 percent of the cases, people of the black race. We have 25 million blacks in the United States. And we must get started in that work.

Cooley's anemia, on the other hand, is a similar, very much the same genetic blood disorder affecting the red blood corpuscles, and this type of anemia affects not the black race but those peoples from the Mediterranean areas, of whom there are more than 20 million in the United States.

Who are they? There are Italians, there are Greeks, there are Spanish-speaking people, people of Spanish background, which includes not only those from Spain but those from Puerto Rico, those from Mexico, and the great Spanish areas of the Southwest. Also, many Mediterranean people have intermarried in Europe and the United States with other peoples not from the immediate Mediterranean area. So conceivably in the United States there are upwards of 20 or 30 million people or more who carry the genetic disease, or the gene which

can bring about Cooley's anemia. Cooley's anemia is a very similar type of malady wherein the children as in the case of those with sickle cell anemia, rarely live past the age of 30 years of age, if they attain that. Children with Cooley's anemia are incurable and must be kept alive with blood transfusions at least every 3 or 4 weeks.

If we are going to have a large Federal effort in this area, as we are and as we should, let us not put ourselves in the position of saying the Government is going to help those children who are afflicted with sickle cell anemia, but that it will not help the 200,000 people in this country who are afflicted with Cooley's anemia. Are we going to say "no" to the many millions who may not be afflicted but who may be carriers of Cooley's anemia, to those people whose ancestors came from the Mediterranean area, are we going to say, "We are not going to do anything for your children or for you."

The disease is still relatively small in number—200,000. The best time to control this disease would be before it spreads, and the way to do that is to set up these screening processes at the same time that we do research.

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

(By unanimous consent, Mr. GIAIMO was allowed to proceed for 5 additional minutes.)

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

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

Mr. BIAGGI. I commend the gentleman from Connecticut for his amendment and also for his affirmative approach to the fundamental legislation dealing with sickle cell anemia. I would like to associate myself with his remarks.

Mr. Chairman, I support the amendment offered by the gentleman from Connecticut (Mr. GIAIMO). This amendment would include funds for research, training, screening, prevention and treatment programs for Cooley's anemia under this act.

Cooley's anemia is a genetic blood disorder which is similar to sickle cell anemia. At one time, this disease only afflicted persons from the Mediterranean area. Over the course of generations, however, the disease has been carried to persons of a wide variety of backgrounds. Sickle cell anemia is almost identical to Cooley's anemia and the methods of treatment and research are very similar. The primary difference between the two is that sickle cell anemia is confined almost exclusively to members of the black race, while Cooley's anemia afflicts a wide variety of people. Indeed, a cure must be found for both of these fatal diseases.

Cooley's anemia has stricken approximately 200,000 young Americans. They suffer from pallor, softened bone structure and other grievous symptoms. Most of the victims die before they are 20 years of age. Unfortunately, as with sickle cell anemia there is no known cure for this illness. In addition, the victims must undergo a continuum of blood transfusions.

Mr. Chairman, these dreaded afflictions are very closely related. In fact, an individual may have sickle cell anemia and Cooley's anemia at the same time, but a separate screening process is necessary to detect Cooley's anemia. In other words, if it is discovered that a person may be suffering from sickle cell anemia he will not know that he has Cooley's anemia until a separate test is conducted. For these reasons, I support the amendment offered by the gentleman from Connecticut (Mr. GIAIMO) so that a coordinated attack can get underway to combat both of these genetic blood disorders.

Time is of the essence. We must get these programs underway immediately before these diseases claim the lives of more of our youth.

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

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

Mr. MONAGAN. Mr. Chairman, I wish to compliment the gentleman on his amendment, which I support.

The National Sickle Cell Anemia Act which we are now considering is progressive legislation and I am confident that all present comprehend the misery and suffering which this dreaded disease has caused in the past and continues to cause for thousands of our fellow Americans. But we must also consider the far reaching and devastating effects of Cooley's anemia.

Although a distinct disease Cooley's anemia, like sickle cell anemia is a disorder of the hemoglobin of the blood and is transmitted generically. There are over 100,000 Americans afflicted with this painful disease—and tragically the majority are children. The disease becomes manifest during the first year of life. Those afflicted require frequent and costly blood transfusions to correct their anemia. They also suffer malformed development leading to brittle, easily broken bones and alteration in facial appearance. In most instances, death occurs before the 20th year.

The existing programs in the research of the causes and possible cures for this disease are totally inadequate. In fact, at this time very little is known about Cooley's anemia even though it was described as a separate and specific type of blood disease about 1925 by Dr. Thomas B. Cooley. These programs must be given adequate monetary resources to carry their activities to effect.

We must not continue to neglect those individuals afflicted with Cooley's anemia. I have received numerous communications concerning the tragic experience of years of anguish and enormous medical expenses and the ultimate death of a son, daughter, nephew, niece or grandchild. Decisive action must be taken by this Congress before additional children become the victims of this killing malady. I urge my colleagues to support the amendment which Mr. GIAIMO has offered to provide $7.1 million for research, screening, treatment, and training programs to ease and eventually eliminate the agony of Cooley's anemia.

Mr. GIAIMO. I thank the gentleman.

Let us do a complete job so that when children come in for screening they are not turned away because they may not be suffering from sickle cell anemia but, in fact, may be suffering from Cooley's anemia.

I have a letter from Alexander Wiener, M.D., New York University Medical Center. Some may ask, "Who is Dr. Wiener?" He is the discoverer of the Rh factor in children. He urges support for this amendment and says in effect: Let us get started on the entire job in anemia, which is found prevalently in two types, sickle cell and Cooley's.

Yale University has done extensive work in this area. Dr. Harold A. Pearson, professor of pediatrics at Yale, encourages us to include Cooley's anemia.

We are not going far afield. We are not bringing in all types of illnesses and diseases. We are not making a Christmas tree out of this legislation. We are dealing with the same genetic blood disorders which bring about anemia, and we are saying they are found in two types, sickle cell and Cooley's, one which affects blacks and one which affects those whites of Mediterranean origin. Let us get started on both now.

We are going to save ourselves a great deal of suffering and hardship for families in the future if we can identify these diseases and counsel those people who may be carrying the genes in them and passing them on to their children yet unborn. Let us not do half the job.

Also I want to commend the many people who have worked with me in this connection in recent months. I would like to commend especially my good friend, the gentlewoman from Connecticut (Mrs. ELLA GRASSO) who has taken an extreme interest in this matter, as well as the gentleman from Massachusetts (Mr. CONTE) and the gentleman from New York (Mr. PODELL) and the gentleman from New Jersey (Mr. MINISH) who could not be here, because he had to be back in New Jersey, but he is very strongly in favor of this legislation.

I think the committee can do this. It will be said and it has been said in the committee report that they would like to hold some hearings and do some work on this, and that they are not opposed to this legislation. I know they are not, but the hearings are going to be purely a repetition of the hearings we have had. We are going to be having the same people come in and tell us what the disease is, and tell us that they do not know too much about it, that there is no hope of a cure at the present time, that they want to do more research, and that they want to set up screening and counseling services so they can find the people who are carrying the genetic disorder.

I do not think we should wait. I think once we have started on this course, and once we have undertaken to do something about sickle cell anemia, we should go that additional 1 yard over the goal line and do something for the people who are suffering from Cooley's anemia, who are suffering the difficulties we find with those who are suffering from sickle cell anemia.

Mr. Chairman, I urge favorable treatment of the amendment.

Mr. CONTE. Mr. Chairman, I rise in support of the amendment offered by my

distinguished colleague, the gentleman from Connecticut. I wish to commend him now for the great service he is performing in alerting us all to the very real dangers of Cooley's anemia.

I might say here that I have done all I could in my service on the Subcommittee on HEW of the Committee on Appropriations to see that the sickle cell anemia was fully funded last year, and I will continue to do so this year.

The alarming factor about this disease is the rapidly rising number of people that are being afflicted by it. At one time the disease was confined only to persons of Mediterranean background. Now, however, it has spread through intermarriage to persons of Jewish, Scandinavian, German, and even oriental backgrounds. Cooley's anemia now affects about 200,000 young Americans, few of whom will survive the age of 20. It spares no race or nationality.

The time to act is now. We have seen the tragedy that delay has wrought with regard to sickle cell anemia. Let us not compound this tragedy by waiting until Cooley's anemia claims more victims than sickle cell anemia.

Let us seize the initiative now. To my mind, this legislation is the perfect vehicle for launching an attack on both these diseases. Both are genetic blood disorders. Both share common traits and universal modes of research and treatment. Both work an unspeakable severity upon their victims. Both can strike an individual at the same time.

I urge my colleagues to support this amendment which would provide funds for research, screening, treatment, and training programs for Cooley's anemia. Its acceptance would in no way diminish the importance we are placing on finding a cure for sickle cell anemia. Rather it would expand our dedication and commitment by authorizing a concerted effort to control both these severe blood disorders.

Thank you, Mr. Chairman.

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

Mr. CONTE. I yield to my good friend from Pennsylvania.

Mr. BIESTER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Connecticut. I commend him for his initiative and I commend the gentleman in the well for his support.

Mr. CONTE. I thank the gentleman very much.

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

Mr. Chairman, I rise in support of the amendment offered to H.R. 13592 by my friend and colleague from Connecticut (Mr. GIAIMO).

As the first sponsor of legislation introduced this session of Congress to establish a national program to seek an effective treatment and cure for sickle cell anemia, I would like to commend the gentleman from West Virginia (Mr. STAGGERS), the gentleman from Florida (Mr. ROGERS), and the entire committee for the bill before us. Passage by the House of H.R. 13592, the National Sickle Cell Anemia Prevention Act, will provide the vital beginning of necessary medical programs for the diagnosis, prevention, and treatment of sickle cell anemia. For far too many years this disease has brought pain, suffering, and death to its victims. The time for providing the necessary Federal funding to meet this medical crisis is long overdue.

While applauding this attempt to combat such a dread affliction, I believe that this amendment to provide $7.1 million for a program to fight Cooley's anemia would greatly strengthen the bill before us.

Today, few Americans have heard of Cooley's anemia—save the families and friends of those unfortunate individuals afflicted with this disease. Although two distinct diseases, Cooley's anemia and sickle cell anemia have certain similarities. Like sickle cell anemia, Cooley's anemia is a genetically transmitted hemoglobin disorder. Individuals suffering from the disease suffer from severe anemia, enlargement of the spleen, characteristic changes in the skin and facial features, and a greatly shortened life expectancy. At this time no specific therapy is available for the victims of Cooley's anemia, although periodic blood transfusions will keep individuals alive through their teens.

Cooley's anemia most frequently appears in the descendants of people from the Mediterranean littoral. At this time the possibility exists that more and more people may be affected as succeeding generations intermarry and pass the trait to other ethnic groups.

Adoption of this amendment, Mr. Chairman, would enhance the purpose of the National Sickle Cell Anemia Prevention Act. This bill establishes a procedure for a national attack against a genetic blood disease. Why limit the scope of the legislation to diagnosis, prevention, and treatment of a single anemia? Now is the time for the Congress to provide the funds requested to assist programs dealing with a similar genetic blood disease.

Let us not wait until the incidence of Cooley's anemia reaches frightening proportions. Let us begin a concerted attack on Cooley's anemia by providing the funds needed to initiate the treatment of this disease.

It is my heartfelt hope that the House will pass this important amendment to H.R. 13592.

Mr. COTTER. Mr. Chairman, I rise in strong support of H.R. 13592, the National Sickle Cell Anemia Control Act of 1972.

The need for this legislation is obvious. Over 2 million American youngsters suffer the ravages of this dread disease. For too long we have not paid sufficient attention to this genetic blood disorder, and our current situation is directly attributable to this neglect. This disease primarily affects our black citizens and the ravages of this disease not only cost an incalculable total in human suffering, but deprive our Nation of the contributions of these individuals.

By supporting H.R. 13592 we are moving to end this neglect. Action is overdue and I am happy that in this, my first term, the House is acting to correct this oversight. This legislation provides over $100 million to launch a coordinated attack on this disease. This $100 million will be used for necessary research, training of medical personnel, and screening and testing programs, and, of course, prevention and treatment of the disease.

I earnestly support this needed legislation.

On another matter, Mr. Chairman, I will support an amendment offered by my good friend and distinguished colleague from Connecticut (Mr. GIAIMO) to add $7.1 million for new research into Cooley's anemia. These additional funds would be used to study the causes and find a cure for Cooley's anemia, a disease which primarily affects our citizens of Italian and Greek descent.

I urge my colleagues to support this bill and this amendment.

Mr. KOCH. Mr. Chairman, I rise in support of H.R. 13592, the National Sickle Cell Anemia Prevention Act. It is only through an overwhelming national commitment that we can make real inroads into the conquest of this most painful and often fatal disease.

This hereditary blood disease attacks an average of one in every 500 black children born, and it is estimated that 50,000 black Americans currently suffer from it. At present there is no known cure, and most treatment methods are in experimental states. And although it ranks as one of the most prevalent childhood diseases—with an average of 1,155 new cases discovered annually, compared with 1,206 new cases of cystic fibrosis and 813 of muscular dystrophy—until very recently federally funded research in this area was virtually nonexistent.

Now, with this national prevention program, we can be hopeful that successes will come from this concerted effort. Medical research, when adequately funded, can have significant results, as has been demonstrated many times already. This act creates a research program for diagnosis and treatment together with a voluntary screening and informational program. Such programs would be very valuable in identifying the 8 to 13 percent of the black population that is estimated to carry this genetic sickle cell trait and in providing them with the counseling services so important in dealing with this disease.

It is outrageous how Congress has neglected for so long taking decisive action to initiate a sickle cell anemia prevention program, and I call upon Congress now to support H.R. 13592 and to direct a full-scale effort toward the eradication of this disease.

Mrs. HICKS of Massachusetts. Mr. Chairman, I rise in support of the amendment. I should like to commend the gentleman from Connecticut (Mr. GIAIMO) and also all Members who are supporting this amendment.

This amendment will authorize Federal funding for medical research and screening programs intended to assist the victims of Cooley's anemia and the millions of children yet unborn, who may have the disease. Cooley's anemia is a disorder of the blood's hemoglobin transmitted genetically. The severe form of Cooley's anemia known as Thalassemia or Mediterranean anemia is found in one

of every 1,000 American children born of parents whose ancestors were natives of countries surrounding the Mediterranean Sea—predominantly of Greek and Italian origin.

The time is now for the Federal Government to provide the necessary funding for research and detection funds for those who suffer from this disease. This Congress should make a priority effort to gain control of and eliminate Cooley's anemia.

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

I am sympathetic with the distinguished gentlemen and gentlewomen who would amend this bill.

Cooley's anemia only affects children usually under 1 year of age. It is characterized by an increased fragility of the red blood cells; that is, the red blood cells just will not stand up, they burst and the child becomes anemic and dies.

Actually, a relatively small number of people throughout the United States are involved.

We have a much needed bill here today, one which has been studied for some time but which has not received sufficient appropriations or sufficient emphasis; that is, the bill concerning sickle cell anemia. I do not believe it is a propitious time to dilute this legislation we have here today.

We might, if we took in all the anemias, consider many more. We do not have just sickle cell anemia, or sicklemia, as it is called, and Cooley's anemia, but we have also many more which are equally devastating, and are some of the worse diseases that are known.

For instance, we have pernicious anemia. We have anemia due to deficiency of folic acid. We have anemia due to iron deficiency. We have anemia due to pyridoxine deficiency. We have anemia due to different conditions of the hemoglobin, a lack or a deficiency in the SC hemoglobin. There are so many that if we covered all of them this bill would be a monstrous thing, a Christmas tree, and we would be opening up a great can of worms.

So let us today agree to study Cooley's anemia, to have hearings on that at some time in the future, and if it deserves appropriations we can do that at a later day.

At the present time we are confronted by a disease, sickle cell anemia, which does present a much greater problem to a larger segment of American society today. Let us continue as we have begun and target in or zero in on this particular disease of sickle cell anemia.

If we do not concentrate on this, the effect of our efforts today will be greatly diluted. Therefore, I would urge that the amendment be defeated.

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

I commend the gentleman from Connecticut (Mr. GIAIMO) for his excellent presentation and for the fact that he brought to the attention of this body a disease which is indeed a severe disease.

I do not feel, however, that it is proper to amend this bill which is specifically directed toward sickle cell anemia by adding provisions for Cooley's anemia.

I think there is one important thing that should come to the attention of this body; namely, at the present time money is being spent in the area of research on Cooley's anemia. In fact, the information I have received is that $630,000 is being presently spent on Cooley's anemia and $1.2 million is being spent on sickle cell anemia. This is a ratio of 1 to 2. The ratio of the number of people with Cooley's anemia versus those with sickle cell anemia is probably in the neighborhood of 1 to 40. The American Public Health Association informed me that the best estimate they could give with regard to the number of people afflicted with Cooley's anemia was 15,000. The Cooley's Anemia Society estimates it is 100,000. I heard the figure today of 200,000. We are aware of the fact—and it is very well confirmed—that there are over 600,000 people with sickle cell anemia. By the same token, we are aware of the fact that there are 2.5 million people with the traits of sickle cell anemia.

What we are doing with this bill, which is of extreme importance, is we are finding those with sickle cell anemia traits. We are making money available to test a large population so we know who has the traits and what marriages are likely to result in sickle cell afflicted offspring. In this way we have a chance of bringing about a stop to sickle cell anemia.

The great question I have with regard to Cooley's anemia is whom do we test? It is apparent that those of Mediterranean origin, the Italian people, the Greek people, and the Middle Eastern people, are afflicted, but, as was so well pointed out by a number of people who spoke before me, the marriages have been great within and without these groups and, in all probability, if we would test all the people in this Nation who are likely to have Cooley's anemia, we will be testing about half or more than half of the population.

How can we test that number? The only test presently available for Cooley's anemia traits is hemoglobin electrophoresis, which usually costs $20 per person. If we are going to spend $20 per person to test, by Mr. GIAIMO's own admission, perhaps 20 million or 30 million people, then we are talking about a tremendous appropriation of money.

Again I want to point out that the only way we can presently do anything effective about sickle cell anemia, and Cooley's anemia is by identifying those with the traits before they mate and before they have offspring, because the offspring will be born with the disease. After we identify those with the disease we can only treat the anemia.

So we have no idea and personally I have no idea and those on the committee who have had the opportunity to study it have no idea what the cost would be to have an effective testing program for the genetic trait of Cooley's anemia.

By contrast, with sickle cell anemia, we know that we can test all black people in this Nation for probably $100 million or less and, as my distinguished colleague, Dr. HALL pointed out, we can test them rather inexpensively, for perhaps as little as 40 cents per person rather than the $20 per person to test for Cooley's trait.

For these reasons, I oppose the amendment.

I think it is worthwhile that Cooley's anemia has been brought to our attention and that the committee may indeed wish to hold hearings on this disease. However, to bring this in as an amendment to this particular bill would not be proper nor appropriate; for we are zeroing in, as our chairman has stated, on sickle cell anemia which afflicts a great number of black people in this Nation.

Therefore, Mr. Chairman, I urge this body to vote down the amendment offered by the gentleman from Connecticut (Mr. GIAIMO).

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

Mr. ROY. I yield to my colleague from Missouri.

Mr. SYMINGTON. Mr. Chairman, I think the members of the committee should take into account what the gentleman from Kansas has said because of its application to the need for hearings on the questions he raises concerning the manner in which Cooley's anemia must be studied and the feasibility of various approaches to it, none of which we have had an opportunity to observe or hear about from qualified people in the scientific and medical disciplines.

I certainly and I fervently hope and trust that the opposition of the committee to the suggestion that Cooley's anemia should not be tacked onto this bill is not misinterpreted as a lack of interest or concern on the part of the committee in that disease.

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

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

The CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes.

Mr. SYMINGTON. Mr. Chairman, I have asked for this time to simply conclude by saying that the questions already raised here on the floor concerning Cooley's anemia should make us all realize that this is no time to add this amendment to a bill that has been worked on for weeks and weeks and, in fact, months, in order to give us an understanding of a very difficult disease, sickle cell anemia. I do not doubt that Cooley's anemia is equally difficult to understand and equally deserving of hearings. I hope such hearings can be held, but we cannot hold them here on the floor of the House.

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

Mr. Chairman, I shall be very brief.

I would like to point out the fact, as has been mentioned previously, that this subcommittee has produced a vast amount of health legislation such as the health manpower bill, the cancer bill, the drug abuse bill, and I could go on and name many, many more bills which we have brought out.

As I pointed out earlier we have some experts on our committee that help to guide our course. It was the feeling of our committee in considering this bill that we should confine our efforts in this particular case to sickle cell anemia. I wish to add that the Giaimo amendment

brings to our attention another problem to which we should give more thought and consideration before we proceed to pass legislation in regard to it.

I think that it would be most inappropriate to tie it to the bill we now have before us.

So, I would hope the amendment is defeated and that we may go on and pass this bill in its present form to deal with a problem that is so extensive and so severe, as has been pointed out today by the doctors on our committee.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Connecticut (Mr. GIAIMO).

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

Mr. GIAIMO. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendments were rejected.

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

Mr. Chairman, as a member of the Appropriations Subcommittee having jurisdiction over the funding of our health programs, I am concerned over the impression some people are giving that nothing is being done on the sickle cell problem.

In fact, a great deal is being done, the Federal budget for programs to deal with this disease was increased tenfold from fiscal 1971 to fiscal 1972—from $1 million to $10 million.

For the fiscal year beginning this July, the administration has proposed another 50-percent increase, which would bring the funding level to $15 million. And these are dollars which would bear directly and specifically on sickle cell anemia. Throughout the National Institutes of Health we have numerous research programs and projects which may provide some of the answers we are seeking for sickle cell. Millions of dollars are going into basic research on blood and genetic abnormalities, the results of which may shed light on how to effectively combat sickle cell anemia.

For fiscal 1973, the administration is proposing to spend some $4.5 million for comprehensive research and community service centers. Another $6.5 million would go into screening and education clinics. Some $3.7 million would be expended directly on research through the National Heart and Lung Institute, and other national institutes. About a quarter of a million dollars would go into information and education efforts apart from what I have just mentioned.

[Dollars in millions]

	Fiscal year—	
	1972	1973
1. Comprehensive research and community service centers	$4.5	$4.5
2. Screening and education clinics	1.8	6.55
3. Research	3.7	[1] 3.7
4. Information and education	0	.25
Total	10.0	15

[1] To be administered by Health services and Mental Health Administration.

[2] Includes $1,000,000 in National Institute of Arthritis and Metabolic Diseases, National Institute of General Medical Services, and the National Institute for Child Health and Development. The remaining $2,700,000 is in heart and lung.

The bulk of the additional $5 million proposed for fiscal 1973 would go into the screening and education clinic program to be conducted primarily through the Health Services and Mental Health Administration.

At least three methods of sickle cell anemia therapy are thought to be promising and warrant a clinical trial to find out how effective they are. The first phase of this clinical study is now underway. Comprehensive centers of research and service will serve not only as teaching institutions, but as places where research can be conducted and the results of that research can be made available directly to the people who are affected by this disease.

I do not quarrel with the intent behind this legislation, but I think we should try to put it in perspective. A substantial effort is already being made to deal with this disease, and as a member of the Appropriations Committee, I intend to see that it continues. However, there are many other diseases that seriously affect large segments of our population, and in the context of the dollars we have available for health programs I believe we should try to maintain a reasonable, overall balance of effort.

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

Mr. Chairman, I rise in support of H.R. 13592, the National Sickle Cell Anemia Prevention Act.

For those Americans who have worked so long to gain national awareness of the sickle cell problem, House consideration of this measure is rightfully a source of tremendous encouragement. I think we would have to admit that, in the not too distant past, few of us were even aware of sickle cell anemia, much less sensitive to the toll this vicious disease takes in pain, suffering, and death of black Americans.

In retrospect, it is difficult to understand the low priority which has been given to the study of sickle cell anemia. History shows us that sickle cell disease has been known for more than 60 years and the fundamental nature of its biochemical cause for more than 20 years. When examining the incidence of the disease, we find that one out of every 12 blacks is a carrier of the sickle cell trait. One out of every 500 black children born in this Nation is afflicted with sickle cell anemia and faces a short, agonizing life. But our support of biomedical research on sickle cell anemia has not been given the priority which one would expect if priorities for research were determined by the seriousness and incidence of a disease. That progress which has been made on sickle cell disease is the work of a few devoted and brilliant individuals—in frequent instances, the dogged, determined efforts of black physicians working with limited resources.

With the passage of H.R. 13592, we can establish for the first time a significant Federal program for the prevention of sickle cell anemia. The legislation provides $105 million over a 3-year period for widespread screening for the sickle cell trait as well as research programs to find ways of diagnosing and curing the disease. On the whole, I believe the committee has devised a commendable program, though I would have preferred bringing the Veterans' Administration and the Defense Department directly into the screening programs for sickle cell disease, as does the bill already passed by the Senate.

Mr. Chairman, many of us were sponsors of the various sickle cell bills considered by the committee. While we may have differed somewhat over what approach to take, we were nevertheless united in calling for a national attack on sickle cell disease. I am confident that the National Sickle Cell Anemia Prevention Act would be a tremendous step forward in establishing the level of national commitment needed, and I hope it will be met with our unanimous support.

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

Mr. Chairman, I would like simply to add that had I had an opportunity to speak on the last amendment I would have quoted from Dr. Robert Nalbandian, M.D., writing in "Laboratory Medicine," pages 12–50, May 1971, and further quoting Dr. Linus Pauling; the fact that:

> Sickle cell anemia is the first disease to have become thoroughly understood, the first disease for which a clear and complete explanation of its manifestations can be formulated, and for which we have developed a method not only for controlling the crisis of the disease, but it is the first disease for which there is a known molecular basis for its origin, or pathogenesis, a molecular basis for the diagnosis and a molecular basis for treatment.

As an old surgeon with a rusty scalpel, we had nothing to do with the treatment of this disease, but I did study it years ago under Dr. H. Gideon Wells and E. R. LeCount, when it was first beginning to be understood; and it would in my opinion be an error to complicate this bill with the treatment of another disease which has not been fully exploited, and for which the research and technical breakthrough has not been accomplished for a mass screening and treatment; and the panacea of pouring more funds and personnel into a project not yet ripe for borning.

Therefore I consider the action of the committee on this amendment was good and proper.

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

Mr. Chairman, I rise in support of this bill.

Mr. Chairman, the National Sickle Cell Anemia Control Act is an urgently needed piece of legislation. This hereditary disease, which is found primarily among members of the black race, has remained incurable primarily because of a lack of Federal support to find a cure. This fatal disease results in the occurrence of an abnormal hemoglobin in the red blood cells. It causes its victims to suffer prolonged agonizing pain sometimes lasting for years before they finally die.

What is even more tragic, however, is that the primary victims of this disease are young children. Nothing is more heartbreaking than to see one of these children suffering from anemia, pallor, weakness, poor physical development, jaundice, enlargement of organs like the

heart, liver, and spleen, and even ugly skin ulcers. They also are more susceptible to infections, paralysis, and blindness.

The effect upon the black community of this one disease is so sizable that a continued effort to find a cure must be made immediately. The anemic, or active form of the disease occurs in about one in every 500 black births in the United States. The median age of survival is 20 years. Moreover, the extensive hospitalization required in the treatment of this disease forces the victim to miss school, work, and the many other normal functions of their daily lives that contribute to growth and development.

I have cosponsored legislation which would provide funds for research toward finding a cure for this horrible disease and I wholeheartedly support the bill under consideration.

Another, closely related hereditary blood disorder which affects approximately 200,000 young Americans is Cooley's anemia. This disease was originally found only among persons of Mediterranean background, but due to intermarriage through the generations, it now affects a wide variety of persons of differing backgrounds.

The research methods, screening, prevention and treatment programs could easily be integrated with the sickle cell anemia program. For this reason, I will support the amendment which will be offered by the gentleman from Connecticut (Mr. GIAIMO) which would include Cooley's anemia in this legislation.

Over the course of the past several years we have spent a great deal of money to conquer such hereditary diseases as cystic fibrosis or phenylketonuria. We must now make an all-out assault to combat sickle cell anemia and Cooley's anemia as well.

We must continue our struggle to rid the world of all diseases which afflict mankind. This cannot be accomplished, however, without the Federal research funds necessary to carry out this noble objective.

I hope that my colleagues will join with me in supporting this major piece of legislation. I would also hope that the amendment offered by the gentleman from Connecticut (Mr. GIAIMO) will be passed and thus make the act even stronger.

Today isn't soon enough to begin the fight to wipe these related diseases from the face of the earth.

(Mr. PICKLE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PICKLE. Mr. Chairman, sickle cell disease, the most common inherited disorder in the United States, is believed to be present in more than 2 million black Americans. Although the disease occurs in a relatively benign "carrier" form known as "sickle cell trait," approximately 1 in every 500 black infants is born with the life-threatening form of the disease called "sickle cell anemia." There is no known cure.

The disease is due to a genetically determined defect in hemoglobin, the respiratory pigment in red blood cells which enables them to carry oxygen throughout the body. Under conditions of diminished oxygen supply or physical or emotional stress, the abnormal hemoglobin molecules become attached to one another in such a way as to distort the normally doughnut-shaped red cells into a distinctive crescent or sickle-shape, hence the name sickle cell anemia. The inability of these sickled cells to pass freely through smaller blood vessels creates a "logjam" effect, blocking the flow of blood surrounding tissues and causing the extreme pain known as the sickle cell "crisis."

A person is relatively safe if he carries the sickle cell trait, however, it is important that the person realize the incidence of sickle cell anemia should he marry someone who also carries the trait If both parents carry the sickle cell trait, they stand a 1-in-4 chance that one of their offspring will have sickle cell anemia, hence the importance of counseling and education programs to advise future parents who are double trait carriers of the problems to be expected if they should wed.

In 1970, $100,000 was spent on sickle cell research in a Nation that spent $1.6 billion on research. Four million dollars were spent on cystic fibrosis which strikes one in 3,000, and $10 million were spent on muscular dystrophy which strikes one in 5,000. Moreover, a total of $14 million were raised by various charity organizations supporting cystic fibrosis and muscular dystrophy whereas the National Sickle Cell Anemia Foundation was able to raise only about $75,000.

Today I rise in support of the National Sickle Cell Anemia Act. Although this bill does not go quite as far as some would like, it is a certainly giant step in the direction of curbing this dread disease.

Among other things, this bill would provide:

First, $75 million over the next 3 years for screening, counseling, and educational and informational activities.

Second, $30 million over the next 3 years for research in the diagnosis, treatment, and prevention of sickle cell anemia and the development of programs for diagnosis, treatment, and prevention of sickle cell anemia.

Third, all participation in any of these programs would be voluntary.

Mr. Chairman, I urge the adoption of this legislation. We must not wait any longer to direct our resources against this malady.

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

Mr. Chairman, at this time I would just like to extend my full support on this legislation. It is a measure that is urgently needed. I wish to commend the members who sponsored this bill, for the work they have done on it, as have many other Members of the Congress, and I want to congratulate the committee on the work they have done on the bill they have brought in.

Mr. Chairman, I most earnestly urge that the House will overwhelmingly approve this bill, H.R. 13592, the National Sickle Cell Anemia Prevention Act.

Last October, I cosponsored H.R. 11257, which was also titled the National Sickle Cell Anemia Prevention Act.

Subsequent committee action by the Committee on Interstate and Foreign Commerce resulted in the unanimous passage of a clean bill, the one we vote on today. I am pleased that the committee has taken expeditious action on this urgent problem.

It is imperative that the Nation move quickly on this problem because the increase in sickle cell anemia cases can be stopped cold with education, diagnosis and counseling.

The magnitude of this problem is indicated by the some 50,000 Americans who suffer with sickle cell anemia. However, the potential tragedy is much greater. An estimated two and a half million Americans have the trait. Their ignorance of the genetic consequences which result from a couple who both have the trait and bear children, can mean a generation of Americans severely afflicted by sickle cell anemia.

While sickle cell anemia strikes one in 500 black persons, the fact that one in ten carries the trait should alert us to the great potential danger in this blood disease.

Recent tests in Washington, D.C. schools, which have been limited by a lack of funds, indicate that a thorough testing of the students is necessary.

The money we authorize here, $25 million for fiscal 1973, $35 million for 1974 and $45 million for 1975, can carry out the programs initiated, such as that in the District school system.

Support is needed now and I urge my colleagues to recognize the need for immediate approval of this bill.

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

Mr. Chairman, I rise to express my strong support for H.R. 13592, the National Sickle Cell Anemia Control Act.

The tremendous need for this legislation is undeniable. Approximately 40,000 to 50,000 persons in this country have sickle cell anemia, and an additional 8 to 13 percent of the black population carry the trait. This genetic disease occurs in 1 out of every 500 black babies, most of whom do not live beyond the age of 20.

The bill we have before us today would provide for research, training, screening, prevention, and treatment programs. The $100 million provided for in H.R. 13592 should be looked at as only a beginning, but it is certainly a giant leap toward establishing a national commitment to effectively deal with sickle cell anemia.

To date we as a nation have not even devoted to this disease a significant fraction of the money we have applied to research into other childhood diseases. And yet back in 1967 there were approximately 1,155 new cases of sickle cell anemia, compared with 813 cases of muscular dystrophy. This is not to say that we should devote less money to the cure of muscular dystrophy, but that we should substantially increase our commitment to deal with sickle cell anemia.

We have ignored this disease too long. I urge all of my colleagues to support H.R. 13592.

Mr. Chairman, I also wish to lend my support to the amendment proposed by my able colleague from Connecticut (Mr. GIAIMO) which would provide support for grants, contracts, and fellowships for re-

search and treatment of Cooley's anemia. Cooley's anemia, sometimes called thalassemia, is also a genetically determined form of anemia which occurs primarily in peoples of Mediterranean origin. In this disease, the fundamental defect is inability to synthesize adequate amounts of hemoglobin, the substance in red blood cells which enables them to carry oxygen. Although the true incidence is not known and obviously would vary from area to area depending upon the percent of population of Mediterranean origin, the best available estimates are that about 200,000 individuals in this country carry the gene. Unfortunately, much needs to be learned concerning treatment of the disease and I believe that major emphasis on research on Cooley's anemia is warranted. I therefore support the efforts of my colleague from Connecticut to include support for Cooley's anemia as part of this bill.

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

Mr. Chairman, as I said before, during the general debate, and specifically during the 5-minute rule on the bill, there has never been a disease that has been as well researched, and whose time has come for borning of Federal support in the domestic area, as is the case of sickle cell anemia.

Its origin is most interesting, probably having to do in the black areas of Africa with nature's own evolving of a defense mechanism against malaria of the most devastating variety.

The methods by which it causes its destruction are now well known and, as I said, very recently, the molecular etiology or pathogenesis of the disease is now thoroughly understood, and a rapid screening method of inexpensive molecular—and computerized—diagnosis has been well developed and utilized.

Finally, the treatment in the form of molecular treatment is available, and it is now predicted will become as simple as the preventive treatment of poliomyelitis and other diseases. Indeed, I would like to join with the members of the committee, and particularly the gentleman from Grand Rapids, Mich., the distinguished minority leader of the House (Mr. GERALD R. FORD) in referring to the beautiful work done by one of our outstanding groups of researchers and technicians in developing the new replacement of the proprietary test for hemoglobin-S.

I would even commend the issue of Laboratory Medicine published by the American Society of Clinical Pathologists for May of 1971 and its editorial and its "critique," or seminar on the actual diagnosis, treatment and prophylaxis of sickle cell anemia.

Even the vaunted Journal of the American Medical Association for December 13, 1971, has both editorials and a compendium of articles by the same doctor who did his work in Grand Rapids, Mich., in this area, the distinguished Dr. Robert M. Nalbandian, Associate Pathologist of the Department of Pathology at Blodgett Memorial Hospital in Grand Rapids.

I have not been privileged to see the television film that was prepared locally and privately, but I do want in closing to simply read the statement by twice Nobel Laureate, Dr. Linus Pauling, when he said that sickle cell anemia is the first disease to have become thoroughly understood.

This is an outstanding statement, all of its own.

In concluding my remarks, I will simply request that we again ascertain that the breakthrough in using simple urea, sodium citrate, or other chemical drugs for mass screening technique and diagnosis plus treatment, might well be considered in lieu of the expensive or proprietary Sickledex tests.

I have nothing against proprietary tests developed by private enterprise research and perpetrated by people who are available, but I would be against using this with taxpayers' funds when there are such simple and decisive molecular screening tests available using the simple chemicals available at less than $1 per pound for such tests, plus preparation costs.

Mr. Chairman, the following is an article by Dr. Robert M. Nalbandian to which I referred earlier in my remarks:

[From Laboratory Medicine, May, 1971]

THE MOLECULAR BASIS FOR THE PATHOGENESIS, DIAGNOSIS, AND TREATMENT OF SICKLE CELL DISEASE

(By Robert M. Nalbandian, M.D.)

(NOTE.—Robert M. Nalbandian, M.D., is Associate Pathologist, Department of Pathology, Blodgett Memorial Hospital, Grand Rapids, Mich. Dr. Nalbandian is the editor of a new book, Molecular Aspects of Sickle Cell Hemoglobin: Clinical Applications, with a foreword by Professor Linus Pauling, twice Nobel Laureate, published this month by Chas. C. Thomas Co., Springfield, Ill.)

Contrary to current discussions in the medical and paramedical press, sickle cell disease is one of the best understood of diseases.

The devastating ravages of sickle cell disease are not generally appreciated. This genetic affliction is cruel, crippling, lingering, and lethal.

It first manifests at about five to six months after birth because it is delayed in its clinical expression due to genetic switching mechanisms involving the production of incorrectly structured beta-S globin chains in the S hemoglobin molecule.

The clinical course is punctuated by agonizing episodes of bone-cracking plain and temperature elevations with anemia, listlessness, lethargy, infarcts of virtually all organs of the body including the spleen, bone, lung, and central nervous system.

Some victims are struck with blindness, aphasia, crippling, paralysis, and convulsions. Others have episodes of severe abdominal pain mimicking the acute surgical abdomen which can lead to unnecessary surgery and increased hazards of death under anesthesia. Clinical manifestations also include leg ulcers, jaundice, increased susceptibility to infection, and hyporegenerative bone marrow activity.

Sociologically, these victims are often poor students and poor workers, frequently unable to earn adequate incomes. They are hopelessly demoralized. Furthermore, they are impoverished by expensive hospitalizations of varying frequency.

Ultimately, they may become addicted to narcotics which are used by frustrated physicians as an act of therapeutic desperation even though such treatment is known to be ineffective in eliminating the pain.

Finally, these victims die prematurely after years of suffering the blows of this crushing disease. What a staggering penalty to pay because of the genetic substitution of two amino acids among 574 per molecule of hemoglobin!

In 1949, Linus Pauling and associates[1] produced experimental proof and established sickle cell anemia as the first example of a molecular disease in which the molecular structural anomaly of hemoglobin was genetically controlled.

Three years later, Pauling predicted[2] that when the complete structure of the hemoglobin molecule would be discovered, such knowledge would permit the development of improved therapeutic methods. Pauling's prophecy has been fulfilled in less than 20 years!

A remarkable series of investigations dating from 1949 at the molecular level on hemoglobin culminated in 1966 by the brilliant, singular achievement of Dr. Makio Murayama at the National Institutes of Health when he published his hypothesis for the molecular mechanism of sickling in hemoglobin S.[3]

This astonishingly accurate hypothesis was evolved from his construction of a precision model of the hemoglobin molecule on a scale of 127 million to 1. Murayama has discussed in detail his recently, slightly modified concepts.[4]

We have extended the Murayama hypothesis by our inferences and our deductions. As a result we have developed a series of recent advances at the molecular level of reference.[4]

1) the development of three specific tests for S hemoglobin, each with a molecular basis;

2) a therapeutic strategy for the treatment of sickle cell crisis consisting of a chemical attack on the intertetrameric hydrophobic bonds responsible for the sickling event as specified by Murayama;

3) the theoretical and deductive specification of molecular properties for an ideal chemotherapeutic agent which antedated and led to the selection of urea;

4) the evolution of a clinical protocol for the intravenous use of urea in the treatment of acute sickle cell crisis,

5) the evolution of a clinical protocol for the oral use of urea in the prophylactic treatment of sickle cell anemia.

All of these discoveries are a direct consequence of the modified Murayama hypothesis and are a confirmation of the validity of his prescient molecular view of sickling since his hypothesis has proved so fruitful in the prediction of these discoveries. And so the Pauling prophecy of 1952 has been fulfilled precisely.

THE MURAYAMA TEST

Elsewhere,[4-6,8] we have shown that all tests in use today in hospital laboratories to diagnose sickle cell hemoglobin are nonspecific. The Murayama test (named by us in recognition of his elucidation of the molecular mechanism of sickling) is a simple, visual method for the detection of the existence of the implicated hydrophobic bonds essential to the sickling event in concentrated, deoxygenated hemolysates when S hemoglobin is present.

The unique property of such hydrophobic bonds is that the intermolecular bonds weaken as 0° C. is approached. Hence, they have a "negative temperature coefficient of gelation." That is, such systems exhibit phase changes which are thermally dependent.

Footnotes at end of article.

Appropriately prepared hemolysates of S hemoglobin are thus a gel at 37° and a liquid at 0° and are reversibly so at the limits of this temperature range—just the opposite of jello!

The molecular specificity of this test is predicated on the submolecular pathology of amino acid substitutions in the beta-S globin chains of the hemoglobin S molecule.

We have correctly predicted from molecular structure the differential behavior of such non-S sickling hemoglobins as C (Harlem), I, and C (Georgetown) under conditions of the Murayama test.[4 6] Details of data and techniques have been published elsewhere.[4 6]

DEDUCTIVE SELECTION OF UREA AS A CHEMOTHERAPEUTIC AGENT

As another extension of the Murayama hypothesis, we reasoned[4 7] that mounting a chemical attack on the implicated hydrophobic bonds required an agent which among other specifications had the capacity to break hydrophobic bonds plus specific molecular structural features which have been detailed elsewhere. Such deductive specifications led to the selection and use of urea for this purpose.

Our initial experiments with one molar urea in aqueous solutions did reverse cells sickled by 2% $Na_2S_2O_5$ *in the persistent presence of that reducing agent.* Within a half hour, however, extensive evidence of hemolysis was observed. Shortly thereafter, we discovered that urea in sugar solutions (invert sugar or glucose) served as an effective and ideal desickling agent without producing any hemolysis.

Extensive optical and electron microscopic evidence of such desickling activity of urea has been provided by one of the members of our research team, Dr. Marion I. Barnhart, Professor of Physiology at Wayne State University in Detroit.[4 7]

MODIFIED SICKLEDEX TEST

The Sickledex test was offered in 1968 as a "specific test for S hemoglobin" without benefit of disclosure of the principle of the test or description of the reagent.

In 1969, in the *Bulletin of Pathology,* we published our views that the Sickledex test was, in fact, a derivation of the Itano solubility test published some 15 years earlier, and, in view of the present day knowledge of over 150 hemoglobinopathies, could not be considered to be specific any longer.

We regard the Sickledex test as an excellent screening procedure. Hence, we knew that the principle of the test was, at essence, a measure of the solubility parameter of deoxygenated hemoglobins, the principle of the Itano solubility test.

We have discussed in detail elsewhere[4 8] the fact that sickle cell hemoglobin tests predicted on solubility parameters alone are no longer valid since there are now known to be other hemoglobins which will give false tests under the specified conditions of the Sickledex test. Among such false positive tests, we predicted that hemoglobin Bart's would so behave. This has been confirmed by experimental evidence.[4 8]

In association with Henry and co-workers, we modified the Sickledex[4 8] by the addition of urea to "positive" tests, reasoning that nonspecific nematic liquid crystal systems produced by one or another of a non-S sickling hemoglobins, would remain intact in the presence of urea, *i.e.,* positive tests would remain positive in the presence of urea; whereas such liquid crystal systems mediated by hydrophobic bonds as in hemoglobin S would reverse in the presence of urea, *i.e.,* positive tests would become negative in the presence of the hydrophobic-bond-destroying urea.

Details of data and techniques and a detailed discussion of principles and interpretation have been published elsewhere.[4 8]

An automated version of our Sickledex modification has been adapted[4 9] to a two-channel Auto-Analyzer so that one line carries an aliquot of blood in Sickledex solution and the other carries an aliquot of the same blood specimen in a urea-Sickledex solution. Under these conditions there is a distinct *gain* in percent transmittance of light in the urea-Sickledex channel, since the nematic liquid crystal system responsible for the turbidity (sickled S hemoglobin) is dispersed by the urea.

This automated system has recently been proven accurate and feasible in the mass screening of large human populations for the detection of S hemoglobin in extensive field studies conducted jointly with the U.S. Army Medical Research Laboratory at Fort Knox, Ky.

Because of the relatively high cost per determination of the proprietary Sickledex test, we have determined in our laboratory (BMH) that reagents prepared by us consisting of potassium phosphate, $Na_2S_2O_4$ (sodium dithionite), and saponin provide perfectly satisfactory working solutions in no detectable way inferior to the stock solutions vended by the developers. This confirms our 1969 assertion that the Sickledex test is derived from the Itano solubility test.

Furthermore, in studies currently underway in our laboratory, the cost of the test has been reduced from $1.00 to 2½¢ per determination. Thus, for 2½¢ per test (reagent cost) on ½ cc. of EDTA-collected whole blood, automated determinations for the diagnosis of both sickle hemoglobin and non-S sickling hemoglobin have been conducted at the rate of 120 per hour.

The survey of large human populations in metropolitan areas for case finding of sickle cell disease leading both to medical genetic counseling and to treatment (see below) is now a proven technique. All that is required at present to make advances in diagnosis and treatment as well as accurate statistics in this area of human disease is interest and funding. Details of data and techniques are discussed elsewhere.[4 9]

INTRAVENOUS UREA IN THE TREATMENT OF SICKLE CELL CRISIS

Explicit and detailed protocols for the intravenous use of urea in sugar solutions have been published.[4 10] In every case of acute sickle cell crisis where the specific provisions of our published protocols have faithfully followed we have never had a therapeutic failure, a medical misadventure, or a death. Hence, explicit compliance with our protocols in the treatment of acute sickle cell crisis will result in safe, effective treatment of acute sickle cell crisis without the use of narcotics or analgesics.

We have completed our safety and feasibility studies and are currently entering a large series of controlled, randomized studies as the final phase of evaluation of our protocols. We have made these protocols available to interested investigators who wish to conduct independent controlled series of studies of their own. However, we urge faithful compliance with all provisions of our protocol in order to maintain safety and therapeutic effectiveness.

ORAL, PROPHYLACTIC TREATMENT OF SICKLE CELL ANEMIA

The therapeutic basis for oral prophylactic urea rests on the experimental demonstration in our laboratory[4 10] that it takes less urea to block the sickling event in susceptible cells than it does to reverse sickling in aliquots of such cells. The theory for such therapeutic efficacy of low doses of oral urea has been discussed in extenso elsewhere.[4 10]

The intravenous therapeutic modality for the termination of an acute sickle cell crisis is spectacular and impressive, but is rather expensive, requiring hospitalization, and, most important, represents treatment after the vasculo-occlusive episodes and attendant tissue injury.

Since sickle cell disease injures tissue systems in episodic fashion by crisis, the use of oral urea is designed to mitigate and specifically to eliminate sickle cell crisis, correct the anemia by increasing the red blood cell survival time, relieving the enormous metabolic load on the bone marrow organ.

With our preliminary study in more than 80 cases of sickle cell disease managed on oral prophylactic urea, the therapeutic responses have been impressive to date. Also, details of cases of priapism, hematuria in heterozygotes, SC hemoglobinopathy in pregnancy, and near crisis-like states all responding to oral prophylactic urea are either in press at present or await completion of concurrent studies.

The advantages of the oral modality of treatment over the intravenous regimen are that it is simple, inexpensive, safe, avoids incremental tissue injuries, and restores the patient to productive activity. The promise of oral prophylactic urea for the homozygous S diseases victim is a productive, painfree, full life span—all for pennies a day since urea costs only $1.00 per pound.

After an extensive study of our detailed research work on sickle cell anemia, Linus Pauling, twice Nobel Laureate, recently wrote:[4] "Sickle cell anemia is the first disease to have become thoroughly understood, the first disease for which a clear and complete explanation of the manifestations could be formulated." He states[4] that our work has led to the development of a method "for controlling the crisis of the disease. Sickle cell anemia has thus become one of the first diseases for which there is a known molecular basis for pathogenesis, a molecular basis for diagnosis, and a molecular basis for treatment."

FOOTNOTES

[1] Pauling, L., et al.: Sickle Cell Anemia, a Molecular Disease, Science 110; 543–548, 1949.

[2] Pauling, L.: The Hemoglobin Molecule in Health and Disease, Proc. Amer. Phiosoph. Soc. 96: 556–565, 1952.

[3] Muryania, M.: Molecular Mechanics of Red Cell Sickling, Scence 153: 145–149, 1966.

[4] Nalbandian, R. M. (ed.): Molecular Aspects of Sickle Cell Hemoglobin; Clinical Applications, Springfield, Ill.: Charles C. Thomas, May 1971.

Author's Note: The next six listed U.S. Army Medical Research Laboratory Reports, numbers 893–898, are available from The Defense Documentation Center, Cameron Station, Virginia 22314, or from The Clearing House for Federal, Scientific, and Technical Information, Department of Commerce, Washington, D.C. 20310.

[5] Nalbandian, R. M., et al.: The Murayama Test: Part I. Evidence for the Molified Murayama Hypothesis for the Molecular Mechanism of Sickling, report 894, U.S. Army Medical Research Laboratory, Sept. 17, 1970.

[6] Nalbandian, R. M., et al.: The Murayama Test: Part II, Principles, Techniques, Interpretation, and Data, report 894, U.S. Army Medical Research Laboratory, Sept. 17, 1970.

[7] Nalbandian, R. M., et al.: Sickling Reversed and Blocked by Urea in Invert Sugar: Optical and Electron Microscopy Evidence, report 895, U.S. Army Medical Research Laboratory, Sept. 17, 1970.

[8] Henry, R. L., et al.: Modified Sickledex Tube Test: A Specific Test for S. Hemoglobin, report 897, U S. Army Medical Research Laboratory, Sept. 17, 1970.

[9] Henry, R. L., et al.: An Automated Screening Method for the Specific Detection of Homozygous and Heterozygous S Hemoglobin, report 898, U.S. Army Medical Research Laboratory, Sept. 17, 1970.

[10] Nalbandian, R. M., et al., Sickle Cell Crisis Terminated by Use of Urea in Invert

Sugar in Two Cases, report 896, U.S. Army Medical Research Laboratory, Sept. 17, 1970.

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

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

The CHAIRMAN. The Chair will count.

Eighty-nine Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 86]

Abourezk	Harvey	Reid
Baring	Hébert	Rosenthal
Belcher	Hicks, Wash.	Rostenkowski
Bow	Hull	Saylor
Clark	Johnson, Pa.	Scheuer
Clay	Jonas	Seiberling
Collins, Ill.	Jones, Ala.	Shoup
Conyers	Karth	Sisk
Dingell	Melcher	Stanton,
Dowdy	Metcalfe	James V.
Dwyer	Mikva	Steiger, Wis.
Edwards, La.	Minish	Stubblefield
Eshleman	Morse	Teague, Tex.
Fuqua	Obey	Thompson,
Galifianakis	O'Hara	N.J.
Gaydos	Passman	Udall
Gibbons	Patman	Wilson,
Gubser	Pryor, Ark.	Charles H.
Halpern	Rangel	Wright
Harsha	Rees	Yates

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. EVINS of Tennessee, 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. 13592, and finding itself without a quorum, he had directed the roll to be called, when 374 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the point of order of no quorum was raised, the gentleman from Florida (Mr. ROGERS) had been recognized.

The Chair recognizes the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Chairman, I would urge the passage of this bill.

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

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. EVINS of Tennessee, 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. 13592) to amend the Public Health Service Act to provide for the prevention of sickle cell anemia, pursuant to House Resolution 904, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 392, nays 0, not voting 39, as follows:

[Roll No. 87]

YEAS—392

Abbitt	Davis, Ga.	Hogan
Abernethy	Davis, S.C.	Holifield
Abourezk	Davis, Wis.	Horton
Abzug	de la Garza	Hosmer
Adams	Delaney	Howard
Addabbo	Dellenback	Hungate
Alexander	Dellums	Hunt
Anderson, Calif.	Denholm	Hutchinson
	Dennis	Ichord
Anderson, Ill.	Dent	Jacobs
Anderson, Tenn.	Derwinski	Jarman
	Devine	Johnson, Calif.
Andrews	Dickinson	Jonas
Annunzio	Diggs	Jones, Ala.
Archer	Dingell	Jones, N.C.
Arends	Donohue	Jones, Tenn.
Ashbrook	Dorn	Karth
Ashley	Dow	Kastenmeier
Aspin	Downing	Kazen
Aspinall	Drinan	Keating
Badillo	Dulski	Kee
Baker	Duncan	Keith
Barrett	du Pont	Kemp
Begich	Eckhardt	King
Bell	Edmondson	Kluczynski
Bennett	Edwards, Ala.	Koch
Bergland	Edwards, Calif.	Kuykendall
Betts	Eilberg	Kyl
Bevill	Erlenborn	Kyros
Biaggi	Esch	Landgrebe
Biester	Evans, Colo.	Landrum
Bingham	Evins, Tenn.	Latta
Blackburn	Fascell	Leggett
Blanton	Findley	Lennon
Blatnik	Fish	Lent
Boggs	Fisher	Link
Boland	Flood	Lloyd
Bolling	Flowers	Long, La.
Bow	Flynt	Long, Md.
Brademas	Foley	Lujan
Brasco	Ford, Gerald R.	McClory
Bray	Ford, William D.	McCloskey
Brinkley		McClure
Brooks	Forsythe	McCollister
Broomfield	Fountain	McCormack
Brotzman	Fraser	McCulloch
Brown, Mich.	Frelinghuysen	McDade
Brown, Ohio	Frenzel	McDonald, Mich.
Broyhill, N.C.	Frey	
Broyhill, Va.	Fulton	McEwen
Buchanan	Gallagher	McFall
Burke, Fla.	Garmatz	McKay
Burke, Mass.	Gettys	McKevitt
Burleson, Tex.	Giaimo	McKinney
Burlison, Mo.	Gibbons	McMillan
Burton	Goldwater	Macdonald, Mass.
Byrne, Pa.	Gonzalez	
Byrnes, Wis.	Goodling	Madden
Byron	Grasso	Mahon
Cabell	Gray	Mailliard
Caffery	Green, Oreg.	Mallary
Camp	Green, Pa.	Mann
Carey, N.Y.	Griffin	Martin
Carney	Griffiths	Mathias, Calif.
Carter	Gross	Mathis, Ga.
Casey, Tex.	Grover	Matsunaga
Cederberg	Gubser	Mayne
Celler	Gude	Mazzoli
Chappell	Hagan	Meeds
Chisholm	Haley	Melcher
Clancy	Hall	Michel
Clark	Hamilton	Miller, Calif.
Clausen, Don H.	Hammer-schmidt	Miller, Ohio
		Mills, Ark.
Clawson, Del	Hanley	Mills, Md.
Clay	Hanna	Mink
Cleveland	Hansen, Idaho	Minshall
Collier	Hansen, Wash.	Mitchell
Collins, Tex.	Harrington	Mizell
Colmer	Hastings	Mollohan
Conable	Hathaway	Monagan
Conte	Hawkins	Montgomery
Corman	Hays	Moorhead
Cotter	Hechler, W. Va.	Morgan
Coughlin	Heckler, Mass.	Morse
Crane	Heinz	Mosher
Culver	Helstoski	Moss
Curlin	Henderson	Murphy, Ill.
Daniel, Va.	Hicks, Mass.	Murphy, N.Y.
Daniels, N.J.	Hicks, Wash.	Myers
Danielson	Hillis	Natcher
Nedzi	Roush	Taylor
Nelsen	Rousselot	Teague, Calif.
Nichols	Roy	Terry
Nix	Roybal	Thompson, Ga.
O'Konski	Runnels	Thompson, N.J.
O'Neill	Ruppe	Thomson, Wis.
Passman	Ruth	Thone
Patman	Ryan	Tiernan
Patten	St Germain	Ullman
Pelly	Sandman	Van Deerlin
Pepper	Sarbanes	Vander Jagt
Perkins	Satterfield	Vanik
Pettis	Scherle	Veysey
Peyser	Schmitz	Vigorito
Pickle	Schneebeli	Waggonner
Pike	Schwengel	Waldie
Pirnie	Scott	Wampler
Poage	Sebelius	Ware
Podell	Seiberling	Whalen
Poff	Shipley	Whalley
Preyer, N.C.	Shriver	White
Price, Ill.	Sikes	Whitehurst
Price, Tex.	Skubitz	Whitten
Pucinski	Slack	Widnall
Purcell	Smith, Calif.	Wiggins
Quie	Smith, Iowa	Williams
Quillen	Smith, N.Y.	Wilson, Bob
Railsback	Snyder	Wilson, Charles H.
Randall	Spence	
Rarick	Springer	Winn
Reuss	Staggers	Wolff
Rhodes	Stanton, J. William	Wright
Riegle		Wyatt
Roberts	Steed	Wydler
Robinson, Va.	Steele	Wylie
Robison, N.Y.	Steiger, Ariz.	Wyman
Rodino	Stephens	Yatron
Roe	Stokes	Young, Fla.
Rogers	Stratton	Young, Tex.
Roncalio	Stuckey	Zablocki
Rooney, N.Y.	Sullivan	Zion
Rooney, Pa.	Symington	Zwach
Rosenthal	Talcott	

NAYS—0

NOT VOTING—39

Baring	Harvey	Rostenkowski
Belcher	Hébert	Saylor
Chamberlain	Hull	Scheuer
Collins, Ill.	Johnson, Pa.	Shoup
Conyers	Metcalfe	Sisk
Dowdy	Mikva	Stanton, James V.
Dwyer	Minish	
Edwards, La.	Obey	Steiger, Wis.
Eshleman	O'Hara	Stubblefield
Fuqua	Powell	Teague, Tex.
Galifianakis	Pryor, Ark.	Udall
Gaydos	Rangel	Yates
Halpern	Rees	
Harsha	Reid	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Belcher.
Mr. Rostenkowski with Mr. Shoup.
Mr. Mikva with Mr. Johnson of Pennsylvania.
Mr. James V. Stanton with Mr. Halpern.
Mr. Rees with Mr. Harvey.
Mr. O'Hara with Mr. Saylor.
Mr. Minish with Mr. Powell.
Mr. Sisk with Mrs. Dwyer.
Mr. Teague of Texas with Mr. Eshleman.
Mr. Stubblefield with Mr. Harsha.
Mr. Hull with Mr. Chamberlain.
Mr. Fuqua with Mr. Reid.
Mr. Udall with Mr. Steiger of Wisconsin.
Mr. Metcalfe with Mr. Dowdy.
Mr. Baring with Mr. Galifianakis.
Mr. Rangel with Mr. Gaydos.
Mr. Conyers with Mr. Scheuer.
Mr. Yates with Mr. Pryor of Arkansas.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from the further consideration of the Senate bill S. 2676, a similar bill to H.R. 13592, just passed by the House, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2676

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act shall be cited as the "National Sickle Cell Anemia Control Act".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby finds and declares—

(1) that sickle cell anemia is a debilitating, inheritable disease that afflicts approximately two million American citizens and has been largely neglected;

(2) that the disease is a deadly and tragic burden which is likely to strike one-fourth of the children born to parents, both of whom bear the sickle cell trait;

(3) that efforts to control sickle cell anemia must be directed toward increased research in the cause and treatment of the disease, and the education, screening, and counseling of carriers of the sickle cell trait;

(4) that simple and inexpensive screening tests have been devised which will identify those who have the disease or carry the trait;

(5) that programs to control sickle cell anemia must be based entirely upon the voluntary cooperation of the individuals involved;

(6) that the attainment of better methods of control, diagnosis, and treatment of sickle cell anemia deserves the highest priority.

(b) In order to preserve and protect the health and welfare of all citizens, it is the purpose of this Act to establish a national program for the control, research, and treatment of sickle cell anemia.

AMENDMENTS TO PUBLIC HEALTH SERVICE ACT

SEC. 3. (a) Section 1 of the Public Health Service Act is amended by striking out "titles I to X" and inserting in lieu thereof "titles I to XI".

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is amended by renumbering title XI (as in effect prior to the enactment of this Act) as title XII, and by renumbering sections 1101 through 1114 (as in effect prior to the enactment of this Act), and references thereto, as sections 1201 through 1214, respectively.

(c) The Public Health Service Act is further amended by adding after title X the following new title:

"TITLE XI—SICKLE CELL ANEMIA PROGRAM

"GRANTS FOR SICKLE CELL SCREENING AND COUNSELING PROGRAMS

"SEC. 1101. (a) The Secretary is authorized to make grants to and enter into contracts with public and nonprofit private agencies, organizations, or institutions to assist in the establishment and operation of voluntary sickle cell anemia screening and counseling programs and to assist in developing and making available information and educational materials relating to sickle cell anemia to all persons requesting such information or materials, and to inform the public generally about the nature of sickle cell anemia and the sickle cell trait.

"(b) In making grants and contracts under this section the Secretary shall give priority to areas within States having the highest percentage of population in need of sickle cell anemia screening and counseling programs; with a further priority to community-based organizations in such areas.

"(c) For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $25,000,000 for the fiscal year ending June 30, 1973; $35,000,000 for the fiscal year ending June 30, 1974; and $40,000,000 for the fiscal year ending June 30, 1975.

"RESEARCH AND RESEARCH TRAINING GRANTS

"SEC. 1102. (a) In order to promote research and research training in the diagnosis, treatment, and control of sickle cell anemia, development of programs to educate the public regarding the nature and inheritance of the sickle cell trait and sickle cell anemia, and the development of centers for research, testing, counseling, control or treatment of sickle cell anemia, the Secretary is authorized to make grants to public or nonprofit private agencies, organizations, or institutions and to enter into contracts with public or private agencies, organizations, or institutions and individuals for projects for research and research training in such fields.

"(b) For the purpose of making payments pursuant to grants and contracts under this section there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1973; $10,000,000 for the fiscal year ending June 30, 1974; and $15,000,000 for the fiscal year ending June 30, 1975.

"VOLUNTARY PARTICIPATION

"SEC. 1103. The participation by any individual in any program or portion thereof under this title (whether by grant or contract) shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from or to participation in, any other program.

"APPLICATIONS

"SEC. 1104. A grant under this title may be made upon application to the Secretary at such time, in such manner, containing, and accompanied by such information as the Secretary deems necessary. Each application shall—

"(1) provide that the programs and activities for which assistance under this title is sought will be administered by or under the supervision of the applicant:

"(2) provide for strict confidentiality of all test results, medical records, and other information regarding screening, counseling, or treatment of any person treated, except for (A) such information as the patient (or his guardian) consents to be released; or (B) statistical data compiled without reference to the identity of any such patient;

"(3) provide for appropriate community representation in the development and operation of any program funded under this title; and

"(4) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title.

"PUBLIC HEALTH SERVICE FACILITIES

"SEC. 1105. The Secretary shall establish a program within the Public Health Service to provide for voluntary sickle cell anemia screening, counseling, and treatment. Such program shall be made available through facilities of the Public Health Service to any eligible person requesting screening, counseling, or treatment, and shall include notification of all eligible persons of the availability and voluntary nature of such programs.

"REPORTS

"SEC. 1106. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on or before April 1 of each year a comprehensive report on the administration of this title.

"(b) The report required by this section shall contain such recommendations for additional legislation as the Secretary deems necessary."

PROTECTION OF ARMED FORCES PERSONNEL

SEC. 4. (a) The Secretary of Defense is authorized and directed to promulgate rules and regulations to provide for screening and counseling of members of the Armed Forces (including their dependents), civilian employees of the Department of Defense, and persons examined at Armed Forces examining and entrance stations, for the sickle cell trait and sickle cell anemia.

(b) Such rules and regulations shall provide for—

(1) voluntary screening for the sickle cell trait for persons described in subsection (a) who request such a test, at no cost to such person;

(2) communication to such person described in subsection (a) of the results of such test;

(3) voluntary referral of individuals determined to possess a positive trait to an appropriate military or civilian counseling or treatment agency;

(4) notification to persons described in subsection (a) of the cost-free and voluntary nature of the screening and referral programs implemented pursuant to this section;

(5) education of persons described in subsection (a) regarding the nature and inheritance of the sickle cell trait and sickle cell anemia; and

(6) assurance that all information obtained on specimens submitted voluntarily under this Act shall be held confidential except for (A) such information as the patient (or his guardian) consents to be released or (B) statistical data compiled without reference to the identity of such patient.

(c) The Secretary of Defense shall provide for voluntary counseling or treatment of such persons described in subsection (a) found to have the sickle cell trait or sickle cell anemia at an appropriate military or civilian facility as the case may be.

(d) (1) The Secretary of Defense shall prepare and submit to the President for transmittal to Congress on or before April 1 of each year a comprehensive report on the administration of this section.

(2) The report required by this subsection shall contain such recommendations for additional legislation as the Secretary of Defense deems necessary.

(e) The participation by any individual in any program or portion thereof under this section shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program.

PROTECTION OF VETERANS

SEC. 5 (a) Chapter 17 of title 38, United States Code, is amended by adding at the end thereof the following new subchapter:

"Subchapter VI—Sickle Cell Anemia

"§ 651. Screening, counseling, and medical treatment

"(a) The Administrator is authorized to offer to any veteran who is receiving hospital or domiciliary care or medical services under this chapter or is receiving an examination to determine eligibility for benefits under this title, a screening examination for sickle cell trait or sickle cell anemia, including providing to such veteran full information regarding the nature and inheritance of sickle cell trait and sickle cell anemia and regarding the availability to such veteran of a screening examination under this subchapter, and to provide such a screening examination upon such veteran's request.

"(b) Upon a finding that such veteran has the sickle cell trait or sickle cell anemia, the Administrator is authorized to offer, and, if such veteran requests, provide for counseling (which shall include such a screening examination and counseling for the veteran's spouse, when requested, and a complete explanation of the veteran's eligibility for hos-

pital care and medical services under this chapter) and/or necessary hospital care and medical services for a disability arsing from such trait or anemia.

"(c) The Administrator shall ensure that each veteran receiving benefits under laws administered by the Veterans' Administration receives, as soon as practicable after enactment of this subchapter, full information regarding the nature and inheritance of sickle cell trait and sickle cell anemia and the availability of screening examinations and treatment for such trait and anemia.

"§ 652. Research

"The Administrator shall carry out research and research training in the diagnosis, treatment, and control of sickle cell anemia based upon the screening examinations and treatment provided under this subchapter, subject to the provisions governing voluntary participation and confidentiality in section 653 of this title. For the purpose of carrying out such research, there are authorized to be appropriated $3,000,000 for the fiscal year ending June 30, 1973; $4,000,000 for the fiscal year ending June 30, 1974; and $5,000,000 for the fiscal year ending June 30, 1975.

"§ 653. Voluntary participation; confidentiality

"(a) The participation by any person in any program or portion thereof under this subchapter shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program under this title.

"(b) The Administrator shall promulgate rules and regulations to ensure that all information and patient records prepared or obtained under this subchapter shall be held confidential except for (1) such information as the patient (or his guardian) requests in writing to be released or (2) statistical data compiled wtihout reference to patient names or other identifying characteristics.

"§ 654. Reports

"(a) The Administrator shall prepare and submit to the President for transmittal to the Congress on or before April 1 of each year a comprehensive report on the administration of this subchapter.

"(b) The report required by this section shall contain such recommendations for additional legislation as the Administrator deems necessary."

(b) The analysis at the beginning of such chapter is amended by adding at the end thereof:

"SUBCHAPTER VI—SICKLE CELL ANEMIA

"651. Screening, counseling, and medical treatment.
"652. Research.
"653. Voluntary participation; confidentiality.
"654. Reports."

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of the bill S. 2676, and insert in lieu thereof the provisions of H.R. 13592, as passed, as follows:

SHORT TITLE

SECTION 1. This Act may be cited as the "National Sickle Cell Anemia Prevention Act".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds and declares—

(1) that sickle cell anemia is a debilitating, inheritable disease that afflicts approximately two million American citizens and has been largely neglected;

(2) that the disease is a deadly and tragic burden which is likely to strike one-fourth of the children born to parents who both bear the sickle cell trait;

(3) that efforts to prevent sickle cell anemia must be directed toward increased research in the cause and treatment of the disease, and the education, screening, and counseling of carriers of the sickle cell trait;

(4) that simple and inexpensive screening tests have been devised which will identify those who have the disease or carry the trait;

(5) that programs to prevent sickle cell anemia must be based entirely upon the voluntary cooperation of the individuals involved; and

(6) that the attainment of better methods of prevention, diagnosis, and treatment of sickle cell anemia deserves the highest priority.

(b) In order to preserve and protect the health and welfare of all citizens, it is the purpose of this Act to establish a national program for the diagnosis, prevention, and treatment of, and research in, sickle cell anemia.

AMENDMENTS TO PUBLIC HEALTH SERVICE ACT

SEC. 3. (a) Section 1 of the Public Health Service Act is amended by striking out "titles I to X" and inserting in lieu thereof "titles I to XI".

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is amended by renumbering title XI (as in effect prior to the enactment of this Act) as title XII, and by renumbering sections 1101 through 1114 (as in effect prior to the enactment of this Act), and references thereto, as sections 1201 through 1214, respectively.

(c) The Public Health Service Act is further amended by adding after title X the following new title:

"TITLE XI—SICKLE CELL ANEMIA PROGRAM

"SICKLE CELL ANEMIA SCREENING AND COUNSELING PROGRAMS AND INFORMATION AND EDUCATION PROGRAMS

"SEC. 1101. (a) (1) The Secretary may make grants to public and nonprofit private entitles, an may enter into contracts with public and private entities, for projects for the establishment and operation of voluntary sickle cell anemia screening and counseling programs as part of other existing public health care programs.

"(2) The Secretary shall carry out a program to develop information and educational materials relating to sickle cell anemia and to disseminate such information and materials to persons providing health care and to the public generally. The Secretary may carry out such program through grants to public and nonprofit private entities or contracts with public and private entities and individuals.

"(b) For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $20,000,000 for the fiscal year ending June 30, 1973, $25,000,000 for the fiscal year ending June 30, 1974, and $30,000,000 for the fiscal year ending June 30, 1975.

"PROJECT GRANTS AND CONTRACTS FOR RESEARCH AND PROGRAMS FOR DIAGNOSIS, PREVENTION, AND TREATMENT

"SEC. 1102. (a) The Secretary may make grants to public and nonprofit private entitles; and may enter into contracts with public and private entities and individuals, for projects for (1) research in the diagnosis, treatment, and prevention of sickle cell anemia, and (2) the development of programs for diagnosis, prevention, and treatment of sickle cell anemia.

"(b) For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1973, $10,000,000 for the fiscal year ending June 30, 1974, and $15,000,000 for the fiscal year ending June 30, 1975.

"VOLUNTARY PARTICIPATION

"SEC. 1103. The participation by any individual in any program or portion thereof under this title shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program.

"APPLICATIONS; ADMINISTRATION OF GRANT AND CONTRACT PROGRAMS

"SEC. 1104. (a) A grant under this title may be made upon application to the Secretary at such time, in such manner, containing and accompanied by such information, as the Secretary deems necessary. Each applicant shall—

"(1) provide that the programs and activities for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) describe with particularity the programs and activities for which assistance is sought;

"(3) provide for strict confidentiality of all test results, medical records, and other information regarding screening, counseling, or treatment of any person treated, except for (A) such information as the patient (or his guardian) consents to be released; or (B) statistical data compiled without reference to the identity of any such patient;

"(4) provide for appropriate community representation in the development and operation of any program funded by a grant under this title;

"(5) in the case of an application for a grant under section 1101(a)(1), provide assurances satisfactory to the Secretary that (A) the screening and counseling services to be provided under the program for which the application is made will be directed first to those persons who are entering their child-bearing years and secondly to children under the age of 7, and (B) appropriate arrangements have been made to provide counseling to persons found to have sickle cell anemia or the sickle cell trait;

"(6) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(7) provide for making such reports in such form and containing such information as the Secretary may reasonably require.

"(b) In making any grant or contract under the title, the Secretary shall (1) take into account the number of persons to be served by the program supported by such grant or contract and the extent to which rapid and effective use will be made of funds under the grant or contract; and (2) give priority to programs operating in areas which the Secretary detemines have the greatest number of persons in need of the services provided under such programs.

"PUBLIC HEALTH SERVICE FACILITIES

"SEC. 1105. The Secretary shall establish a program within the Public Health Service to provide for voluntary sickle cell anemia screening, counseling, and treatment. Such program shall be made available through facilities of the Public Health Service to any person requesting screening, counseling, or treatment, and shall include appropriate publicity of the availability and voluntary nature of such programs.

"REPORTS

"SEC. 1106. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on or before April 1 of each year a comprehensive report on the administration of this title.

"(b) The report required by this section shall contain such recommendations for additional legislation as the Secretary deems necessary."

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To amend the Public Health Service Act to provide for the prevention of sickle cell anemia."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 13592) was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their own remarks on the bill just passed, and to include extraneous material.

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

There was no objection.

PROTEST AGAINST $2.1 BILLION FOREIGN MILITARY ASSISTANCE REQUEST

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

Mr. ROUSH. Mr. Speaker, I rise today to add my vote of protest against congressional approval of the $2.1 billion foreign military assistance request for fiscal 1973 which the administration has placed before this Congress.

My protest is based on several grounds.

First and foremost is the fact that this country is already short on money for the everyday needs of the American people. In the name of prudent management and stemming inflation the Office of Management and Budget has callously impounded, reserved, and refused to spend the funds Congress appropriated for educational, housing, transportation, environmental programs. How can we then possibly justify spending over $2 billion for foreign military aid with the hope of some vague, long-term, highly questionable goals when we cannot manage to apply the American taxpayer's dollar to the immediate and critical needs here at home?

My second grounds for protest rests on those goals themselves and what the American people will buy or secure for that $2 billion. I seem to remember that our first involvement in Southeast Asia was in the form of military equipment. Do we want that? Do we even want intensified involvement in the military planning of other nations? Does that purchase security for us at home?

I think not. Actually at the worst we may with that $2 billion purchase another war for ourselves because where our arms go, there also go our political and economic interests. And even if we do not become directly involved in a war, acting in the role of an arms supplier we thereby provoke innumerable conflicts between rival nations. Without our prized military assistance these nations could not so easily and precipitously engage in fighting wars among themselves.

Finally, Mr. Speaker, the Congress expressed its intent regarding foreign military assistance in extended argument and debate last year, finally completing this discussion a short time ago. I believe that lengthy consideration reflected attention to the increased complaints of the American people about this kind of spending and the effort to reconsider some of our priorities. I do not believe that we should allow that healthy reappraisal to be frustrated by restoring those funds for fiscal 1973.

COMPENSATION TO THE NAVAJO TRIBE FOR RECREATIONAL USE OF FORMER RESERVATION LANDS AT GLEN CANYON

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

Mr. SKUBITZ. Mr. Speaker, I am introducing for myself, Mr. SAYLOR, Mr. UDALL, Mr. STEIGER of Arizona, Mr. LLOYD, and Mr. MCKAY, a bill to authorize the Secretary of the Interior to transfer franchise fees received from certain concession operations at Glen Canyon Recreation Area, Ariz., and for other purposes.

This proposal is the result of Executive Communication No. 1685 and is a step towards fulfillment of an agreement with the Navajo Tribe for the use of their former reservation lands transferred for recreational use at the Glen Canyon Recreation Area. This bill directs that the Secretary place the annual franchise fee received from the Park Service-concessioner-operated Rainbow Bridge floating marina facility at Lake Powell into a separate fund of the Treasury and to transfer that fee to the Navajo Indian Tribe in consideration of the tribe's continued agreement to the use of their former reservation lands for recreation purposes. Compensation is intended to commence after passage of the legislation and is intended to be the sole compensation for any claim the tribe may have for past compensation for the use of their lands at Rainbow Bridge.

The Navajo Tribal Council has approved the use of the former reservation lands for this purpose. The tribe's approval, however, and its agreement to any recreational use of former reservation land within the recreation area, as well as cooperative development of contiguous tribal lands, is contingent upon the transfer of the annual franchise fee as provided in this proposal.

Although there are no other situations wherein franchise fees are transferred by the National Park Service to an Indian tribe, there are two areas of the National Park System involving similar circumstances. At Bighorn Canyon National Recreation Area, Mont., the Crow Indian Tribe of Montana is given a preferential right to construct and operate revenue-producing facilities on certain Federal lands, and to retain any resulting revenues. At Canyon de Chelly National Monument, Ariz., located entirely on Indian lands within the Navajo Indian Reservation, the concessioner pays an annual franchise fee directly to the tribe.

The text of the bill is:

H.R. 14029

A bill to authorize the Secretary of the Interior to transfer franchise fees received from certain concession operations at Glen Canyon Recreation Area, Arizona, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provision of law requiring such fees to be credited to miscellaneous receipts in the Treasury of the United States, there shall be placed in a separate fund in the Treasury of the United States the annual franchise fee received by the Secretary of the Interior from concessioner-operated facilities at the Rainbow Bridge floating complex in Forbidding Canyon, within the Glen Canyon Recreation Area, Arizona, and the Secretary of the Interior is authorized to transfer such fees annually from said fund to the Navajo Tribe of Indians in consideration of continued agreement by the tribe to the use of lands transferred to the United States from the Navajo Indian Reservation for the purpose of anchoring such facilities.

H.R. 13832, LIQUEFIED NATURAL GAS SHIPS AND FACILITIES—A MATTER OF HIGH NATIONAL PRIORITY

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

Mr. ANDERSON of Tennessee. Mr. Speaker, on March 15, I introduced legislation which would authorize the U.S. Government to negotiate the construction, outfitting and equipping of 40 ships for the purpose of transporting liquefied natural gas. The delivery date for these ships would be no later than January 1, 1980.

The purpose of this bill is to meet an impending energy crisis which, from all indications, the United States will experience by the year 1985. A reprint of the bill follows the text of this statement.

Another aim of this legislation is to establish a new national energy policy which would insure adequate energy to meet the projected needs of our domestic and industrial economy during the next decade.

There are several additional goals. One relates to atmospheric pollution. Natural gas burns almost pollution free. Then, conservation. Vast quantities of natural gas are still being flared to the atmosphere at wellheads throughout the world. This is a shameful waste, particularly when we consider the well-being of future generations.

I am fully aware of the complexities and difficulties of trying to look and plan ahead on matters of public needs. However, we must begin planning for the next decade before a growing energy crisis becomes a national catastrophe.

Authorities estimate that at the present rate of energy consumption in the United States, combined with a continuing decrease in domestic supply of energy sources, by 1985, we will be required to import over 40 percent of all forms of energy consumed. This will include the importation of approximately 15 million barrels of oil per day and 12 trillion cubic feet of natural gas per year. We are currently importing 3.4 million barrels of

oil per day and it is anticipated that the growth rate of oil imports will be 300 to 400 percent during the next 15 years.

A massive cutback in the anticipated growth rate of energy consumption is not the solution if we are to survive and compete effectively as an industrial nation and support a relatively high standard of living, though certainly we must pay strong attention to conservation of energy resources.

The primary sources of energy in the foreseeable future will continue to be oil and gas. Coal and nuclear power will continue to provide substantial inputs, but even with the coal industry doubling its output and nuclear plants increasing their megawatt yield 80 times, these sources will provide only 37 percent of our national needs in 1985.

In addition, all the nonconventional sources combined, such as hydroelectric, geothermal, tidal, and solar power, will provide less than 3 percent of our total energy needs in 1985.

The remainder of our energy needs, estimated to be 60 percent of the total, will be supplied from petroleum and natural gas.

If oil imports grow at the currently projected rates, in 1985 our oil needs will require between 300 and 350 oil tankers of 250,000 deadweight tons in service. The United States has no harbor capable of accommodating this size tanker.

Should an energy crisis come to the United States today, it is anticipated that we could meet and accommodate our energy needs for about 1 year at the most.

To meet such a crisis would mean relaxing air pollution standards so that high sulfur fuels could be consumed along the east coast and particularly in the energy deprived Northeastern sector of the country. It would mean increasing domestic oil production, depleting on-hand reserve stocks and production from uneconomical wells. Even with these "emergency" measures we may be able to stand off the crisis for only about 17 months.

Mr. Speaker, we must direct our efforts toward a new national energy policy and we must look for new sources of energy which will most effectively meet the impending crisis.

I believe liquefied natural gas is that source. The ships and facilities will be costly. I estimate we are talking about a public commitment of at least $3 billion and a private commitment of $12 billion for a total of $15 billion. But these ships must be built in U.S. yards and they must be manned by U.S. crews. The potential is for at least 75,000 new jobs. To let the ships be built abroad, the LNG market commandeered by other nations, will not only wipe out that job potential, but place us as captives in the LNG marketplace. Other countries can charge whatever they want and cut off our supply at the slightest whim.

The use of LNG is not a new theory since we are already importing quantities of it to meet peak winter demands in the cold Northeast. But, if we are already using this form of energy producing fuel, and we know how to produce it, why do we face an energy crisis? The problem is in transporting the gas. The United States currently has no ships capable of carrying LNG and the future will determine that the country with the transporting capability will control the market of this vital energy form.

Ten points can be made which give credence to the need for more U.S. participation in the LNG field:

First. Presently, the public and industrial demand for LNG is growing at the rate of 3.4 percent per year while discoveries of new domestic gas reserves are declining.

Second. If the present trend continues, the United States will face a shortage of 20 trillion cubic feet of gas per year by 1985. And, if automobiles were to convert to LNG, which can be easily accomplished, the LNG requirement in this country would increase by 35 percent.

Third. At the same time the role of LNG on the world energy market is rapidly expanding with the United States being the largest user, consuming more than two-thirds of the world's supply.

Fourth. By contrast, the Soviet Union currently consumes 20 percent of the world's total supply of LNG and Western Europe about 5 percent. But Western Europe may soon increase their gas usage to approximately 10 percent as pipeline networks from the U.S.S.R. and the Netherlands are completed.

Fifth. Those countries now planning to increase LNG imports include France, Italy, Spain, Japan, as well as the United States.

Sixth. Thus far, the United States LNG efforts have been directed principally toward storage sites and highway-based semitrailers, 50 of which have been built and are operating mostly in New England and California.

Seventh. U.S. consumers along the east coast have been importing LNG from overseas via foreign-flag ships to meet the needs of the winter months. Our role in the transportation of this gas is virtually nil.

Eighth. Six Western European nations and Japan are leading the international field in LNG ship interest and construction. Today there are 13 LNG ships in service and 20 more on order.

Ninth. The closest the United States has come to operating a liquid natural gas carrier is the *Marine Eagle*, a converted T-2, which is being used as an ammonia carrier along the east coast.

Tenth. The United States, with its highly developed space technology, is fully capable, more so than any other country, of leading the world in the construction of LNG ships and facilities.

All of our space flights have utilized liquefied gasses. Various kinds of metals have been proven; pumps, compressors, insulation and refrigeration techniques have been tested and used in orbital and lunar missions.

We have the experience, capability, and knowledge to move ahead in this field if we put our space and ship technology to work together.

Since the famous New York blackout in October 1965, there have been literally hundreds of other power shortages and failures across the United States. In my own Tennessee Valley country we have seen the reserve coal supply dwindle from 60 days to as few as 1½ days. We are being warned and alerted that new directions must be taken to insure ample energy in the future.

The bill which I have introduced is but the first step in assuring that our future energy needs will be met. At a later date I plan to offer legislation for the construction of additional shore-based and off-shore LNG facilities. Meanwhile, it is important that we not delay the ship construction program which would mean a great deal to our country in terms of meeting the energy crisis, the unemployment problem, and providing a much needed stimulant to the entire maritime industry.

U.S.-owned and operated LNG ships are obviously in the national interest. The country which owns and operates these ships will have a profitable business and obviously will exercise control over the world's supply of LNG reserves.

We need these ships. Vast amounts of proven and unproven reserves are constantly being discovered in Alaska and in several nations overseas. To allow another nation to take the lead and monopolize the LNG transporting market would be detrimental not only to our economic interests but could lead to international politics depriving us of vital energy sources during some future international crisis.

Regulations and policies of the past will no longer suffice.

We cannot afford to follow our present shortsighted policy with respect to energy development and consumption. If we do, we will have the sorry task of telling the Nation, "Sorry, out of gas." It is imperative that we move aggressively and immediately into the LNG shipbuilding field. From time to time I will have additional comments regarding the ships and other parts of the system.

Mr. Speaker, in conclusion, I include in the RECORD a copy of a letter sent to the President by the Commission on American Shipbuilding urging a program of mass production of LNG carriers:

DEAR MR. PRESIDENT: In accordance with the mission of the Commission on American Shipbuilding, defined in Public Law 91-469, the undersigned members of the Commission, since their appointment by you in January 1971, have been actively "reviewing the status of the American Shipbuilding industry, its problems and its progress toward increasing its productivity and reducing production costs."

The Commission's activities have included visits to shipyards in the United States, Europe, and Japan as well as inspections of specialized operations related to shipbuilding activities. In addition, both collectively and individually, we have consulted with a substantial number of national and international shipbuilding experts.

The Commission plans to submit a final detailed report of its findings and recommendations, as directed, prior to October 21, 1973. However, certain developments, which are currently accelerating, appear to make an interim report a matter of some urgency. These developments relate to a unique opportunity now available to the U.S. shipbuilding industry which, if not promptly supported by the coordinated actions of certain agencies of the U.S. Government, may be irrevocably lost to foreign competition. A potential multi-billion dollar U.S.

market over ten years is involved. The immediate, favorable impact on U.S. employment and trade balances would substantially support the goals established by your Administration. This Commission feels, as a result of its assessments to date, that this market can be developed by U.S. shipbuilders if, but only if, the Administration takes the initiative in coordinating and supporting this program.

Before specifically discussing this emerging multi-billion dollar market for U.S. manpower and materials, it may be appropriate to summarize certain interim findings of the Commission which relate to the foregoing.

First, we find it has been clearly demonstrated that, with the enactment of the Merchant Marine Act of 1970 under your sponsorship, many United States shipyards, with the market opportunities implicit in that statute, have already undertaken considerable investment in capital improvements and new facilities.

Second, we find that, even though the volume of construction of a series of standard ships under multiple-ship contracts has been only partially started, the United States shipyards are definitely prepared to make significantly larger modernization investments when the shipbuilding volume so warrants.

Third, we are encouraged that to date the shipbuilding industry is meeting the required milestones for declining subsidy support; in fact, in several recently awarded contracts, the construction differential subsidy goals have been exceeded.

We should now like to refer to the specific market opportunity mentioned earlier. This is the market for liquefied natural gas (LNG) tankers. To meet the energy shortages which will occur around the world, and particularly in this country, in increasing degrees of severity, and to meet the environmental criteria for providing this energy, we believe it will be necessary to move vast tonnages of LNG from the gas fields of the world to the United States, northern Europe, and Japan. Much of this gas is now being wasted and strong political pressures are being brought to bear on United States' interests in all gas and oil producing areas. The technological problems of consumers have been resolved. The only open question is whether or not the United States' shipbuilding industry will participate in this market.

The LNG tankers now being designed, with a typical capacity of 125,000 cubic meters of containment space, will be in the approximate price range of 80 to 90 million dollars. At least 100 tankers of this capacity will be needed within ten years.

The technology of these tankers, insofar as the fabrication of their cryogenic tankage and handling systems is concerned, owes its origins in large degree to the United States aerospace industry. It is believed that, as in the case of many other highly sophisticated similar systems, United States production costs will not show anything like the degree of difference, vis-a-vis foreign costs, which exists in the building of other types of ships. Therefore, a lesser degree of support, well below the goals established in your program, appears to be enough to win our rightful share of this market.

It should be pointed out that virtually all major foreign maritime nations receive some form of government support to encourage shipbuilding. For example, the Japanese shipbuilding industry today, through the effective force of industry/government cooperation, coordination, and imaginative adaptation and improvement of techniques developed in the United States during World War II, enjoys over half of the total, world-shipbuilding export market. Japanese flag owners also receive special price considerations.

Japan has moved to a position of shipbuilding prominence by the creation of an environment which has made this tremendous achievement possible. This environment has been shaped by governmental encouragement, careful monitoring, and support, mostly in the form of financing, credit, and tax devices designed to attract domestic as well as export ship construction contracts. These devices have generated a continuity of workload which, in turn, has (1) insured a stable level of shipyard operations, (2) enabled an expansion of national capacity, and (3) produced a favorable economic climate for shipbuilding.

Shipbuilding has thus become a substantial factor in Japan's national economy and balance of trade. It is regarded as a prestige industry essential to the national good, and the marketing of shipbuilding capabilities has been effectively cultivated with considerable stimulus and input on the part of the Japanese Government. As a matter of interest, the Commission has observed positive steps by the Japanese shipbuilders to insure a substantial position in the LNG market.

Until the enactment of the Merchant Marine Act of 1970, the United States private shipbuilding industry had been plagued by an environment in terms of limited, spasmodic markets and stifling procedures, beyond the industry's control. The situation is now changing. From our studies, inspections, and assessments thus far, there are substantial indications that most of the major problems within the private shipbuilding industry of the United States can be solved by an expanding and steady volume of contracts, stable employment for the labor force, and a more favorable total environment, all of which are closely related. The above, thus, are our interim findings and conclusions and are submitted with the hope that they will be helpful to you and your Administration in the formulation of national policies pertaining to our maritime posture, of which the shipbuilding industry is an integral ingredient. We believe, as is obvious from the foregoing, that the LNG tanker market presents the greatest, foreseeable opportunity to further our national shipbuilding goals, as well as improve our national maritime posture.

H.R. 13832

A bill to authorize the construction of forty liquified natural gas carriers to meet the energy crisis

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Commerce is authorized to enter into contracts with shipbuilders of the United States or the Commonwealth of Puerto Rico for the construction, outfitting, and equipping of not to exceed forty LNG ships, with ship delivery date not later than January 1, 1980. Such contracts shall be awarded by competitive bidding to the lowest responsible bidder, with the right reserved in the Secretary to disapprove any and all bids: *Provided, however*, That the Secretary of Commerce may negotiate contracts with shipbuilders at what he determines is a fair and reasonable price if the shipbuilder (1) submits backup cost details and evidence that the price is fair and reasonable and (2) agrees that the Controller General of the United States, or any of his authorized representatives shall, until the expiration of three years after final payment, have access to and the right to examine any pertinent books, documents, papers, and records of the shipbuilder or any of his subcontractors related to the negotiation or performance of any contract or subcontract negotiated under this Act and will include in his subcontracts a provision to this effect.

(b) The Secretary of Commerce shall include in each contract for the construction of ships under this Act a provision that the shipbuilder, subcontractors, materialmen or suppliers shall use, so far as practicable, only articles, materials, and supplies of the growth, production, or manufacture of the United States as defined in paragraph (k) of section 401 of the Tariff Act of 1930: *Provided, however*, That in respect to other than major components of the hull or superstructure and any material used in the construction thereof, (1) if the Secretary of Commerce determines that the requirements of this subsection will unreasonably delay completion of any vessel beyond its contract delivery date, and (2) if such determination includes or is a concise explanation for the basis thereof, then the Secretary of Commerce may waive such requirements to the extent necessary to prevent such delay.

(c) No shipbuilder shall be deemed a responsible bidder, and the Secretary of Commerce shall not negotiate a contract with any shipbuilder, unless the Secretary of Commerce determines that the shipbuilder possesses the ability, experience, financial resources, equipment, and other qualifications necessary properly to perform the proposed contract. Each bid, or negotiated price, submitted to the Secretary of Commerce shall be accompanied by all detailed estimates on which it is based. The Secretary of Commerce may require that the bids of any subcontractor or other pertinent data accompany such bid or negotiated price. All such bids and data relating thereto or to a negotiation price shall be kept permanently on file.

SEC. 2. (a) The Secretary of Commerce is authorized to sell to any citizen of the United States, as defined in section 2 of the Shipping Act, 1916, for operation in the United States domestic trade, any vessel constructed under the Act.

(b) The purchase price of the vessel shall be its construction cost less straight line depreciation on the basis of a twenty-five year life to the date of sale. The purchaser shall pay 12½ per centum of the purchase price at the time of sale and shall pay the balance and not to exceed twenty-five equal annual installments with interest at a rate not less than (1) a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of such loans, adjusted to the nearest one-eighth of 1 per centum, plus (2) an allowance adequate in the judgment to the Secretary of Commerce to cover administrative costs, the balance of such purchase price and the interest thereon being secured by a preferred mortgage on the vessel sold and otherwise secured as the Secretary of Commerce may determine.

SEC. 3. The Secretary of Commerce is authorized to sell to any citizen of the United States, as defined in section 2 of the Shipping Act, 1916, for operation in the United States foreign trade, any vessel constructed under this Act. The purchase price shall be the construction cost of the vessel, less construction-differential subsidy determined under section 502(b) of the Merchant Marine Act, 1936, depreciated on a straight line basis and on the basis of a twenty-five-year life to the date of sale. Construction-differential subsidy for the purposes of this section shall not exceed 35 per centum of the construction cost of the vessel. The purchaser shall pay 25 percentum of the purchase price at the time of sale and shall pay the balance in not to exceed twenty-five equal annual installments with interest at a rate of not less than (1) a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of such loans, adjusted to the nearest

one-eighth of 1 per centum, plus (2) an allowance adequate in the judgment of the Secretary of Commerce to cover administrative costs, the balance of such purchase price, and the interest thereon, being secured by a preferred mortgage on the vessel sold and otherwise secured as the Secretary of Commerce may determine.

SEC. 4. (a) The Secretary of Commerce is authorized to charter, to any citizen of the United States, any vessel constructed under this Act for operation in foreign or domestic trade with an option to purchase the vessel.

(b) If the vessel is chartered for operation in domestic trade, the annual charter hire shall be 4 per centum of the depreciated construction cost of the vessel plus the sum of (1) a percentage of the depreciated construction cost, computed annually upon the basis of a twenty-five year life of the vessel, determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods of maturity comparable to the term of the charter, adjusted to the nearest one-eighth of 1 per centum and (2) an allowance adequate in the judgment of the Secretary of Commerce to cover administrative costs. The option to purchase for operation in domestic trade shall be at the price specified in section 2 of this Act.

(c) If the vessel is chartered for operation in foreign trade, the annual charter hire shall be 4 per centum of the construction cost of the vessel less construction-differential subsidy determined under section 502 (b) of the Merchant Marine Act, 1936, depreciated on a straight-line basis and on the basis of a twenty-five-year life to the first day of the year for which the charter is to be paid plus the sum of (1) a percentage of the foregoing amount determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the term of the charter, adjusted to the nearest one-eighth of 1 per centum and (2) on allowance adequate in the judgment of the Secretary of Commerce covering administrative costs. The option to purchase for operation in foreign trade shall be the price specified in section 3 of this Act.

SEC. 5. Vessels built under this Act shall be documented under the laws of the United States and shall remain so documented for twenty-five years.

SEC. 6. Operating-differential subsidy under the Merchant Marine Act, 1936, shall not be paid for operation of any vessel built under this Act.

SEC. 7. The term "foreign trade" as used in this Act means trade between United States, its territories or possessions, or the District of Columbia, and a foreign country.

SEC. 8. There are authorized to be appropriated such sums as are necessary, to remain available until expended to carry out the purposes of this Act.

BANKRUPTCY OF OIL IMPORT QUOTA PROGRAM IS NOW CLEAR

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

Mr. CONTE. Mr. Speaker, as an article in today's Washington Post by Thomas O'Toole points out, a top administration official responsible for oil import policy acknowledged to me yesterday that the United States has now reached a point where it will be necessary to substantially increase oil imports.

The admission, made by Assistant Interior Secretary Hollis M. Dole in testimony before a House Small Business Subcommittee chaired by our colleague NEAL SMITH, is, of course, not a total surprise. Federal Power Commissioner John Carver, only last week, testified before us to the same effect.

Even major oil companies are now admitting this must happen. And, more significantly, the Texas Railroad Commission, which for years has artificially held down oil production to maintain high prices—in what is called "market demand prorationing"—last week abandoned its controls for the first time in 24 years. I will have more to say on the decline of prorationing in a few days.

Nevertheless, Secretary Dole's admission is also significant, since he and his Department for years have been the chief protectors of the domestic oil industry, at the consumer's expense.

Ever since oil quotas were first imposed in 1959, I have warned they would only serve to more rapidly deplete our own resources at a terrible cost to the consumer. President Nixon's own task force on oil import controls conceded in 1970 that quotas now cost consumers more than $5 billion a year in artificially higher prices. In fact, when we add to that figure the $4.3 billion a year we lose in revenues due to the oil depletion allowance and other unjustified tax breaks for this industry, the annual tab comes to $9.3 billion.

In return for all this Government largesse we have been promised that domestic exploration would be increased to assure an adequate supply of domestic oil. What has happened, in fact, is that the major oil companies have spent far more on foreign than domestic exploration, and as a result we are fast running out of oil.

Mr. Speaker, we must not wait until the oil quota system collapses of its own weight. The consumer cannot be asked to continue to pay a terrible price for the transparent illusion of "national security." The time has come to enact my bill—H.R. 638 and identical bills, H.R. 4933, 4934, 4935, 5186 and 6851—which has more than 90 cosponsors, to repeal oil quotas and stop this inexcusable rape of the consumer now.

The article referred to follows:

INTERIOR AIDE SEES OIL IMPORT NEED IF U.S. OUTPUT BECOMES INADEQUATE

(By Thomas O'Toole)

A top official of the Interior Department conceded yesterday that the United States might have to raise its oil import quotas because domestic oil production is unable to keep pace with demand.

"We're looking right now at the possibility of a shortfall of crude oil in the U.S. and we're not prepared to say there won't be a larger deficit," Assistant Secretary Hollis M. Dole told the House Committee on Small Business, which is investigating the impact of the energy shortage on small business. "We're going to have to take a completely new look at our quota system."

Dole pointed out that Texas and Louisiana had raised their oil production "allowables" (Texas 100 per cent) in the last week, and that Venezuela was straining its capacity to keep up with U.S. demand.

Dole said the East Coast is already getting 50 per cent of its crude oil and 68 per cent of its fuel and heating oils from Venezuela.

"From what we know about Venezuelan reserves it is unlikely they will be able to furnish us with much more than they are now," he said. "This is why we must turn to North Africa and the Middle East."

Dole debated with Rep. Silvio Conte (R-Mass.) about when the United States must relax the restrictions on Middle East oil and by how much.

"You have to take oil where you can get it," Conte said. "Remove all restrictions, remove all quotas, and you'll see this whole thing stabilize itself."

Dole replied that the U.S. is still reluctant to raise its import quotas to admit Middle East oil.

"I'm not sure it would stabilize," he told Conte. "It would be my hope that it would, but I'm not all that sure."

"Well, we might not agree," Conte answered, "but you're getting closer to my way of thinking than the last time you were here before this committee."

While conceding that the U.S. might be easing its stand on oil imports, Dole said it is doing so with great reluctance.

"It's true we're coming closer to raising the imports," Dole said, "and this is what disturbs me—the impact our reliance on foreign oil has on national security."

Dole's relaxed stand on imports comes at a time when the U.S. oil industry has eased its own position. In recent weeks the industry has said production is no longer able to keep pace with demand.

WELCOME TO HON. OGDEN R. REID TO THE DEMOCRATIC PARTY

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

Mr. BRADEMAS. Mr. Speaker, I take this opportunity to say just a word with respect to the distinguished gentleman from New York, the Honorable OGDEN R. REID, who has just made a determination to become a member of the Democratic Party. Mr. REID is one of my closest personal friends in Congress, and has served as the ranking minority member of the Select Subcommittee on Education, which I have the honor to Chair, and of which he has always been a diligent, dedicated, hard-working, and public-spirited member. This has been, I know, a difficult decision for Mr. REID. I am confident that having become a member of the majority party he will continue to display the same sense of dedication and hard work that he has demonstrated in the other party.

I must here note, Mr. Speaker, the unusual significance of Mr. REID's decision, for his grandfather was a founder of the Republican Party and in 1892 its candidate for Vice President when Benjamin Harrison ran for President.

Moreover, Mr. Speaker, Mr. REID was the last member of his family to serve as editor of the New York Herald Tribune, long an example of responsible Republican journalism.

In addition, OGDEN REID also served with great distinction as U.S. Ambassador to Israel under President Eisenhower.

I might add, Mr. Speaker, as one who was brought up as a Methodist, I may

say that the decision of Congressman REID to join the Democratic Party after having served in the Republican Party for so many years only shows that it is never too late to be saved.

Mr. Speaker, I include at this point in the RECORD the text of an editorial in the New York Times of today, March 22, 1972, entitled, "Democrat REID":

DEMOCRAT REID

Leaving the Republican party is a much tougher wrench for Representative Ogden R. Reid than it was for Mayor Lindsay. His grandfather was a founder of the G.O.P. and its Vice Presidential candidate in 1892 on a slate headed by Benjamin Harrison. The Westchester Congressman was the last member of his family to edit The New York Herald Tribune in i's long career as a voice of intelligent Republicanism.

That Mr. Reid has decided he can no longer stay in the party is graphic evidence of how far to the right it has drifted under the leadership of President Nixon. Unquestionably, the stiff primary challenge Mr. Reid faced from powerfully backed conservative elements in the state G.O.P. helped prompt his switch into a Democratic party that is hardly at the peak of its popular appeal or internal unity. But an even stronger spur was the increasing distaste Mr. Reid felt for pretending ties with an Administration whose policies he could not swallow on such issues as civil liberties, education, child care, the fight against racial discrimination and the pace of extrication from Vietnam. Above all, his break came out of despair at the divisive trend of most Administration approaches.

As believers in a strong and vital two-party system, we are sad to see the Republican party in this state—so long a leader in the party's progressive wing—becoming a conservative bastion with diminished appeal to independents of the type responsible for the repeated elections of Governor Rockefeller and Senator Javits. But the Governor himself has been a poor recent steward of that tradition and Mr. Reid risked total isolation. His decade of service in the House has been marked by steady growth in the quality and diversity of his accomplishment. Still short of his 47th birthday, he brings to the Democrats another future leader of great decency, dedication and talent.

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

Mr. BRADEMAS. I am happy to yield to the majority leader.

Mr. BOGGS. I concur in the remarks made by the distinguished gentleman from Indiana, and welcome to the ranks of the majority party in the House the distinguished gentleman from New York (Mr. REID). I, like the gentleman from Indiana, have known the gentleman from New York well and favorably for many years. I first came to know him when he was our Ambassador to Israel back in President Eisenhower's administration.

I have watched his work here since he first came to Congress. He has been conscientious, able, innovative, and dedicated. We are glad to have him, and I know he will make a great contribution to our party.

Mr. Speaker, in this connection, I include an editorial from today's New York Times:

DEMOCRAT REID

Leaving the Republican party is a much tougher wrench for Representative Ogden R. Reid than it was for Mayor Lindsay. His grandfather was a founder of the G.O.P. and its Vice Presidential candidate in 1892 on a slate headed by Benjamin Harrison. The Westchester Congressman was the last member of his family to edit The New York Herald Tribune in its long career as a voice of intelligent Republicanism.

That Mr. Reid has decided he can no longer stay in the party is graphic evidence of how far to the right it has drifted under the leadership of President Nixon. Unquestionably, the stiff primary challenge Mr. Reid faced from powerfully backed conservative elements in the state G.O.P. helped prompt his switch into a Democratic party that is hardly at the peak of its popular appeal or internal unity. But an even stronger spur was the increasing distaste Mr. Reid felt for pretending ties with an Administration whose policies he could not swallow on such issues as civil liberties, education, child care, the fight against racial discrimination and the pace of extrication from Vietnam. Above all, his break came out of despair at the divisive trend of most Administration approaches.

As believers in a strong and vital two-party system, we are sad to see the Republican party in this state—so long a leader in the party's progressive wing—becoming a conservative bastion with diminished appeal to independents of the type responsible for the repeated elections of Governor Rockefeller and Senator Javits. But the Governor himself has been a poor recent steward of that tradition and Mr. Reid risked total isolation. His decade of service in the House has been marked by steady growth in the quality and diversity of his accomplishment. Still short of his 47th birthday, he brings to the Democrats another future leader of great decency, dedication and talent.

Mr. BRADEMAS. I thank the distinguished majority leader.

EASY ANSWERS TO ECONOMIC PROBLEMS?

The SPEAKER pro tempore (Mr. LINK). Under a previous order of the House, the gentleman from Florida (Mr. GIBBONS) is recognized for 60 minutes.

Mr. GIBBONS. Mr. Speaker, our history books are filled with the stories of leaders who chose easy but illusionary answers to their difficulties, only to have their countries follow these answers to ruin. And those who have not learned from these mistakes will be condemned to repeat them.

Today we live in a terribly complex and interdependent world—a world in which there literally are no easy answers to the difficulties which confront us, and yet those who would have us accept this kind of answer persist.

False but expedient answers have always been damning, but how much truer this is today than it has ever been. Certainly we can no longer afford the luxury of picking easy, illusionary answers to any of the real problems facing us, be they political, social, or economic.

Last fall a number of us became quite concerned about the easy answers which were being offered to solve our domestic and international economic problems. We saw foreign countries made the scapegoats for all of these difficulties, and the claim was made that we could restore our economic health if only we would cut ourselves off from these foreign devils.

This solution was simple enough, all right, but it had virtually no connection with the facts of our economic situation. Also, history warned us of the perils of a country's trying to protect its economic interests by building a wall of trade restrictions around its borders. Our attempt to do so in the 1930's proved to be cruel folly.

So, in the belief that the answer of "protectionism" was a false and perilous one, our bipartisan group of Members set about trying to find out more about the reasons for our economic problems and their relation to international trade and investment.

As part of this effort to educate ourselves and others about the facts of our economic problems, we conferred with a number of economic experts. In fact, we are still doing so. We also scheduled a series of three special orders in the House on the relation between trade and investment and the health of our domestic economy.

Having tried to show in the first two special orders last fall how needless and foolish "protectionism" is, it seemed only fair that we should focus our attention on the real economic issues for the United States in this third special order and on constructive measures which might be taken to deal with these issues effectively.

We hope not to fall into the "easy answer" trap which we have criticized so strongly, for these economic issues are not easy ones to solve. Rather, we hope to talk about more fruitful and realistic solutions to our economic problems than protectionism or trade restriction, which only denies the reality of our economically interdependent world and can harm us all irreparably.

We do not claim special expertise in the economic field, but we are guided by what we think to be some important contributions by those who specialize in this area. We intend to continue trying to understand our economic problems better and to develop remedies to them. We offer our thanks to those who have helped us in this regard and we hope they will continue to do so.

Our first special order on November 19 was concerned with the great benefits to the United States and to the whole world which flow from world trade and continued international cooperation. The second special order, on December 8, dealt with the very real danger that the severe trade restrictions which have been proposed by some Americans would not only fail to protect the interests of this country economically, but would surely result in retaliation which could plunge the whole world into another series of depressions and trade wars.

Since these special orders, our findings on the benefits of trade and the dangers of trade restrictions continue to be confirmed.

Andrew Brimmer, a member of the Board of Governors of the Federal Reserve System, recently completed an excellent study regarding the positive effects of trade on our economic well-being. I would like to include that statement at the end of my remarks.

Without a doubt, imports not only make a wide variety of goods available to Americans at reasonable prices, but they are also immensely important in

keeping American industry on its toes. Commerce Secretary Peter G. Peterson recently told the Joint Economic Committee of Congress:

> I don't even remember in my previous business incarnation ever waking up, driving to work and thinking how glad I was to have competitors. Deep down I suspect a few of us really enjoy competition. It was easy to like foreign competitors even less. But we certainly learn, if too slowly and reluctantly, to respect the enormous importance of competition in spurring us to improve products and lower costs in ways we would not otherwise do.

I have asked this question many times before: Where would many American motorists be today if the practical little Volkswagen had not become available as an alternative to the large American cars which were being produced by U.S. automobile manufacturers?

On December 14 I made a statement in the House about the false claims of some textile manufacturers that they were being put out of business by cheap foreign imports and thus many American workers in these industries were losing their jobs. The fact was that in many of these cases, mismanagement, changes in consumer tastes, or other causes completely unrelated to imports were responsible.

At the end of my remarks today I would like to include some information on the health of another American industry which has sharply attacked imports as responsible for their difficulties—the footwear industry. I do so because I believe that it is most important that we face up to the facts about trade. This is not to deny that some few of our domestic economic problems may have some connection to our foreign trade, but let us be very sure that we do not foresake the very substantial benefits of trade for false reasons.

In our first special order I pointed to the report and papers of the President's Commission on International Trade and Investment Policy as a good source for a balanced presentation of our domestic and international economic situation. While I may disagree with a few of the recommendations offered by the Commission, I believe their "program for action" is as valid and important today as it was when the report was issued in July of last year.

I am pleased that we have made progress in some of these areas and deeply regret that we have not shown the leadership and sense of urgency about these matters which the Commission judged necessary.

As the Commission and many others have ably pointed out, improvement of our domestic economic situation is key to both meeting the current objections to trade and allowing us to continue expanding the benefits we reap from trade.

We have seen that trade simply cannot be blamed for our domestic economic problems and that, even according to the goal of domestic employment, we stand to lose much more than we would gain by trade restrictions.

Further, it has become apparent that our failure to deal effectively with our high unemployment and inflation rates, coupled with an out-of-date international monetary system and a virtually useless adjustment assistance program, is basically what brought us to the brink of international economic disaster by August 15 of last year.

It is my own feeling that we must do more to restore our domestic economic health, particularly in the area of employment. I strongly support the "Jobs Now" program which has been proposed in Congress and I look forward to the first report of the Productivity Commission. Our own Science and Astronautics Committee has done a good deal of work on the subject "Science, Technology and the Economy" and has made some specific recommendations on the implications of its findings for our international economic problems in their interim report.

There are also indications that we must have a better organization of Government agencies who deal with our domestic and international economic policies, as well as better coordination with Congress on decisionmaking in this area.

Dr. Harald Malmgren, a noted international economist and an adviser to Ambassador William Eberle, our Special Representative for Trade Negotiations, has stated in his new book that we must give much more attention and priority to our international economic interests. In fact, he believes that we need a whole new international system for stabilizing economic and trade relationships to contain conflicts. This multilateral economic peacekeeping apparatus should be supplemented, Malmgren says, by economic negotiations equivalent to the current strategic arms limitation talks—SALT.

I believe that many of Dr. Malmgren's suggestions, including ones relating to Government reorganization and better coordination of international economic policy, deserve serious consideration. At the end of my remarks I would like to insert a review of Dr. Malmgren's book which appeared recently in the Journal of Commerce.

There have been many other recommendations for a more active Government role in areas such as data collection, economic planning and the expansion of support for research and development, as well as for changes in Government policy in areas such as antitrust law and taxation. The issues involved here may be complex ones, but I think they are too important for us not to investigate these recommendations carefully and make these changes where they are appropriate.

With regard to antitrust laws as they affect companies doing business abroad, there can be little doubt that there is a need for clarification of the laws, for instance as they related to export associations. Federal Trade Commission Chairman Miles Kirkpatrick recommended in his testimony on the Export Expansion Act certain changes in the antitrust laws as they relate to export associations. In any case, there is certainly a need for clarification.

Because I think it may be of interest, I'd like to include at the end of my remarks information on the value of an export association to the phosphate producers in my home district of Tampa who produce for export. I would also like to insert a statement on the value of our "metrification" as it relates to trade.

Our proceeds from trade represent only 4 percent of our GNP. Nonetheless, there is evidence to indicate that the expansion of our trade can actually help restore our domestic economic health.

For some time our balance of trade suffered from the fact that the American dollar was overvalued in relation to other currencies. The recently approved devaluation of the dollar in terms of gold by 8.57 percent, coupled with a 12-percent realinement of the dollar with the currencies of our major trading partners, should be of great help in making our exports more competitive in world markets. Whatever progress we can make in reducing inflation and improving productivity will also do so, and we can expect an additional 60,000 jobs for each $1 billion gain in our balance of trade.

Our success in this area will be a fleeting one, however, if we do not assume more leadership than we have since August 15 in establishing negotiations on a new international monetary system which will have the reserves to facilitate expanded world trade and investment and an exchange rate mechanism which will be stable and yet flexible enough to avoid the kind of exchange rate crises which have characterized the system in recent years.

Immediate negotiations on the convertibility of existing dollar balances should be undertaken in order to maintain the functioning of the international monetary system. Some good recommendations on this issue are contained in the forthcoming report of the Joint Economic Committee on the President's 1972 Economic Report.

A number of recent studies have shown how multinational corporations, which operate in this country and abroad, contribute to our economic welfare. Private and Government studies have revealed that—

U.S. multinational corporations increased exports by 180 percent between 1960 and 1970, as compared with a national average of 53.5 percent for the country's businesses as a whole.

One hundred and twenty-one multinationals surveyed showed employment increases in the United States during 1970 of 31.1 percent, as compared with a 12.3-percent growth in U.S. manufacturing employment in general.

The major reason for multinational companies to establish plants in foreign countries is the problem of retaining foreign markets and overcoming tariff and trade barriers. Far less than 10 percent of overseas production is for American consumption. Thus, this production benefits Americans by increasing employment in this country to some extent and by enabling American multinationals to make foreign sales which they would have otherwise lost to businesses from other countries.

We cannot of course continue to benefit from expanded world trade and investment unless existing international economic barriers to these activities are removed wherever possible.

In this connection, I think it is most

encouraging that the United States, Europe, and Japan have agreed to embark on a major new round of trade negotiations in 1973. No country can expect to have its own way completely at these negotiations. However, the very fact that we will be sitting down with the other major trading nations of the world to try to achieve mutually beneficial changes in our various national trade and investment policies is a most promising development.

The United States is the world's richest country and the world's largest single export market for other countries, while our exports represent one-fifth of all free world trade. However, the other countries of the world are growing strong economically and, particularly with the increasing unification of Europe, it has become obvious that the United States cannot dictate terms on the international scene—nor should we want to do so.

It is of course hard to achieve a balance between negotiations aimed at our economic self-interest and statesmanship aimed at harmonizing international economic relations and promoting world peace. However, I fear we have erred recently on the side of self-interest, unreasonable demands on countries which are old friends of ours, and undue delay, as in the area of international monetary reform. I sincerely hope that we can look forward to leadership in the administration and in Congress reflecting the realization that cooperative multilateral solutions to our international problems are absolutely essential.

The Foreign Economic Policy Subcommittee of the House Foreign Affairs Committee will hold informational hearings in late April on our existing adjustment assistance program and proposals to improve it which have been made. Hopefully, these hearings will extend to proposals which would provide some Government assistance in legitimate cases of economic dislocation, regardless of whether an increase in import competition was the reason for the dislocation or whether some other economic factor was involved.

In general, I think it can be said that we have made some impressive progress in starting to find solutions to our real domestic and international economic problems.

As I have indicated, I think much more remains to be done in certain areas, and I sincerely hope that we will continue to progress toward these solutions on the basis of the ever-increasing information on our economic problems which is becoming available to us.

Our welfare and that of the whole world depends on our ability to find cooperative solutions to these pressing problems.

The inserts follow:

IMPORTS AND ECONOMIC WELFARE IN THE UNITED STATES

(Remarks by Andrew F. Brimmer, member Board of Governors of the Federal Reserve System before the Foreign Policy Association, February 16, 1972)

IMPORTS AND ECONOMIC WELFARE IN THE UNITED STATES

Last October, when I accepted the invitation to appear before this Association at this time, I indicated that the subject matter of my remarks would concern "The Dollar at Home and Abroad: Perspectives on the International Economic Position of the United States." That umbrella topic was chosen because it was impossible to anticipate at that time the outcome of the multilateral negotiations then underway among leading industrial countries to realign foreign exchange rates. But it was understood that I would focus on a more limited aspect of the general subject—the specific topic depending on the circumstances prevailing in the international arena at the time I actually appeared before you.

In the meantime, an historic realignment of exchange rates has occurred, and its general features have been thoroughly and widely reported. While the international payments system established at Bretton Woods facilitated the growth of world trade and investment for more than a quarter of a century, serious imbalances among the leading industrial and trading nations did develop in recent years. Undoubtedly, the principal manifestation of this disequilibrium is the large and persistent deficit in the United States balance of payments.

I am indebted to several members of the Board's staff for assistance in preparation of these remarks. Mr. Samuel Pizer had overall responsibility for the staff effort. Mr. Daniel Roxon made the estimates of employment effects of foreign trade, and Mrs. Barbara Lowrey helped with the analysis of the effects of import restrictions on consumer prices. Mrs. Betty L. Barker also provided assistance in the analysis of both employment and price effects. Of course, I alone bear responsibility for these remarks.

The elimination of that deficit has been an important national objective, and the realignment of exchange rates agreed to last December in Washington should help us achieve that goal over the next few years.

A keystone of that agreement was the decision by the United States to propose a devaluation of the dollar by 7.89 per cent. On February 9, the U.S. Treasury Department transmitted to the Congress a proposal to raise the official price of gold by 8.57 per cent (from $35 to $38 per ounce)—and thus fulfill the pledge made at the Smithsonian meeting. Another feature of that agreement was the expectation that the United States would obtain significant modifications in trade practices abroad that actually or potentially hampered our exports.

In the last few weeks, the United States has worked out liberalizing arrangements for some exports to Japan and the members of the European Economic Community (EEC), and discussions are continuing with Canada. Moreover, on February 11, the United States and the EEC jointly called for multilateral discussions starting in 1973 with the aim of erasing existing barriers to trade. Australia and Canada have indicated their support of such talks, and the support of other countries is also being sought.

Against the background of these events, the foreign exchange markets are still adjusting to the rate realignment and the existence of wider margins of fluctuation. Congressional hearings on the gold price bill are scheduled to begin next week. Consequently, under these circumstances, I decided to focus my remarks today on one aspect of U.S. international economic relations where the issues involved are clearly drawn—although by no means settled. I thought that a discussion of the relationship of imports to the welfare of American consumers would be both interesting and of considerable domestic significance at this time.

In the view of a sizable number of Americans, imports are "bad" while exports are "good." Of course, this unfavorable view of imports is not hard to understand: it is partly a legacy of the eighteenth century mercantilist notion that a nation could increase its wealth by selling more to foreigners than it brought from them—and by collecting the favorable balance in gold! But it is also partly the result of a more modern idea that a country can increase domestic employment through maximizing exports while keeping imports to a minimum. Undoubtedly still other sources of the bias against imports could be identified. But whatever the explanation, the net result is to create a bad image of imports in the eyes of a sizable proportion of American citizens. In fact, with few exceptions, the same situation exists in most other countries.

In our own land, the hostility toward imports is probably more widespread than it has been for many years. One can detect this hostility in public opinion polls, newspaper editorials—and above all in the polemics of protectionist organizations. Moreover, it appears that sentiment in Congress is becoming increasingly sympathetic toward plans to limit imports.

I had hoped that the campaign to place severe restraints on imports had passed its highwater mark a year or so ago when the effort to impose quotas on textiles and shoes failed to win Congressional approval. Sadly, however, a new—and far more comprehensive—movement to restrict imports has been launched, and a number of supporting voices are being heard in both houses of Congress. One particular proposal would impose quotas on an extremely broad range of imported commodities while also severely limiting foreign direct investment by U.S. corporations. In the public at large, a noticeable number of traditional defenders of freer trade (especially some segments of organized labor) are abandoning their positions to join the ranks of the protectionists.

This rising tide of protectionism is not only distressing: it is also fundamentally against the best interest of American consumers. If the effort is successful and imports are severely limited by quotas, the range of consumer product choices will be narrowed considerably; consumer prices will be appreciably higher, and the burden will fall most heavily on those low-income groups least able to bear the costs.

Given this prospect, it is urgent that those of us who believe in the benefits of freer trade do what we can to help prevent the protectionists from building a fence around the American market. We must not be misled by the mistaken argument that the advocates of restrictions of imports are protecting the jobs of American workers. I am aware of the spurious argument which holds that "workers are consumers," "consumers have to work in order to consume," so the interest of the two groups are the same. The fact is that workers work for income, and they maximize their welfare by spending their income on as wide a range of goods and services as possible—paying the lowest prices they can find. To obtain income, it is obviously necessary for most people to work, and the expansion of job opportunities is obviously important. But we must avoid confusing the situation of consumers with that of employees in particular industries.

The rest of these remarks is devoted to a discussion of imports and economic welfare in the United States. The principal focus is on the employment effects of foreign trade and the costs to consumers of restricting imports by quotas and similar devices. Several key conclusions can be summarized here:

Studies I have made suggest that the foreign trade sector of the United States economy may be generating more than 750,000 jobs, even after allowing for the number of jobs that might be displaced by competitive imports.

The existing quotas on sugar may be costing American consumers as much as $300 to

$500 million each year, and the recently arranged agreement restrictions imports of man-made fiber and woolen textiles into the U.S. may cost consumers as much as $300 million in 1972. Petroleum quotas apparently cost consumers an extra $5 billion in 1969 alone.

Competition from imports also helps to dampen increases in prices of domestically produced products. This conclusion is clearly suggested by the behavior of prices for several categories of items during the inflation that has prevailed in this country since the mid-1960's.

These and several other points are explored more fully below.

GROWTH AND IMPORTANCE OF IMPORTS

In 1971, imports amounted to $45.7 billion. Exports totaled $42.8 billion. So last year the United States recorded a trade deficit of $2.9 billion.[1] The trade deficit in 1971 reflected a year-to-year rise of nearly 15 per cent in imports in contrast to a gain of about 2 per cent in exports. Over a longer horizon, the growth of imports has been equally dramatic. Between 1961 and 1971, the level of imports rose by $31.1 billion, an increase of 214 per cent. Over the same decade, exports rose by $22.6 billion, an increase of 113 per cent.

While exports have grown only slightly faster than the American economy as a whole during the last decade, imports have grown about 1½ times as fast. As a result, the ratio of imports to gross national product (GNP) climbed from 2.79 per cent in 1961 to 4.36 per cent in 1971. At the same time, the export-GNP ratio edged up from 3.87 per cent to 4.08 per cent.

The main explanations of these divergent trends are widely known: the rapid expansion of aggregate demand in the United States (especially after 1964) induced a significant rise in imports of materials required to sustain domestic production. As the economy expanded, consumer incomes rose appreciably, and a sizable share of the increase was spent on foreign goods. Moreover, because of the inflation associated with the Vietnam War, the competitiveness of U.S. exports declined progressively. Simultaneously, foreign producers found it increasingly possible to undersell some U.S. products in our own market. Although trade barriers executed or maintained by some of our principal trading partners clearly hampered the growth of U.S. exports over the last decade, the basic disequilibrium in our own economy in the last half of the 1960's—aggravated by the rigidity of exchange rates—was a major cause of the sluggish performance of exports in the face of a vigorous advance in imports.

OVERALL IMPORTANCE OF IMPORTS

While imports represent only a small share of total GNP (4.36 per cent), their importance in the supply of *goods* available in the United States is much greater—in excess of 8 per cent. In a number of particular sectors and industries, the share is even higher. In this context, we can put aside those categories of commodities in which imports are our only source of supply—such as bananas, coffee, cocoa and tea.

In the last two years, over 15 per cent of new automobiles purchased in the United States were foreign-type imports (cars imported from Canada are considered to be domestic-type). In other consumer goods lines, imports were equally or more important. For example, in 1970, imports represented the indicated percentages of domestic supply in the following lines:

	Percent
35 mm still cameras	100
Magnetic tape recorders	96
Motorcycles	90
Hairwork (toupees and wigs)	85
Radios	70
Amateur motion picture cameras	66
Black and white TV's	52
Sewing machines	49
Sugar	*45
Leather gloves	30
Footwear (nonrubber)	30
Liquors	*28
Flatwear	22
Canned sea food	*20
Wine	*20
Textiles (including apparel)	12

*Percentage in 1968, the year for which latest data are available.

Of course, imports are not limited to consumer-type goods. Many of our imports are industrial materials which are essential to domestic production. For instance, in 1968, imports constituted the following percentages of domestic supply.

	Percent
Natural abrasives	100
Manganese ores	95
Bauxite	86
Scouring products	40
Iron ores	35
Pulp mill products	31
Copper (smelted)	27
Lead and zinc ores	27
Potash	27
Steel	15

In interpreting these rough measures of U.S. market penetration by imports, one should remember that the ratios summarize greatly varying situations in a number of large and diverse product lines. For instance, in both textiles and steel, there is a significant number of specific and major product categories in which imports account for well over half of total domestic consumption. Nevertheless, taking the economy as a whole, imports still represent only a modest fraction of total production, and foreign producers have captured only a small share of the overall market in the United States.

U.S. FOREIGN TRADE AND DOMESTIC EMPLOYMENT

As I indicated above, opposition to imports is increasing partly because the inflow of foreign goods is said to have an adverse effect on American jobs. With domestic economic activity moving at a slow pace last year—and with the number of unemployed now exceeding 5 million—this opposition to imports has been further strengthened. Thus, it might be helpful to put in perspective the effect of U.S. foreign trade on domestic employment.

In interpreting the estimates presented below relating domestic employment to foreign trade, it is necessary to keep their tentative nature in mind. In making the estimates, care was taken to spell out explicitly the assumptions made and the nature of the statistical information on which I relied. The use of estimates, of course, cannot be avoided if economic analysis is to be employed for the illumination of vital issues of public policy. So, while the figures must be used with caution, they do provide an indication of the magnitudes involved.

The number of jobs related to our foreign trade—that is, generated by imports as well as by exports—is not insignificant. In 1969, according to estimates made by the Bureau of Labor Statistics (BLS) in the U.S. Department of Labor, about 2.6 million jobs could be attributed to the $37.5 billion of exports of merchandise in that year. Thus, about 69,000 jobs were associated with each $1 billion of exports in 1969.[2] Export-related employment covers persons engaged directly in producing for exports (termed primary employment) as well as those employed in industries supplying goods to those industries which actually do the exporting (termed indirect export employment). According to the BLS studies, the ratio of primary to indirect export employment is approximately 1 to 1—that is, for every job in the industry doing the exporting, there is a supporting job in another industry providing goods to the export industry.

The number of jobs currently related to exports apparently is roughly the same as that estimated by BLS a few years ago. This conclusion is based on a new estimate which I made using the BLS technique to update the latter's 1969 figures. According to my rough estimate, there were approximately 2.65 million jobs related to export activity in 1971. Since the value of merchandise exports last year amounted to about $40 billion (in 1969 prices), there was an average of 66,000 jobs per $1 billion of exports.[3] This estimate suggests that increased productivity in export industries has almost kept pace with the growth of export volume, so there has been little net gain in export-related jobs.

In the aggregate, export employment accounts for about 4 per cent of total private employment. However, the relative share of export-related employment is much higher in a number of important sectors. About 9 per cent of total employment in agriculture in 1969 was related to exports, while in the manufacturing sector BLS estimated that exports accounted for about 7 per cent of total employment—or about 1½ million jobs. Among manufacturing industries, the contribution of exports to employment was particularly high in the construction machinery industry (27 per cent), engines and turbines (15 per cent), office and computing machines (13 per cent), and aircraft (14 per cent).

IMPORT-RELATED EMPLOYMENT

The estimation of domestic employment related to imports is far more difficult than was the case with exports. In the first place, some imports clearly compete with domestically-produced goods. So the task here is to estimate the employment that *theoretically might* occur—assuming other factors are constant—in the event that these imports *were* produced in the United States. Secondly, other imports do not compete with domestically produced goods but rather are necessary for domestic production or require distribution and marketing services. Thus, they increase employment opportunities in the domestic industries using the imports. In order to get some measure of the employment effects of imports, it is necessary to classify imported products according to their competitiveness with domestic products. This, of course, is no simple task, and—frankly—no one has been able to devise a uniformly acceptable method to do this.

However, if the assumption used by the BLS in developing estimates of the "hypothetical" employment that might result from producing "competitive" imports in the United States is accepted (i.e., that 75 per cent of all imports fall into this category), the number of such jobs was approximately 2.4 million in 1969. In view of the sharp rise in the *volume* of imports since 1969 (about 12 per cent compared with a much smaller increase in output per person), it is not unlikely that the number of such jobs in 1971 was somewhat higher. As with exports, the employment estimates include both direct employment necessary to produce the item and the indirect labor necessary to provide the supplies, material and services incorporated into the final commodities.

Again, as noted above, the sharp rise in the number of jobs affected has aroused labor unions and others to become increasingly critical of national policies promoting freer trade and less mindful of the advantage of such a system to the domestic economy. Consequently, the employment aspects of foreign trade might be elaborated somewhat further.

Footnotes at end of article.

It is important to keep in mind that estimates of employment gains from restricting imports represent "hypothetical" employment. They do *not* represent the actual number of jobs lost because of imports which would be gained in the absence of imports. For example, without a concerted effort to reallocate resources, the U.S. would be unable to find people with the requisite skills—not to mention other resources—to produce imports domestically. Rather the effort to replace imports with domestic products in recent years would have placed additional stress on the economy and further heightened inflationary pressures. But probably most important of all, a large-scale effort to substitute domestic products for imports would bring about a reduction in exports. Some imported items have embodied materials or components which are exports of the U.S.—for example, automobiles from Canada which incorporate parts exported from the United States; imported transistorized appliances which include exported electronic components; and imported textiles which contain domestic cotton. Any employment created by domestic production of imported items which contain U.S.-made components would be offset, in part, by the loss of employment related to the exports of the components. More generally, exports pay for our imports, and restriction of one part of our foreign trade (imports) is bound to react on the other part (exports). Hence the job gains on the import side would be partly offset by jobs lost on the export side. Expressed another way, the jobs related to exports are not independent of imports.

The remaining 25 per cent of imports are generally considered to be "noncompetitive" with goods produced in the United States. These imports include some products which are not produced at all in the United States—e.g., coffee, cocoa, chromite, tea, etc. Of course, it is conceivable that, with a sufficient expenditure of effort and resources, it might be possible to produce some of them domestically, but the amount of employment that would be created is purely speculative and is not of any practical interest. Moreover, there are a number of imported goods that are comparable to domestic goods—but which are in short supply in the United States—such as bauxite, asbestos, and newsprint. These imports supplement domestic production. To expand production of these goods to replace imports would also require a large—and probably very costly—investment of labor and capital.

Obviously imports that are not produced at all or which are needed to supplement short supplies in the United States are clearly different in their impact on the economy from those which are "competitive" with domestic goods. "Noncompetitive" imports are generally accepted as integral and necessary inputs into the domestic economy, and they are undoubtedly beneficial to domestic output and employment. Certainly there are many U.S. jobs involved in processing, transporting and marketing these goods. These jobs, together with jobs similarly involved in marketing and shipping "competitive" imports, are *real* jobs that actually exist today, and they are not at all like the "hypothetical" employment that might result from producing competitive imports domestically.

Clearly there must be a considerable number of jobs associated with the $45 billion of imports recorded in 1971. Unfortunately, there are no official estimates of such jobs. However, using the input-output tables and the level of merchandise imports in 1971, I made a rough calculation of the number of jobs associated with the processing and marketing of imported goods which are considered noncompetitive (25 per cent of imports) as well as with the domestic marketing of competitive imports. The very rough estimate suggests that in 1971 about 650,000 jobs were directly related to such activities. Unlike the estimates of jobs related to exports and to competitive imports if produced domestically, this estimate does not include the indirect employment which might result from the processing of crude and semifinished industrial materials or other noncompetitive imports. There is no way of determining whether employment in supporting industries is dependent on the existence of these imports. It is possible that the bulk of the employment in such supporting industries also provide materials to industries processing domestically produced materials, and such jobs would exist without the imports. However, if employment in these supporting industries is primarily dependent on imports, then the estimated 650,000 jobs generated by imports would be on the low side.

There is still another contribution that imports make to domestic employment which is often overlooked. Because of the relative cheapness of foreign products as compared to domestic products, domestic consumers have extra disposable income to spend on other products. For example, in 1971, competitive imports were about $40 billion landed in the United States. If foreign products were 10 per cent cheaper than domestic goods (and I realize this is a crucial assumption), then American consumers would have roughly $4 billion more to spend on other goods than if they had bought these competitive imports domestically. Since it is estimated that about 100,000 jobs are created for every $1 billion of expenditures by consumers, then approximately 400,000 additional domestic jobs could result from the savings made by consumers in buying the cheaper foreign goods. (Actually this is overstated since part of the $4 billion saved by consumers would also be spent on foreign goods. If foreign goods constitute about 10 per cent of total expenditures, then the amount available for expenditure on domestic goods would be $3.6 billion with a job contribution of 360,000.)

OVERALL EMPLOYMENT EFFECTS

To sum up, when one attempts to estimate domestic employment related directly or indirectly to U.S. foreign trade, it is necessary to include: (1) the employment generated by exports, (2) the jobs associated with the processing and marketing of imports, and (3) the employment resulting from consumers buying cheaper foreign products. In combination, these jobs clearly exceed the number of "hypothetical" jobs which might result if competitive imports were produced in the United States. Again, the estimates of foreign trade-related employment presented here are rough, and they should be interpreted with caution. Yet, they do demonstrate that the question of jobs cuts both ways. One may hope that this perspective will be kept in mind as the role of imports is debated.

IMPORTS AND CONSUMER WELFARE

The importance of imports to consumers should not be minimized. The availability of imports means that consumers are able to buy products not produced domestically—or that they are able to choose among a greater variety of styles or a broader range of prices than if only domestically made goods were available. For example in 1970, the Presidential Task Force on non-rubber footwear concluded that ". . . from the consumer point of view, imports have opened up important new options. The extremely low-priced imports, priced often far below any comparable domestic footwear except canvass-upper, rubber-soled footwear, have provided entire *new* lines of basic foot coverings. At the other end, there can be little doubt that styles developed abroad in the higher price ranges have also provided new consumer choices." As is widely known, for many years imports of foreign automobiles (such as Volkswagen) offered American consumers the only choice of small cars.

The fact that imports enable consumers to buy lower-priced goods than are available domestically can be documented in a variety of ways. One way is to compare the prices of domestic and imported products where this can be done directly. Thus, in late 1970, the average price of imported footwear and imported apparel was estimated to be only 60 per cent of the price of domestically produced items.[4] In the case of automobiles, there may be as much as a $1,000 differential between the average price of foreign and domestic-type cars, although, of course, the actual vehicles are quite different. But the imported automobiles are clearly andvantageous to lower income consumers. The world price of a barrel of petroleum may be one-third less than the domestic price at the well-head. And the list could be extended still further.

However, an even better way to illustrate the price advantage of imported goods to consumers is to examine the effects of restricting such imports by the imposition of quotas. Several specific cases involving important consumer items can be cited:

Petroleum: Mandatory quotas on petroleum have been in effect for an extended period of time. It is estimated that they have kept domestic prices perhaps more than $1.25 per barrel higher than world prices. According to the Cabinet Task Force on Oil Import Control, which submitted its report in early 1970, ". . . in 1969 consumers paid $5 billion more for oil products than they would have paid in the absence of import restrictions. By 1980 the annual cost to consumers would approximate $8.4 billion. Without import controls, the domestic well-head price would fall from $3.30 per barrel to about $2.00, which would correspond to the world price. Although we cannot exclude the possibility, we do not predict a substantial price rise in world oil markets over the coming decade." A majority of the Task Force recommended that the present quotas be replaced by a system of tariffs involving a lesser degree of protection.

Unfortunately, the Task Force's recommendation was not accepted, and American consumers have continued to provide a substantial subsidy to domestic producers of petroleum products.

Sugar: Quotas on sugar imports have been in effect since the mid-1930's. The policy is aimed at stabilizing prices and supporting the domestic sugar industry. While the sugar control program is obviously complex, one undisputed result has been to peg sugar prices in the United States considerably above world prices. One of the reasons why the world price is much below that in the United States is that foreign producers, after supplying their quotas at very favorable prices in the United States, in the United Kingdom, and in a few other countries using quota systems, can afford to sell their residual supplies on world markets at very low prices and realize a reasonable overall profit margin.

If the United States (and other countries) were to remove controls on sugar imports, the price to the U.S. consumer would fall, the world price would rise somewhat, and a single effective price would be established at some level between the two. Of course, the exact level cannot be estimated in advance, but a rough idea can be gotten of the magnitude of the subsidy which American consumers are providing to producers and distributors of domestic sugar. In 1970, total consumption of sugar in the U.S. was over 20 billion pounds. Of this amount, 55 per cent was produced domestically, and 45 per cent was imported. Roughly one-third of total consumption was accounted for directly by consumers, and the remainder served

Footnotes at end of article.

as intermediate inputs for industry. In the end, however, consumers of final products had to pay for the full (and higher) costs of sugar. Consequently, using actual prices published, we can estimate the cost of sugar quotas to consumers, although the latter did not purchase directly the entire supply available for consumption.

In the four years 1968–71, the U.S. wholesale price of sugar averaged about 3 cents per pound higher than the estimated import price. (The estimated import price is about 1 cent higher than the world price because of duties and freight.) given this price differential, the cost of the sugar quota can be estimated. First, we can assume that the domestic wholesale price would be forced down to the prevailing import price in the absence of quotas and that the domestic retail price would fall by the same *absolute* amount as the domestic wholesale price, i.e., by 3 cents per pound. Ths reduction of 3 cents per pound, would have saved an American consumers of sugar roughly $600 million. valued at the retail level, in 1970.

Of course, it is entirely possible (and indeed probable) that, with the elimination of quotas, a new price for sugar would fall between the current domestic price and the import price—rather than declining all the way to the current world market value.[5] Nevertheless, the savings to consumers would still be substantial—perhaps in the neighborhood of $300 million to $500 million.

Textiles: The recently concluded multinational agreement fixing quotas on imports of man-made fiber and woolen textiles will have a sizable impact on American consumers. The agreement will limit the growth of such imports from Japan to 5 per cent a year, and from Korea, Taiwan and Hong Kong to 7½ per cent a year, compared with an average rate of growth of nearly 20 per cent in the last few years. Consequently, the imposition of the quotas should have noticeable effects. In 1971, imports of such textiles were approximately $2 billion. In the absence of quotas, and if recent growth rates continue, they could rise to perhaps $2.4 billion in 1972 (ignoring the effects of the exchange rate realignments agreed to last December). Under the quotas, however, these textile imports will be limited to a value of about $2.1 billion. Thus, if total demand remains unchanged, an additional amount of textiles (valued at $300 million, f.o.b.) would have to be supplied by domestic producers.

How much more in excess of $300 million will American consumers pay for this foreign dock-side value of goods? It has been estimated that the normal mark-up of imports of textiles and apparel is approximately 50 per cent. So at retail, the quota-prohibited imports would have cost consumers $450 million. However, if we use the relative price of apparel as a means of valuing total textile imports, we would estimate the average retail price of domestically produced textile goods to be about 5/3 the price of imported items. On this basis, the domestic retail value of the same $450 million of foreign imported textile goods would be about $750 million, if they were produced and sold domestically. Therefore, American consumers would have to pay about $300 million *more* than they would have spent on the imported items.

Automobiles: Another illustration of the possible impact of quotas is provided by an estimate of what might have happened if automobile imports had been subject to a quota during the last five years—a period during which imports more than doubled. In 1966, imports of foreign-type cars amounted to 651,000 units. If a quota had been imposed limiting the growth in the number of imported vehicles to 5 per cent per year, by 1971 imports could not have exceeded 830,000. Since the actual level of cars imported was 1,563,000 in 1971, there were 733,000 more automobiles imported than would have been permitted by a quota. If we assume that the total number of cars purchased would have been unaffected by a quota, American producers would have been able to sell an additional 733,000 units.

However, the additional cost to American consumers would have been substantial. As indicated above, the difference in the average price of foreign-type cars and domestic automobiles may be at least $1,000. Consequently, consumers might have had to pay $700–$800 million more for automobiles in 1971 than they actually did. (Again this assumes that the higher prices would not have reduced the level of demand—in actuality an unlikely outcome.)

The conclusion suggested by these examples is clear: quotas or other quantitative limitations on imports are extremely costly to consumers. While they obviously preserve a larger share of our market for domestic producers, the ultimate burden falls on households and individuals whose real economic welfare is diminished.

IMPORTS AND DOMESTIC INFLATION

Not only do imports offer consumers the possibility of lower-priced substitutes, but they also help to dampen increases in prices of domestically produced goods. By introducing added competition, imports may encourage more efficient and cheaper domestic production. Several dimensions of the inflation that has prevailed in the United States since the mid-1960's offer evidence suggesting that imports probably helped to moderate price increases of a number of domestically produced items.

Of course, in reviewing this evidence, one must not overlook the fact that other factors besides the availability of imports influenced price movements in particular sectors. Specifically, supply bottlenecks and domestic price support programs undoubtedly played significant roles. But, on balance, the role of imports apparently was also important in dampening price increases in several segments of the economy.

The evidence can be traced generally in the behavior of a number of components of several leading price indexes during the periods 1964–69 and 1969–71. These data indicate that in the case of wholesale prices, all commodities in the index (WPI) rose by 12.5 per cent in the 1964–69 period. However, price changes among major categories varied widely.

The effects of quota restrictions on the behavior of domestic prices were particularly noticeable in the case of farm products, a category containing a wide range of items subject to quantitative import limitations. For this group, the WPI rose by 15.8 per cent in the years 1964–69. The rise for foods and feed was especially sharp—e.g., meats, poultry, and fish, 31.6 per cent; dairy products, 22.4 per cent. These increases in food prices undoubtedly weighed heavily on the lowest income groups who must spend a proportionately larger share of their income on food.

If we use the components of the GNP implicit price deflator as measures, an even sharper picture emerges. The total index rose by 17.8 per cent in the 1964–69 years. However, among components, the prices of services and structures (for which there are few foreign substitutes) rose much more rapidly than the prices of goods. The advance for services was 21.7 per cent, and the rise for structures was 26.3 per cent. But of more significance, within the goods category, the largest price rises occurred among commodities in which imports could not grow because of quotas.

The same general pattern of price changes is evident in the data for 1969–71. Although the excess demand (generated partly by the Vietnam War effort) had eased considerably by the close of 1969, domestic inflationary pressures continued.

Again, the influence of imports on the behavior of prices was clear: in general, in categories in which foreign competition was restricted because of quota limitations, prices rose more rapidly than in categories where imports were free to expand.

While we have been focussing on the effects of imports on consumer prices, it is important to remember that imports used as inputs in production may also help to keep down the final price of consumer goods. If producers are able to draw on the cheapest source of inputs (which may come from abroad), then final consumer products can be less expensive.

CONCLUDING OBSERVATIONS

The foregoing discussion should have demonstrated that imports bring enormous benefits to American consumers. The availability of foreign goods broadens the range of consumer choice and also helps to dampen pressures on domestic prices. This conclusion is recognized by most observers—even by those who favor increased restrictions on imports.

However, as I noted at the beginning, the key issue in the debate over import controls turns on the relation between imports and domestic jobs. The evidence presented here clearly shows that foreign trade has a positive effect on domestic employment. Yet, having made this point, I would raise the question of whether a job comparison is the most meaningful way of evaluating the value of trade to the U.S. economy. In one sense, on a job basis one might hope that there were *more jobs related to imports* than to exports. This would indicate that we as a nation are exporting those goods where the level of productivity is relatively high, while importing goods of industries where the level of productivity is relatively low. In this way, we would be fostering those efficient domestic industries while importing items produced abroad in industries in which our production is relatively less efficient.

Perhaps a more relevant evaluation of the impact of trade and its effect on employment should be at the aggregative level and the overall improvement to our society in general. If one accepts the proposition that one goal of our society is to provide consumers with an increasing volume of goods and services at the lowest possible costs, i.e., with an increasingly higher standard of living, one also should be prepared to accept goods from foreign sources as well as those produced domestically. In this sense trade is beneficial to the overall growth of employment and output in the U.S. economy. True, there will be structural problems as imports grow and change in composition. But the overall benefit to our society vastly outweighs the frictional and temporary adjustment problem.

In my judgment, higher imports represent a transitional problem to our economy—although a serious one—and we have to seek ways to reallocate our domestic resources so that we will reap the benefits from trade by providing (both to ourselves and countries abroad) those goods and services in which we are most proficient. In this way, we can maintain the strength of our economy by remaining sufficiently resilient and flexible to take full advantage of all the resources available to us both domestically and from the rest of the world. This, of course, is the basis of the principle of international specialization on which the continued and accelerated growth in national and world economic welfare is based.

What must be kept in mind is that the function of exports is to pay, in real terms, for our imports. To the extent that imports involve less real resources (and are thus cheaper in real terms), consumers can obtain more goods than they otherwise could. These savings can be passed on in the form of additional spending, and the stimulative

Footnotes at end of article.

effect of the additional consumer outlays can have a cumulative impact on economic growth and employment.

I do not mean to imply by the above comments that certain industries and individuals are not having serious difficulties as a result of the sizable expansion of imports of finished manufactured goods into the United States in the last 10 years. Obviously certain industries and people do need help. However, restrictions on imports, in my judgment, are simply not the appropriate way to provide this help. Rather, we need retaining, financial benefits, and relocation assistance for labor and other resources displaced by competitive forces (and this includes pressures from domestic sources—such as new technological developments—as well as from foreign competition).

On the other hand, providing new adjustment assistance to affected industries should not be aimed at perpetuating them indefinitely through a government subsidy. Instead, our objective should be to assist the human and other resources involved to move to those expanding sectors of the domestic economy where they can be employed to greater advantage. This may be to other types of manufacturing or to the production of badly needed services in the health and educational areas.

I understand the national Administration is examining the whole question of adjustment assistance and expects to present a vastly revamped program to Congress that would be much more effective than the one presently used. This is a program which all of us should support.

FOOTNOTES

[1] These figures for trade are those used in the balance of payments accounts.

[2] The BLS estimates of employment related to exports was derived by first determining output generated in individual industries by exports. Through an analysis of input-output relationships, both the primary and indirect outputs generated were calculated. The outputs for each industry were then translated into employment by estimated average output per person (productivity). The employment estimates for each industry were summed to get an overall employment estimate. The estimated average employment per $1 billion of exports was derived by dividing this employment estimate by the value of exports in 1969.

[3] To update the employment estimates from 1969 to 1971 in a rough manner, I relied on the BLS techniques. Two statistics were needed: (1) the change in the volume (real) of exports from 1969 to 1971; this was 6.3 per cent. (2) the change in output per person (productivity) from 1969 to 1971; this was 4.4 per cent. Export employment in 1969 was 2,600,000 jobs; if this number is multiplied by the index of increase in real exports from 1969 to 1971—i.e., 1.063 per cent—and the product is divided by the increase in productivity, the result is the number of 1971 export-related jobs. The calculations for estimating export employment in 1971 are as follows:

(1) Export employment, 1969, 2,600,000.

(2) 1971 export volume relative to 1969, 1.063.

(3) 1969 employment times 1971 volume index [(1) × (2)], 2,763,000.

(4) 1971 productivity relative to 1969, 1,044.

(5) 1971 employment adjusted for increased productivity [(3) ÷ (4)], 2,646,000.

[4] See Andrew F. Brimmer, "Import Controls and Domestic Inflation," a paper presented at the University of Maryland, College Park, Maryland, November 11, 1970.

[5] It should be noted in passing that, in the last few months, the world price of sugar has risen sharply because of production shortages. Experts on the sugar industry see this development as a temporary phenomenon which should pass fairly soon.

STATEMENT BY CONGRESSMAN SAM GIBBONS

In June 1970 the American Footwear Manufacturers Association spokesman, W. L. H. Griffin, appeared before the Committee on Ways and Means advocating the imposition of absolute quotas on imports. In response to my questions, Mr. Griffin admitted that in the 1960's—a 10-year period in which he cited the great growth of imports—his company, Brown Shoe of St. Louis, Missouri, had steadily rising profits and that its profit ratio, sales to profits, had steadily increased during this period when imports were supposed to have hurt the industry. Just last month Mr. Griffin announced that Brown Shoe Company's net earnings had increased 8.3% for the fiscal year ended October 30, and that net sales had increased 9.5% to $505,730,000 for fiscal 1970. Mr. Griffin credited the improvements largely to aggressive and effective marketing of the firm's products, efficient scheduling and manufacturing, careful inventory control and continuing efforts to control all costs rigidly.

Another substantial American footwear producer. Interco, reported this month that net earnings in the fiscal year ended November 30 rose 14.2% over a year ago, on a sales gain of 8.9%. Interco's Chairman, M. R. Chambers, reported that fiscal 1971 was the eighth consecutive year in which the figures exceeded the previous year. I have always had confidence in the American management-union team being able to meet foreign competition, and these facts demonstrate the resilience of our U.S. footwear industry.

I read with considerable interest the *Footwear News* story of November 25, 1971, in which Interco and the union leaders are meeting with the government to reach an agreement on the amount of the increase in wages for shoe workers. I trust that all parties will be cautious in seeking too great a wage increase, for fear that the consequent rise in production cost would price their shoes out of the market. In 1970, a special inter-agency task force issued an exhaustive 122-page report on the U.S. footwear industry. Among its many conclusions was that "import competition has not prevented the industry from raising footwear prices, raising them, in fact, at a faster rate than most components of the price indexes. Moreover, the period of greatest acceleration in price increases was accompanied by the most rapid growth of imports." In another study of the industry conducted by the Federal Reserve Bank of Boston, a significant conclusion, along these lines, was reached. "In fact, many New England shoe manufacturers feel that the major constraint upon the level of their output is not foreign competition, but the high cost of labor in New England."

The *Wall Street Journal* recently, taking note of shoe imports, said that their "major impact has been made principally on the marginal producer". The article noted that other companies have been "able to maintain their relative market positions by diversifying, aggressively promoting branded lines, providing retailers with good in-stock support on reorders, and improving their manufacturing efficiencies."

The Government Task Force Report found an essentially healthy domestic shoe industry and specifically noted that the individual companies with problems were invariably those that were "undercapitalized and vulnerable to conditions in credit and financial markets," or were lacking in design, creativity and sales ability. The overall conclusion was strong and unequivocal: "The facts and information available to the Task Force do not, in its judgment, constitute a case of injury to the overall footwear industry."

[From the Journal of Commerce, Mar. 2, 1972]

DOMESTIC FOOTWEAR INDUSTRY SEES 1972 PRODUCTION RISE

The domestic footwear industry, buoyed by the effective devaluation of the dollar and pinning its hopes on more imaginative styling, sights a rise in production this year, spokesmen for the industry said yesterday.

This would be the first rise in U.S. shoe output since 1968.

The currency realignment has finally reversed the tide of shoe imports, and domestic production of leather and other non-rubber footwear should rise by 5 per cent this year to about 565 million pairs, said Harold B. Gessner, chairman of the American Footwear Industries Association, Inc.

Imports are still rising, but the realignment of currencies has greatly slowed the growth rate, Mr. Gessner, who also is president of Oomphies, Inc., and Mark Richardson, president of the association, indicated.

STYLING FACTOR

Better styling of American shoes both for men and women is at least as much responsible for the comeback, they contended.

The increased emphasis on shoe styling, they said, results from the rising popularity of casual clothes that require or suggest compatible footwear such as fashion boots for women and high heeled shoes for men.

The gains in total shoe sales are being made in the face of rising costs for both labor and material. Costs are expected to go up 10 per cent this year. The Argentine government's limitation on hide exports also is a problem for American shoe makers.

Shoe retailers and manufacturers who retail themselves are pushing their merchandising operations vigorously. One large chain opened 350 new stores last year and plans to open more than 200 this year.

Imported non-rubber shoes cut rapid inroads into the American market in the 1960s, reached 290 million pairs or 32.7 per cent of all U.S. sales in 1971. That represented a gain of 10.4 per cent over 1970, following a 20.5 per cent jump in 1970 from 1969.

[From Footwear News, Feb. 24, 1972]

U.S. SHOE REORDERING PACE UP

CINCINNATI.—Reorders during the first two weeks of February have been running about 20 percent ahead of last year, Philip G. Barach, president of U.S. Shoe Corp., told Footwear News Tuesday.

In an interview following the 10-minute annual shareholders' meeting at the company's executive offices here, Barach said, "I happen to think retailer inventories are low. The fact that Easter is two weeks early this year is a variable, but hemlines are stabilized and the return of good-looking feminine styles bid well for us.

Barach said the company "Is still laboring with the shoe retailing area. It's still in a turn-around stage. The next quarterly report will tell a clearer story."

Barach added however, that the Wm. Hahn division "has continued to show substantial growth and earnings strength."

Barach also said that U.S. Shoe domestic manufacturing facilities are running at full capacity.

"If this keeps up we could be in the pleasantly interesting position of looking for more capacity."

He said that no decision will be made until summer and he emphasized that if additional facilities are needed they will be leased rather than built.

At the shareholders' meeting, attended by 16 people, most of whom are officers and directors of the company, Barach said first quarter 1972 sales for U.S. Shoe were up 9.3

per cent and earnings were up 6.9 per cent.

First quarter sales amounted to $85,619,000, compared with first quarter sales of $78,328,000 for 1971.

Net earnings amounted to $3,388,000, equal to 50 cents a share, compared with net earnings of $3,169,000, or 47 cents, for the first period last year.

The 1971 amounts have been restated to include the operations of the Casual Corner of companies of Atlanta and Washington, D.C., acquired on a pooling-of-interests basis subsequent to Oct. 31, 1971.

Barach said the manufacture of U.S. Shoe brands in Spain and Italy has brought about a "tougher mix of shoe which is turning it into a plus for us. We've been able to add styles that we ordinarily couldn't produce here.

PER MAN HOUR FIGURES

"We're in a hedge position," said Barach. "We won't commit to brick and mortar.

"You can't put your head in the sand about imports," Barach said. "This is the way we're trying to meet the competition until there is a voluntary control bill."

Barach said the average wage for shoe workers in the U.S. is $2.50 an hour, compared to 57 cents an hour in Spain and $1.40 an hour in Italy.

He said productivity in Spain and Italy amounts to 7 pairs per man hour compared to 10 pairs per man hour in the U.S.

He said imports amounted to about 15 per cent of U.S. Shoe's wholsale sales in 1971 compared to an industry average of about 30 per cent.

In a statement prepared for release at the annual meeting, Barach also said:

Initial orders for advance fall lines have been good and "retailers showed considerable enthusiasm for our lines at the recent New York Guild Show in January.

"We sense an improved tone both in the level of general retail activity and in the reception of all of our lines. This should augur well for continued sales improvement throughout the year, provided the general economy holds firm.

"We are now encouraged that our initial sales objective of exceeding last year by at least 8 per cent is reasonable and attainable. If accomplished, our sales volume for fiscal 1972 would approximate $360 million."

(Sales for 1971 amounted to $324 million.)

"The wind now is at our backs," Barach told FN. "At this time last year, it was in our face."

Elected to the 17-man board were Charles E. Carples, executive vice-president of U.S. Shoe's Specialty Retailing division, and Arnold Dunn, corporate vice-president and president of the Marx & Newman division.

They replace Walter Marx, chairman of the Marx & Newman division, and David Falk, retired senior vice-president-merchandising of the Bloomingdale's division of Federated Department Stores.

[From Footwear News, Jan. 20, 1972]

BANKS RATE NE FIRMS A–1

(By Jack Shea)

BOSTON.—The New England footwear manufacturing industry has emerged from three very lean years in good financial shape. That's the opinion of bankers and financiers here, who are positively cheery about the industry—at least on a short-term basis.

They believe footwear companies have produced better managers; are well-financed, which aided the survivors when conditions were at their worst, and know their marketplace better, thanks to greater style involvement. Management has been improved in some cases by undergoing a baptism of fire and in others by adding new people.

At the First National Bank, which of the Boston banks is believed to have the largest number of shoe firms as clients, Henry Allen, vice-president, New England division, said, "I have only one client I'm worried about; a year ago I couldn't have said that."

Leon Bishop, vice-president of the New England Merchants National Bank, which is primarily financing men's businesses these days, told FN, "We are in good shape and most of our clients are unsecured." Unsecured creditors are considered financially stable enough to borrow without pledging physical assets.

Finance companies, too, like the shoe industry. At James Talcott, Inc.'s Boston office, Arthur V. Duffy, vice-president, predicted better days for the industry. He has not seen an influx of clients and explained that companies which have lost their image as "bankable" risks are Talcott's market.

Finance companies also service young companies struggling to become bankable—but there aren't many of them these days, either, he said.

Moneymen said that even in the hardest of times, profitable shoe firms had no trouble getting working capital at rates based on the particular situation.

Interviews with a cross-section of financiers unearthed only one case where a shoe man is getting prime rate. Mostly, conventional bankers begin at 1½–2 points above prime, and finance companies with unsecured accounts get 12–13 per cent or more.

According to Benjamin Bowden, senior vice-president at the First, part of the optimism is based on "the trouble imports have had recently with deliveries, and a style changeover." A problem with domestic makers in recent years has been "a lack of styling out of footwear, which is necessary, particularly in women's shoes, because shoes are not worn out, they pass out of fashion," he said.

The current situation is not without pitfalls, however.

* * * * *

On secured loans, lenders will take 50–60 per cent of inventories, and 70–80 per cent, higher in some cases, of receivables as collateral.

As several lenders explained, the rash of closings in recent years has glutted the second-hand machinery market with many machine types. Thus the market value of that machinery is lower and less can be advanced against it.

Inventories also, are watched more closely. Stories are told here by rueful bankers who ended up owning stocks which style obsolescence had made unattractive in the wholesale market.

Most lenders relate loan transactions to individual applicants. "I want to know his track record, what he's got, where his market is and what he wants to do," said one.

A second phenomenon, and one, sources said, which demonstrates better management mettle, is a trend to longer collection periods and the response by makers.

Al Hermes, an analyst at Dun & Bradstreet's Boston office, told FN, "Collections have been sticky the past two years, beginning with the credit crunch. Using that as a crutch, many firms are now using their creditors to help finance their business."

Other lenders report a movement to 60-day payments, up from the conventional 30-day period. Others said suppliers and tanners are bearing the brunt of the "waiting game."

Import buying, generally done with money "up-front," together with the money crunch, has further drained retail pockets, thus adding to their liking for longer payment terms, bankers say.

Manufacturers are rising to it, several said. Duffy, at Talcott, said, "Managements now realize the importance of financial controls."

At Green Shoe Manufacturing Co., James Ridge, credit manager, confirmed that his company is taking a more active look at receivables. Several divisions have been computerized recently and a look at the receivables chart shows "we've remained about constant over the past year or

* * * * *

Herbert Greif, president of the Geo. E. Keith Co., Brockton, Mass., said his company is also taking a more firm position on payments.

Asked to rate retailers as payers, most sources said independents are having the most difficult time paying and, while department stores get mixed reviews, virtually all said discount chains manage to work the maximum time limit from their customers.

There are reports, too, that chains will hold up payment on billing technicalities. One source cited a chain refusing payment on thousands of pairs until an invoice ambiguity involving 24 pairs was resolved.

Still others point to the necessity of complex forms for chains because of the volume and diversity of their buying. "The manufacturers must learn to conform to chain billing procedures," says Bowden at First National.

Despite these problems, manufacturers still like the chains because of the volume bought and because "you know the money is there, you know you are going to get it," said one women's novelty maker.

Inventory control is another area of better management control because manufacturers are learning to take the bit, bankers said.

Merchants' Bishop said, "The alert people always controlled inventories better. Some learned the hard way, but now most are aware of it.

"A man with a $40 retailer these days who doesn't sell it the first time around, is now selling it for what he can get. He may not make money on it, but he is at least getting rid of it," he said.

[From the Journal of Commerce, Mar. 3, 1972]

MULTILATERAL ECONOMIC PEACEKEEPING SYSTEM URGED BY NIXON TRADE AIDE

(By Muriel Allen)

WASHINGTON, March 2.—The world needs an international system for stabilizing economic and particularly trade relationships to contain conflicts—a multilateral economic peacekeeping apparatus.

This is the theme of a new book by Harald B. Malmgren, an adviser to President Nixon's special trade representative, William D. Eberle. As the Nixon Administration tentatively explores strategies for proposed 1973 economic negotiations with its major trading partners, Dr. Malmgren believes it is considering the broad gauge approach he recommends to give economic issues top priority in foreign policy.

Dr. Malmgren points out that President Nixon is emphasizing the need for the economic superpowers to enter into an era of economic negotiations equal to the Strategic Arms Limitation Talks (SALT) and other military defense bargaining. A major economic thrust could be launched in May when the President goes to the Russian summit meeting. A full range of trade and investment issues could be raised at that time, Dr. Malmgren believes.

1973 TALKS

The 1973 talks will represent a breakthrough because the Common Market has agreed for the first time to work on agricultural and industrial issues concurrently.

Noting that there are few proposals on how to reform the world trading system, Dr. Malmgren discusses three major areas for negotiation in his book, "International Economic Peacekeeping in Phase II." These are nontariff barriers, tariffs, and the need for a safeguard system "to get people in sensitive industries to go along" with movements toward freer trade.

What can the U.S. Government do to modernize domestic and international economic

policies? Dr. Malmgren argues for a "strong, but very small, staff on the Council on International Economic Policy, the director of which is equal with the director of the National Security Council staff. This group should perform all of the functions required by the President."

The State Department "should be restructured gradually to place functional bureaus above regional bureaus," the book says, and the economic area staffed with a mixture of foreign service officers and civil servants not permanently attached to state, serving the secretary directly.

In handling all matters under international negotiations, the Commerce Department should establish a close working relationship with industry. The Agriculture Department should strengthen relations with farm organizations through a consultative committee.

The Labor Department should appoint an advisory board on world economic policy. These actions would leave the White House free to consider "only the most heated political issues directly," Dr. Malmgren reasons. The staff director of the Economic Policy Council should work directly with the Congress to eliminate current poor coordination between the legislative branch and departments.

Economics should be given "a far higher priority" in terms of time and staffing so that the President and secretary of state are better briefed on relationships between economic, security, and political issues in foreign policy, Dr. Malmgren suggests.

The executive branch could make a major bipartisan effort to secure congressional support for a joint resolution to assist the White House to work out necessary economic long-range reforms, Dr. Malmgren said at a news briefing on his proposals. This would build up confidence at home and in other countries in the U.S. Government's determination to avoid patchwork solutions.

If this country continues a piecemeal approach to monetary crises or trade conflicts, "businessmen as well as governments would continue to be walking through a minefield" threatened by economic explosions, the author warned.

Japan, Europe, Canada and the U.S. "have to be drawn together and enmeshed in multilateral discussions on all economic problems . . ." although implementing reforms "will be a politically painful course. It can only be accomplished if politicians see that they must play a major supporting role."

This will require changes in previously sacrosanct national economic policies, especially agriculture, Dr. Malmgren said.

Economists agree the recent monetary crisis means that the broken down international economic system has to be replaced. Dr. Malmgren believes officials in key capitals are close to consensus on how to reconstruct that system. He emphasizes that trade liberalization alone will not be meaningful, and that work on lessening industrial and agricultural trade barriers must parallel monetary reform.

Dr. Malmgren points out that there will always be quotas to protect sensitive industries and that government's will never completely stop intervening in trade matters because of political considerations.

But the economist stresses the crucial importance of a new strategy for nontariff barriers into which nations policy decisions would be fitted. . . .

[From the Journal of Commerce, Jan. 4, 1972]

U.S. PHOSPHATE ROCK PRODUCERS UNITE TO EXPAND EXPORT FIRM PRICES

(By Al Wyss)

Faced with intense competition both in this country and overseas, a number of major United States producers of phosphate rock are taking steps to act as a combined force to hold and expand export markets and to obtain better prices.

Under the Webb-Pomerene Act, five major U.S. producers, accounting for about three-fourths of U.S. exports, are negotiating all export contracts as a group through the recently formed Phosphate Rock Export Association (Phosrock). The companies belonging to Phosrock—namely American Cyanamid, Conoco, W. R. Grace, International Minerals & Chemical Corp. and Occidental Chemical Co.—expect to reap a number of advantages from their association, including reduced marketing expenses, bigger export volume, lower freight rates and better, or higher, prices because of increased negotiating or bargaining strength.

Exports of Florida phosphate rock are estimated to have totaled over 12 million tons in 1971, valued at about $88 million.

An export association has been critically needed by the U.S. industry, a leading supplier in world markets, second only to Morocco. Competition in the U.S. for the last several years has been severe, fed to a great extent by overproduction and overcapacity, with the result that export prices have come down sharply as the various U.S. producers continually cut prices in order to take business away from one another. As a result prices of the 10 to 12 million tons of phosphate rock exported in recent years came down from about $7.00 a ton in 1966 to a little over $5.00 per short ton, f.o.b. mine, in the past year.

OVERSEAS COMPETITION

Moreover, competition from overseas phosphate rock producers has been tough and is likely to get tougher as production is expanded and new production comes on stream, such as in the Spanish Sahara.

Despite this increasing foreign production, phosphate rock produced in Florida, which accounts with North Carolina for about 83 per cent of U.S. output and most of this country's exports, is still one of the best lowest cost sources in the world for this raw material. Most of the phosphate rock produced in Florida is used in fertilizers.

Production of all marketable phosphate rock in the U.S. in 1971 totaled about 38.0 million short tons valued at $203.7 million. Exports of Florida phosphate rock as reported by the Bureau of Mines for the first nine months of 1971 were approximately 9.2 million tons valued at $66.1 million. Shipments were made to 32 countries with Japan, Canada, West Germany, and Italy receiving 57 per cent of the total.

The newly formed and still not fully organized association already has achieved encouraging results by negotiating big contract sales at prices which show a better return. A sales contract was negotiated for the shipment of substantial tonnage of Florida phosphate rock to Latin America. Even more recently, a contract was negotiated by Phosrock calling for increased tonnage to Europe.

In negotiating such contracts, Phosrock is attempting to restore all or at least some of the price cuts which took place in recent years because the level to which prices sank showed a very low return and for some producers a loss.

William W. Chadwick, president and chief executive officer of Phosrock, pointed out that the association is just getting organized. Although it was technically organized about a year ago, it only started marketing operations after Conoco joined the group last July. It is expected that Phosrock will be fully staffed and organized by next July.

Mr. Chadwick, who is on loan from International Minerals & Chemical and has had extensive experience in export sales of phosphate rock, will set up headquarters at Tampa, Fla.

Aside from the elimination of price-eroding competition among the five U.S. producers, Phosrock will improve profit margins for the firms involved by combining overseas marketing activities, Mr. Chadwick pointed out. The association also is expected to secure better freight rates because of the more substantial volume handled by Phosrock, making it a more important customer to ship lines.

The association will be able to offer a much larger and varied line of phosphate rock grades for overseas customers.

* * * * *

The big problem the years ahead will involve rising world production as output is expanded and new mines come on stream. One of the biggest new suppliers will be the Spanish Sahara which is expected to come on stream within the next few years, with an initial production of about 3 million tons, still relatively modest compared to the U.S.

Production in the Spanish Sahara, however, is expected to rise to about 10 million tons in the following several years. In addition, expansions are planned by Russia, Tunis, Egypt, Israel, Algeria and other countries. Some of these are relatively small individually but in the aggregate the increased output could have an adverse impact on world markets and prices.

As one industry official recently said: "If an industry ever needed an export association this one really does."

An adverse impact upon the competitive position of the Florida industry in the world market place also is expected to result from the State of Florida's mineral severance tax which took effect July 1, 1971. This tax will be 3 per cent on the mineral value through 1973, going to 4 per cent through 1975 and to 5 per cent thereafter. A tax credit, not to exceed 25 per cent of the tax paid, will be allowed for reclaiming mined out areas and current mining areas.

Phosrock will, moreover, be in a more advantageous position to meet intensifying competition from foreign producers which is likely to develop as mines and production in other countries are expanded and new mines come on stream.

Mr. Chadwick points out that U.S. producers could face serious problems in the future because of the nature of overseas competition. Practically all overseas production is either government-controlled or owned jointly by governments. Frequently, such suppliers will sell in world markets for badly needed foreign exchange or political reasons, regardless of the profit or economic factors involved.

On the other hand, it is also to the advantage of such producers to obtain as good a price as possible for their product to build foreign exchange.

Major producer and exporter is Morocco which has a definite advantage in selling to European markets because of the freight rate differential.

The U.S. industry, however, does have a number of plus factors working for it, including its efficient low cost production and the high quality and variety of its product. In some countries quality is relatively poor and deposits meager.

And more recently, supply and demand in the U.S. appears to be coming into better balance, following a number of years of excess capacity.

[From the Journal of Commerce, Jan. 5, 1972]

ON THE RIGHT TRACK

Those in and out of the government who are seeking ways and means of increasing American exports could do worse than study what five major producers of phosphate rock are doing to accomplish that very thing on their own hook. They are taking advantage of the little-used Webb Pomerene Act to establish a joint force in the export field.

An article by Al Wyss in this newspaper yesterday explained how and why this action

is being taken. As an export product, Florida phosphate rock has been encountering bruising competition from that of Morocco and soon will face more from sources in the Spanish Sahara. Prices have been forced down to a level that makes it very difficult to market U.S. phosphate rock in Europe by traditional means, especially when the relatively high costs of shipping that commodity across the Atlantic are taken into account.

What the producers felt they needed was a single organization that could negotiate with foreign buyers, with overseas ship operators and reduce export prices by paring their marketing costs. No two or more of the five companies are allowed by the antitrust laws to agree on prices and trade practices with respect to sales in the domestic market. But the Webb-Pomerene Act permits them to do so with respect to foreign sales so long as their organization is properly registered with the Department of Justice and provides the government with regular reports on its activities.

There is, however, something curious about the Webb-Pomerene Act and the uses to which it has been put. It was passed just after the First World War as a means of enabling American exporters to meet the competition they had previously experienced and expected to experience again from the large cartels of Great Britain, Continental Europe and Japan.

So this statute—a relatively simple affair as antitrust legislation goes—has been in effect for more than 50 years. In some lines of business export associations have formed under its protection and functioned for varying periods, one of them involving lumber and another plywood. But most of the participants in these associations have been relatively small companies. The larger forms of business enterprise have tended to shun Webb Pomerene. They have done so for what strikes them as a good reason.

The Justice Department's Antitrust Division has never had much enthusiasm for exemptions from antitrust prosecution contained in various federal laws (the Interstate Commerce and Civil Aeronautics acts provide other examples), and in the years following the Second World War let it be known on several occasions that not only was it less than enthusiastic about Pomerene, it thought it should be repealed. Without ever saying so directly, the department managed to convey to all who would listen the dark suspicion that any firms in the same line of business who got together on export prices and practices would simultaneously seize the opportunity to discuss the same subjects in relation to the domestic market.

This message was not lost on the nation's major exporters. They read it as meaning that those who grouped together in export associations, no matter how legal, could expect to find their activities at home subjected to very severe scrutiny indeed. Even a firm doing its utmost to comply with every stricture of the antitrust laws tends to avoid this kind of inspection, if possible. After all, it can always make mistakes. So can the Department of Justice. Why court harassment unnecessarily when in most cases the export business at stake is only a fraction of the business generated by the big home market?

Why indeed? But there are circumstances under which a more general resort to Webb Pomerene might develop. The stage would be set for this if the department would indicate that it is now taking a more relaxed view of these matters and that a company joining in a Webb Pomerene export association won't find itself automatically made the object of the department's deepest suspicions and probes.

Will that be the case? Some of the members of the new Phosphate Rock Export Association are highly visible on the American business landscape: American Cyanamid, Conoco and W. R. Grace. These are not small business firms in any sense of the word and the assumption must be that they are going into their Webb Pomerene venture with their eyes open. If their operations prove a success we wouldn't be surprised to find that they will have emulators. But much, as we say, will depend on the attitudes of the Department of Justice.

Everyone knows that the United States must find some way of increasing its exports if it is to clear up its balance of payments deficits by means that won't court another depression. The President has already made one key move in this direction by devaluing the dollar. A greater resort to Webb Pomerene export associations could provide another. It won't work miracles, but it would make more sense to us than some of the other incentives we have heard proposed—among them the use of export subsidies.

Improved World Trade Position Foreseen for Metric America

March 16, 1972.—Today in Washington Rep. Sam Gibbons (D-Fla.) called for an end to bushels and pecks. "The metric system is just plain common sense," said Gibbons. "We are handicapping ourselves economically by clinging to what were originally only makeshift units of measurement."

Gibbons has just introduced legislation to establish a national policy relating to conversion to the metric system over a ten-year period. "Americans have been dragging their feet on this issue since the days of John Quincy Adams," Gibbons pointed out. "We must take action now.

"Our balance of trade has taken a disastrous turn for the worse," Gibbons continued. "Metrication will improve our world trade position by increasing our competitiveness in two ways. First, our products will be more acceptable in foreign markets if they are made to generally recognized standards and measurements. Our export market is almost totally metric. Second, using the metric system would improve productivity at home, many businessmen believe.

"Even more important than improving our trade position is preventing it from deteriorating," Gibbons went on. "We must act now to make sure that we are not left out of international negotiations to establish world-wide standards. It is estimated that within 10 years a complete set of product standards will be agreed upon. U.S. standards are unquestionably superior in many, many areas.

"But if we don't speak the common international language, metric units, we will be unable to fight for international adoption of our standards. They will be set in our absence.

"The question is not whether the U.S. will go metric, but how and when. We are already partly on the metric system. In 1970, 10% of manufacturing in the U.S. was carried out by firms employing metric standards to some extent, and the percentage has increased since then. Over 90% of producers in both manufacturing and nonmanufacturing industries questioned in an exhaustive Department of Commerce study expressed themselves in favor of conversion to metric units. The cost should be low: the pharmaceutical industry, for instance, which has already converted reported the total cost as 0.05 of 1% of value added by manufacture. We must establish a national coordinated policy framework to facilitate our producers' changeover.

"The U.S. has been debating the pros and cons of metrication for 200 years," Gibbons concluded. "Meanwhile, the issue has been decided throughout the world. Today the U.S. is the only major trading nation with no official commitment to the metric system. Surely it is time to conclude our lengthy deliberations, to unite production in this country in a single system of measurements, and to move at once towards a metric internationally competitive America.

Mr. CULVER. Mr. Speaker, I welcome this opportunity to join the dialog on "Constructive Alternatives to Protectionism." This is a matter of central concern to the Congress and more specifically to the Foreign Affairs Subcommittee on Foreign Economic Policy. I should like to take this opportunity to acquaint Members with an initiative we are taking in this field. On March 1 of this year I introduced with 80 cosponsors a concurrent resolution on the subject of trade adjustment assistance in relation to our foreign economic policy. This resolution (H. Con. Res. 546–549) has been referred to my subcommittee and will form the foundation for informational hearings starting April 24. At a later date we will release further details on these hearings, including the scope and nature of the questions on which we will be seeking testimony. At this time I would like to review the background against which the resolution has been introduced.

Mr. Speaker, many Members of this House and of the other body have expressed concern in recent months about foreign trade disadvantages being experienced by American firms and workers. Some have pointed to unfair trade practices engaged in by foreign companies and governments, which have gone unchallenged by the Executive. Others have suggested that root difficulties are to be found in our domestic economy, through lack of vigorous competition and declining innovation and productivity. A major debate is shaping up on the degree of trade expansion we need or can afford, and how best to promote the interests of industry and labor and the consumer. There is dispute in Congress—as there is among the affected groups, both about the facts of the matter and about their significance.

But there are a few facts on which a substantial consensus does appear to be emerging. One is that the concerns being voiced by labor and management in the affected sectors of our economy are real concerns, and cannot be ignored or swept away by resort to conceptual slogans, whether of "free trade" or "protectionism." Another is that at least one of the remedial concepts to which we have paid lipservice, and partially embodied in legislation—namely, trade adjustment assistance—has been employed so ineffectively and inadequately in practice as never to have been given a meaningful test. Still a third fact which few deny is that to the extent the United States reacts unilaterally in the world arena to trade problems and stresses, we risk incurring political losses so serious as to endanger our country's security and well-being.

These at least are among the tentative conclusions derived from a series of hearings held last year by the Foreign Affairs Subcommittee on Foreign Economic Policy, which I chair. We examined successively the economic impact of enlargement of the European Common Market; the international implications of President Nixon's new economic pol-

icy; and the state of our politico-economic relationships with our two major trading partners, Canada and Japan.

Our own efforts with regard to internal conversion assistance as a constructive alternative to aggressive mercantilist practices or protectionism dating back to the 1962 Trade Expansion Act, are virtually stillborn. The criteria used for adjustment assistance have been so difficult to meet—on occasion even self-contradictory—and the procedures so cumbersome that in the past decade only two firms have ever received any substantial assistance from the Government. I ask leave to have reproduced at the close of my remarks an article from the Wall Street Journal of December 8, 1971, entitled "Promises, Promises," which documents the failings of this program.

Nor does the record of the European Common Market to date seem very much better. Regional and social assistance were included as goals of the Rome Treaty, and funds have been allocated for relief of distress in the coal and textile industries—which have declined in employment by roughly 50 and 25 percent, respectively, since adoption of that treaty. But the level and sophistication of assistance have been nowhere near adequate, it appears, to relieve chronic underemployment in regions like southern Italy, and the outlay for economic conversion has been totally dwarfed by expenditures to subsidize inefficient farming operations under the community's common agricultural policy.

Thus, both domestically and internationally, there appears to be a pressing need for examination of workable schemes for economic conversion as an alternative to destructive trade wars. If our farmers and coal producers are more efficient than those in Europe and Japan, that efficiency should be recognized in access to export markets. By the same token, if firms and workers in other sectors of our economy fall behind their foreign competitors in efficiency, they should have available to them a meaningful and effective array of alternative investment and employment opportunities.

Mr. Speaker, I am not so naive as to expect that economic conversion assistance alone can prove a panacea to all our trade problems and perplexities. Other remedies, both bilateral and multilateral, will no doubt have to be employed from time to time, at least in the short term, to counter genuinely unfair practices by foreign governments and industries. We do not in fact know how much help we can expect from a workable economic conversion program, because we have never had one. Nor do we know how much of our economic conversion needs are attributable to trade pressures, as opposed to other factors operating within our domestic internal economy such as shifting technology and changes in the priorities of Government programs. We do or should know that our country and its constituents—workers, investors, and consumers—along with the peoples and governments of other friendly lands, would be better off if we had answers to these questions.

It is to stimulate the exploration for those answers that I have introduced, in company with 80 cosponsors, a concurrent resolution expressing the sense of the Congress regarding the importance to our foreign policy of devising effective measures of trade adjustment assistance. With leave, I ask that the text of this resolution together with the names of the cosponsors be printed at the close of my remarks. I must say that I have been very gratified by the depth and breadth of support from my fellow Members for this initiative—extending as it does to representatives of both parties from all regions of the country. It seems obvious that we share a conviction about the importance of examining this subject.

And 1972 is the year in which to do that. Discussions among governments are now underway to prepare for a possible new round of multilateral trade negotiations to commence next year. This year is also scheduled to witness the completion of the ratification process for enlargement of the Common Market. And the executive has let it be known that it plans to submit no new trade legislation to the Congress this year. We can thus use this year to lay a solid informational and analytical foundation for the legislative consideration that is bound to be called for in 1973. In that context, I am hopeful that the concurrent resolution we have introduced will be both useful and pertinent.

H. CON. RES. 546

Concurrent resolution expressing the sense of the Congress regarding steps to strengthen the foreign policy of the United States through measures relating to the domestic economy.

Whereas, in an increasingly interdependent world no longer dominated by the actions or authority of a few superpowers, the United States needs a foreign policy that will foster sustained, effective, and consistent relationships with other countries, based on sober assessments of long-term mutuality of interests; and

Whereas an international economic posture for the United States that looks beyond immediate issues to a workable pattern of worldwide fiscal trade, and investment cooperation is essential to such a foreign policy; and

Whereas the ability of the United States to maintain an effective, long-range, and consistent foreign policy has been and remains periodically subject to disruption as a result of stresses felt by various sectors of the United States economy from foreign trade disadvantages; and

Whereas the experience of other nations in pursuing adjustment policies and devising mechanisms to deal effectively with similar stresses and dislocations may have pertinence for appropriate United States policy in this field; and

Whereas presently available means of adapting the United States economy to such stresses have been ineffective and inadequate and are in need of reexamination: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that domestic policies which promote the economic strength of the United States are a necessary prerequisite to the effective implementation of a consistent and constructive foreign policy in the 1970's and beyond; and that the United States Government should exert every effort to examine and prepare workable, responsible, and efficient measures to promote the legitimate interests of American workingmen, consumers, investors, and business in order to be able to carry out a foreign policy which will promote the national interest and the achievement of balanced and stable world relationships.

PROMISES, PROMISES: FIRMS HURT BY IMPORTS, ASSURED OF HELP IN 1962, FIND IT TOUGH TO GET—SO FAR, ONLY TWO RECIPIENTS WIN FEDERAL AID INTENDED TO ENCOURAGE FREE TRADE—THE PLASTIC PIANO SITS SILENT

(By John Pierson)

WASHINGTON.—At stake, it would seem, is peace, prosperity, free trade and nothing less than the future of the plastic piano.

You see, Estey Piano Co. of Union, N.J., and Bluffton, Ind., has been badly hurt because the government agreed to lower the tariff that kept the price of foreign-made pianos high. So the government agreed to help Estey design a less expensive plastic model, which would make the company competitive again, to help keep Estey in business until the new piano was ready and then to help produce it.

Now, after a considerable outlay of time and money all around, the government has changed its mind. Estey has laid off its 100 workers and put its factory—situated in Indiana—up for sale. (There's only an office in New Jersey.) The fate of the plastic piano is in doubt. Says Estey President Robert Mehlin, whose family has been making pianos for six generations: "We have been very seriously injured by this whole thing."

What has happened to Estey is symptomatic of what has happened to a program enacted nine years ago that was supposed to be free trade's answer to protectionism. Let us cut tariffs, free-traders told business and labor, and we'll help you adjust to the inevitable flood of imports. For workers, the help was to come in the form of extra unemployment benefits, retraining and relocation money. For companies, the law specified loans, technical advice and tax breaks to help them modernize present product lines or move into new ones.

ONLY TWO GOT HELP

Nearly a decade after enactment of the Trade Expansion Act of 1962, U.S. imports have doubled, thousands of workers have lost their jobs and hundreds of companies have been hurt. While many workers have been getting benefits, only two companies—a shoe manufacturer and a producer of barber chairs—have received any substantial assistance from the government. Another shoe company has been told it will get help.

This failure of the government to make good on its promise to business can only swell pressure for new protectionist moves, free trade advocates fear. This year the Nixon administration has imposed a 10% import surcharge and has won an agreement limiting Asian shipments of synthetic and woolen textiles—atop earlier restrictions on cotton textiles and steel. If new U.S. import restraints should follow, free traders foresee higher prices for American consumers and added bitterness between the U.S. and its trading partners.

For the first seven years after Congress passed the law, the Tariff Commission was the villain of the piece. From October 1962 to October 1969, 13 industries, eight individual companies and six groups of workers asked for help but were turned down by the commission. In November 1969, after a change in membership, the commission began interpreting the law less strictly; it ruled that the piano industry had been injured by imports resulting from tariff cuts.

Since then, two other industries (flat glass and barber chairs), 17 individual companies and 64 worker groups have passed the injury test, either through yes votes of the commission or through tie votes that President Nixon has broken in favor of assistance. The latest to qualify are Bibb Manufacturing Co., a

textile maker based in Macon, Ga., and 1,000 of its workers and former workers.

SO WHAT HAPPENED TO ESTEY?

The Labor Department has certified some 20,000 workers for extra unemployment benefits. But of the 18 injured companies that so far have applied to the Commerce Department for relief, one has been denied help, two have received loans, one has been promised a loan and 13 applications are pending; Estey, which once was authorized by the Commerce Department to obtain a loan, is getting only technical assistance.

Here's what happened to Estey.

In February 1970, two months after the Tariff Commission ruled that the piano industry was injured, President Nixon gave piano makers temporary "escape clause" relief from tariff cuts and made them eligible to seek adjustment assistance.

In March 1970, Estey asked the Commerce Department for permission to apply for help: In June 1970, after determining that Estey was indeed among the injured of the industry, Commerce Secretary Maurice Stans declared the company could submit an aid proposal.

During the next nine months, Estey, the department, a management consultant hired by it, and the Small Business Administration worked out a package that included a $90,000 grant and a $2.6 million loan. The grant was technical assistance for building a prototype plastic piano and for a study to make sure there was a market for the new product. The loan was for paying off Estey's prior creditors, financing continued production of wood pianos until the plastic one was ready and building a new plant.

BIG PLAY FOR STORY

Last March, Secretary Stans certified that Estey's proposal was "reasonably calculated materially to contribute to the economic adjustment of the firm" and "authorized" the grant and loan. A Commerce Department press release heralded Mr. Stans' action. Newspapers in New Jersey and Indiana gave the story big play.

In April, Edward Killam, then director of the department's trade adjustment assistance division, wrote Estey's creditors that the government money "will be available to liquidate obligations of the firm . . . including any obligations which may exist to you."

Under the law, once he has certified a company's adjustment assistance proposal, the Secretary of Commerce first asks the Small Business Administration if it wants to make the loan and the Economic Development Administration if it wants to make the grant. If either agency says "no," then the Secretary "may" provide the help himself.

In May, the EDA said it was willing to give Estey $90,000 for the prototype piano and the market study. Then things began falling apart.

In July the SBA said it was "deferring" action on Estey's loan. Until the prototype and the study were successfully done, the SBA said, there was no "reasonable assurance"—as required by the law—that Estey could repay the government. Commerce Department sources suspect that the SBA simply preferred to have the department risk its own money.

Meanwhile, Mr. Killam had been replaced as director of trade adjustment assistance by Lewis Kaufman, former Los Angeles partner of Goldman, Sachs & Co., an investment firm. Mr. Kaufman viewed the program somewhat differently from Mr. Killam. For example, he felt that no funds should go to pay off prior creditors. As he saw it, the program was meant "for the economic adjustment of firms, not as a creditors' relief act."

Bothering Mr. Kaufman, too, was the fact that some of Estey's creditors were also principal stockholders. Although Estey's proposal stipulated that the stockholders would wait for their money until the government got its money back, Mr. Kaufman says he still worried that the loan would go to "bailing out" stockholders rather than revitalizing Estey.

So despite Mr. Stans' March authorization, despite the Commerce Department's press release, despite Mr. Killam's letters to banks and other creditors, the department joined the SBA in deferring action on the $2.6 million loan.

And in September, it refused a request from Estey for enough money to keep going until the prototype was built and the market study completed early in 1972.

Late in September, Mr. Mehlin told a Senate Commerce subcommittee that the department had a right to change its mind about the program, but he argued that once Secretary Stans had approved Estey's proposal, "he should certainly live up to that commitment."

Harold Scott, Assistant Secretary of Commerce for domestic and international business, called the Estey case "unfortunate." According to Mr. Scott, trade adjustment assistance had "languished as a relatively inactive feature" of his department, handled mainly "at the staff level."

FROM CHAIRS TO CABINETS

Mr. Mehlin said he was closing his plant in Bluffton and laying off his 100 workers, many of them experts who would be hard to replace if and when the plastic piano went into production. But he now says he'll try to persuade his creditors to hold off and not force Estey into bankruptcy. With the help of the EDA's $90,000 grant, he's going ahead with the prototype and the market study. He still believes that the new piano has "terrific" potential, and he hopes, one way or another, to prove it.

While Estey was having its ups and downs, 17 other companies were applying for help in adjusting to imports. Two have received it.

In September 1970, the BSA loaned $2 million and guaranteed a private loan of another $2.1 million to Emil J. Paidar Co. of Chicago, a maker of barber chairs. The loans were to help Paidar diversify for moving into production of dental cabinets, too. The EDA has provided $22,000 of technical assistance.

Paidar used the loans to begin work on a new plant, but Paidar President John Diouhy says he now wants to sell the new plant and acquire another company that makes dental cabinets. So he's asking Commerce for an additional $3 million.

And early this year, the SBA loaned $1.4 million to Benson Shoe Co. of Lynn, Mass. The EDA provided $200,000 of technical assistance, and the Commerce Department gave tax aid in the form of an extra two years of net operating loss carryback.

VARIOUS STAGES OF SUSPENSE

Benson President Phillip Kaplan says government aid has allowed him to reorganize management, production and sales methods. Volume has doubled with only 20% more help. "To us the program has been good," says Mr. Kaplan.

Both these loans included funds to pay off creditors, a standard SBA practice. Both were made before the Commerce Department got adjustment assistance money of its own. Thus, the SBA had to decide the issue for itself, unlike in the Estey case.

Now that it has its own money, the Commerce Department has just agreed to lend $662,000 to help breathe new life into Louis Shoe Co. of Amesbury, Mass. The EDA will kick in $100,000 of technical aid.

Meanwhile, 13 other companies are in various stages of suspense. Some submitted their aid proposals months ago and are waiting anxiously for a response. "I just hope they can get us the assistance in time," says Victor Pomper, president of H. H. Scott Inc., a Maynard, Mass., producer of hi-fi equipment.

A few companies have gotten past the Tariff Commission but are still waiting for Commerce Department permission to apply for help. Robert Bretzfelder, president of Krakauer Brothers, a New York City piano maker, says that every time he sends department officials some figures to prove that his company has been injured, "they ask for more figures." This has been going on for half a year. "If a company was really on the brink of going out of business and had to wait this long, they'd be out of business," he says.

Commerce officials deny it, but these delays may have had something to do with the resignation last month of Mr. Kaufman, the adjustment assistance director. "There have been some suggestions that things happen faster," Mr. Kaufman concedes. "Maybe my problem is that I'm used to dealing with large, successful companies and not with small, unsuccessful ones."

But clearly there are other obstacles to winning trade adjustment assistance. The requirements for proving injury are so tightly written that few companies to begin with get by the Tariff Commission. After that, the procedure for getting help is so complicated that only a few have received it. Division of the authority for dispensing aid permits apparent buck-passing, as in the Estey case.

There may be a basic inconsistency in the law's requirements that companies must be "seriously" injured to be eligible for help and give "reasonable assurance" of repayment. By allowing companies working capital to pay creditors and meet other current expenses only in "exceptional" cases, the law holds little hope for firms like Estey that are on the brink of ruin.

Recently, President Nixon's Commission on International Trade and Investment Policy recommended a number of reforms in adjustment assistance. Among other things, it said one agency should be responsible for operating the program and there should be easier loan terms. Going further, it is urged the government to anticipate import adjustment problems and identify industries most likely to be hurt.

LIST OF COSPONSORS

James Abourezk (S. Dak.).
Bella Abzug (N.Y.).
Brock Adams (Wash.).
John B. Anderson (Ill.) R.
Thomas Ashley (Ohio).
Les Aspin (Wis.).
Nick Begich (Alaska).
Jonathan Bingham (N.Y.).
Edward Boland (Mass.).
Richard Bolling (Mo.).
John Brademas (Ind.).
Jack Brooks (Tex.).
Herbert Burke (Fla.) R.
Phillip Burton (Calif.).
James Corman (Calif.).
John Davis (Ga.).
Ronald Dellums (Calif.).
Edward Derwinski (Ill.) R.
John Dow (N.Y.).
Robert Drinan (Mass.).
Pierre du Pont (Del.).
Don Edwards (Calif.).
Frank Evans (Colo.).
Dante Fascell (Fla.).
Thomas Foley (Wash.).
William Ford (Mich.).
Donald Fraser (Minn.).
Peter Frelinghuysen (N.J.) R.
Sam Gibbons (Fla.).
Gilbert Gude (Md.) R.
Lee Hamilton (Ind.).
Richard Hanna (Calif.).
Michael Harrington (Mass.).
William Hathaway (Maine).
Wayne Hays (Ohio).
James Howard (N.J.).
William Hungate (Mo.).
Andrew Jacobs Jr. (Ind.).
Joseph Karth (Minn.).
Edward Koch (N.Y.).

Arthur Link (N. Dak.).
Mike McCormack (Wash.).
William Mailliard (Calif.) R.
Spark Matsunaga (Hawaii).
Lloyd Meeds (Wash.).
Abner Mikva (Ill.).
Patsy Mink (Hawaii.).
William Moorhead (Pa.).
Bradford Morse (Mass.) R.
Charles Mosher (Ohio) R.
John Moss (Calif.).
Morgan Murphy (Ill.).
Lucien Nedzi (Mich.).
David Obey (Wis.).
James O'Hara (Mich.).
Claude Pepper (Fla.).
Otis Pike (N.Y.).
Richardson Preyer (N.C.).
Thomas Rees (Calif.).
Ogden Reid (N.Y.) R.
Henry Reuss (Wis.).
Benjamin Rosenthal (N.Y.).
Edward Roybal (Calif.).
William Ryan (N.Y.).
James Scheuer (N.Y.).
John Seiberling (Ohio).
Neal Smith (Iowa).
Robert Steele (Conn.) R.
Louis Stokes (Ohio).
James Symington (Mo.).
Frank Thompson (N.J.).
Morris Udall (Ariz.).
Jerome Waldie (Calif.).
Charles Whalen, Jr. (Ohio) R.
Lester Wolff (N.Y.).
Sidney Yates (Ill.).
Gus Yatron (Pa.).
Clement Zablocki (Wis.).
John Zwach (Minn.) R.

Mr. FRENZEL. Mr. Speaker, in the year immediately following World War II, the U.S. dominance of international trade was almost total. Ours was the only significant industrial complex which emerged from that war that was not only intact, but improved. So strong was our economy, and thus our currency, that at the Bretton Woods Conference the dollar became the standard of international exchange.

During the immediate postwar period, U.S. technology and production facilities were so superior that other nations were forced to establish restrictive barriers in the form of tariffs, quotas and other types of limitations in order to allow their own domestic industries to grow. Their products and services needed protection before they could become competitive. If not actually encouraging these barriers, the United States did little to prevent them from being established.

Since the end of the war, in the intervening 25 years, our economic and trade dominance has declined. Some of the reasons are that the European and Japanese economies have revived, that the technologies of other nations have caught up, that the policy of establishing trade restrictions, both tariff and nontariff, was expanded, that our burden of international defense spending did not shift in proportion to the increasing economic viability of other nations and, perhaps most of all, that our Government and our people remained largely passive in the highly competitive international trading game. Our decline was such that in 1971, for the first time in my lifetime, and in that of most of the Members here, our country showed a negative balance of trade.

We will never again, and perhaps never want to, regain the international economic dominance which we enjoyed 20 years ago, but there are steps we can take to improve our lagging international stature.

In recent weeks we have heard much discussion on the merits of protective legislation, specifically the Investment Act of 1972, more commonly known as the Burke-Hartke bill. This legislation is well intended, and perhaps in the short run might be helpful. But the long-term effect of establishing rigid barriers for further imports and limiting U.S. participation in foreign markets will undoubtedly eliminate many more jobs and further our relative economic decline.

There are many alternatives to protectionism. Some changes can be effected which will allow for an immediate improvement in our international trade balance. Important negotiating strides have been made toward reduction of certain of the quantitative barriers which the European Community has imposed on agricultural products and other products as soybeans, oranges, juices, and arrangement with Japan for such products as soybeans, oranges, juices and quality beef. Additionally, the United States and the European Community have communicated to the Director Genereal of GATT their desires to review and to negotiate improvements in all areas of international trade. The stated desires for cooperation will hopefully bring more favorable trade arrangements for U.S. producers which in turn will create more job opportunities for U.S. citizens. Had the Congress expressed a strong desire for more restrictive trade regulations, we undoubtedly would not have been able to negotiate favorably with any other nation in the world.

Though there are some offices, and certain individuals in our Federal Government, who are actively working toward a more favorable export climate, many exporters still find resistance within our own Government, particularly in trade relations with the Eastern European nations. The only large trade market in the world which has not been fully tapped is the Eastern European market.

Though the 1969 Export Administration Act eliminated some of the barriers, Commerce Department approval for sales in eastern Europe is laboriously slow. Commerce ought to be seeking advice from appropriate elements of government when authorizing such sales, but the ad hoc, poorly structured nature of the Interagency Committee, which reviews these contract proposals, has proven to be cumbersome and in many cases have placed U.S. manufacturers at a serious competitive disadvantage. I represent an area which includes several of the major computer products manufacturers. The continuing cutbacks in aerospace and defense have limited the existing domestic markets for these firms and have limited their ability to concentrate funding on important research and development. By opening the eastern European nations for the sale of nonstrategic equipment, without transfering any of the basic technology, the vigor of a domestic industry and the availability of U.S. jobs have been further enhanced.

In the past few months I have been made aware of two instances where producers of computer products have been able to find markets in east Europe nations and have eventually been given Commerce Department clearance, but not before being delayed for what I feel was an undue amount of time. The delay in both instances jeopardized the sale for which both Japanese and British manufacturers were also bidding. I would urge that the Commerce Department review, with the intent of streamlining the procedures by which these approvals can be granted.

If the Burke-Hartke bill has a strength, it is the desire to tighten the restrictions on dumping and on the countervailing duties. While the United States may never match some of its foreign competitors in the types of financial and promotional assistance it provides for exporters, we can at least work to eliminate many of the anticompetitive actions of foreign governments which allow their manufacturers to undercut the prices of domestic products, which force American producers to either produce cheaper goods or get out of the market.

I would also urge a greater use of adjustment assistance for the domestic industries and firms which are put at a competitive disadvantage with foreign competitors. Though Commerce now has the statutory authority to provide this assistance, it has been reluctant to exercise this authority. This inaction has caused the affected industries to further retrench and has strengthened the cause of protectionism. While every U.S. citizen should feel that he has a right to a job if he is actively seeking work, we do not necessarily have the legislation to provide him with a job in the same industry which provided jobs for his father and grandfather. If the United States is to regain its technological superiority and thus preserve a vibrant economy and job climate, it is vital that our energies and resources be committed to new and innovative ideas and industries.

One of the unfortunate fallacies which has arisen from the current debate is the theory that the multinational firms have been exporting jobs as they have established facilities abroad. While there may be instances of jobs which have gone abroad, the evidence which I have seen has conclusively proved that the multinational firms have produced many more U.S. jobs which are dependent on their foreign activities. If protectionist legislation is passed, I am confident that many of the multinational firms will be forced into flight from the United States and the job availability in this Nation will be further weakened.

The Congress should fully consider any legislation which would affect our foreign trade. In my judgment, we will err greviously if we attempt to preserve the product mix, the trade balance and the trade partners which typified our international involvement in the decade of the sixties. By such action we will lose forever the ability to ever again compete on equal terms in international markets.

We must demand equality from our trading partners, assistance from our

Government, better technology from our trading companies and improved productivity from our work force. Our long-term well being depends in part on our ability to compete internationally. Protectionism only means we have resigned from international competition.

Mr. FRASER. Mr. Speaker, there is increasing concern over the continuing, chronic high rate of unemployment in the United States today. Roughly 5½ million people are out of work. Ten years ago, during the last period of high unemployment in our country, the scapegoat was automation. Today it is rising imports and the growth of multinational corporations. The unemployment situation improved in the sixties, without adoption of any of the then popular proposals to restrict automation. It improved because of expansionary Federal fiscal and monetary policies. If jobs are to be found for all, similar policies are needed today, combined with effective anti-inflation measures. We must not repeat the fatal error of Smoot-Hawley, an error that helped precipitate the Great Depression. The proffered cure of import quotas and restrictions on overseas investments could be disastrous. We must keep international trade channels open—remove restrictions, not impose new ones.

Only a tiny percentage of the 2 million persons who were put out of work last year lost their jobs because of foreign competition. But whatever the cause, we must do something to help these unfortunate people over the difficult transition period of retraining for a new job and possible transfer to a new locality. Ideally, we should do something to help all displaced workers, no matter what the source of their unemployment. However, sometimes we have no choice but to approach problems piecemeal. Because our past trade adjustment assistance program has proved of little help to workers who have sorely needed that help, I would like to discuss today a new, effective program that could aid workers and at the same time alleviate pressures for restrictive trade measures.

Let me trace briefly the origins of the current system of trade adjustment assistance and the reasons for labor's disenchantment with it. In the Trade Expansion Act of 1962 the President sought authority to reduce tariffs by as much as 50 percent. Adjustment assistance provisions were offered as a conciliatory measure to labor but were so hedged with restrictions as to prove virtually useless. The Ways and Means Committee, in reporting the bill, expressed the purpose of the adjustment assistance provisions for workers in this fashion:

> Their displacement will be the price of the national gain from expanded trade and in those cases where it would be inappropriate to assist these workers and their employers by increasing tariffs or otherwise restricting imports, they should be helped to adjust to the new international competition—to become able to enjoy its benefits themselves.

This was a praiseworthy objective, but the words proved empty ones.

A Department of Labor report on the adjustment assistance program for workers under the Trade Expansion Act points out that there has been "tacit acceptance by organized labor that adjustment assistance was a chimera and the requirements of the law could not be satisfied." As Frank V. Fowlkes pointed out in the October 9 edition of the National Journal—

> Workers and firms, who were reluctant to accept the assistance program as a substitute for protection to start with, have been frustrated by delay, red tape and rejection.

From the passage of the act in October 1962 until November 1969, the Tariff Commission denied every petition submitted to it by workers, firms, and industries. Only after the Automotive Products Trade Act of 1965 had shown that adjustment assistance was practicable, did the adjustment assistance program under the Trade Expansion Act begin to function at all.

Under this act, an affected firm, industry or group of workers has to show to the Tariff Commission's satisfaction that: first, an increase in imports has resulted from a trade agreement concession granted by the United States and, second, that this increase in imports is the major cause of the injury suffered. An affirmative finding on the part of the Tariff Commission provides the basis for Presidential action. The President, in turn, authorizes the petitioning of firms and industries to apply to the Secretary of Commerce, and the petitioning of groups of workers to the Secretary of Labor, for assistance.

Such assistance under the 1962 act is further restricted by the requirement that the worker must have been employed for from 1½ to 3 years prior to separation. Payments are 65 percent of the average weekly wage, or of the average weekly manufacturing wage, whichever is less. Benefits continue for a year after separation, or for an additional half year if the worker is undergoing training. Because the process is lengthy and unwieldy, in the few cases where such assistance has been granted, it has generally been retroactive, paid in a lump sum, long after the adjustment has been completed. Retraining for all practical purposes has been lost in the shuffle; actually it should be the prime focus of the whole thing since an "adjustment" to the changed economic situation is the objective.

The Automotive Products Trade Act of 1965, which provided assistance to workers who lost jobs because of the United States-Canada auto agreement, eased the criteria of eligibility. Petitioners no longer had to show that the changed trade situation had been the major cause of their displacement, but only a primary cause. They could also qualify for assistance if injury had occurred because of declining production for export. Under this act the Tariff Commission was relegated to the status of a factfinding body, and determination of eligibility rested with the President.

Under the Automotive Trade Products Act, 21 workers' petitions were filed for adjustment assistance. Fourteen of these were granted, and some 2,000 workers received payments totaling more than $4 million, of which, however, only $61,000 went for retraining. This act expired in 1968.

It was not until November 1969 that the very first petition for adjustment assistance under the Trade Expansion Act of 1962 was acceded to by the Tariff Commission, 7 years after enactment of the legislation. Small wonder that labor has lost faith in a program of trade adjustment assistance. From November 1969 to March 1971 of 66 petitions for assistance filed by groups of workers, the four-man Tariff Commission found evidence of injury in 16 cases. It divided evenly on 20 cases, and it found no injury in nine cases. The President found in favor of the workers in the 20 tied decisions. Thus, 29 out of the 66 groups of workers who have applied have been certified eligible for assistance.

A 30th favorable decision was reached this January when the President decided to permit firms and workers in the marble and travertine industry to apply for trade adjustment assistance. One of these firms is the Vetter Stone Co. of Kasota, Minn. The determination in this case was, wisely, not to increase tariffs on finished marble and travertine, but to seek the elimination of tariffs on all unfinished and some semifinished marble and travertine imports. This move will lower costs for domestic producers and let them adjust genuinely by competing more successfully against foreign bidders. U.S. employment in producing finished marble products will probably thus be increased.

My distinguished colleague, the gentleman from Wisconsin (Mr. ASPIN) and I have introduced the Workers Readjustment Assistance Amendments of 1972—H.R. 13854—which would improve the machinery of granting assistance and make such assistance easier to obtain. This bill would make the following changes in the current program:

First, new machinery would be set up to administer the program. Twelve regional councils would replace the unresponsive Tariff Commission. The Secretary of Labor would appoint to each council three members from labor, three from industry, and three from the public sector. These councils would determine the eligibility of workers for assistance.

Second, workers would have to show that unemployment or underemployment had been brought on by an appreciable increase in imports or by an appreciable decline in production for export. Under current law an increase in imports has to be shown to be the major cause of injury.

Third, the requirement that the increase in imports causing injury must arise from a trade concession would be dropped.

Fourth, the 1½- to 3-year employment requirement prior to separation would be shortened to 1 year. The existing provision discriminates unwisely against new labor force participants. They are the workers least protected by other means. They have no seniority and no claim to separation pay and are thus in the most need of assistance.

Fifth, payments would be increased to 100 percent of average weekly wages and would continue for 1 year, or a year and a half if the worker were undergoing retraining.

Sixth, relocation allowances would no longer be limited to heads of families. As the law now stands, it does not offer help

to youthful workers who may want to transfer away from a hopeless employment situation.

Corresponding legislation is also needed to speed up procedures and liberalize criteria for assistance to affected firms and industries.

I wish to emphasize, Mr. Speaker, that current economic troubles do not stem from foreign trade competition. International trade makes up only 8 percent of our gross national product. Moreover, recent studies have made a strong case that the number of jobs lost because of changes in exports and imports has been minimal—only 16,600 from 1970 to 1971—and that U.S. investment overseas has actually increased employment overall here at home. Five thousand of the 40,000 employees of the 3M Co., owe their jobs directly to international operations. Minneapolis Honeywell has had 5,000 jobs created in the United States because of exports, jobs that would not otherwise exist.

In the long run, our future prosperity and the peace of the world depend upon an enlightened system of multilateral, nondiscriminatory trade. In the short run, however, workers caught in the existing unfavorable situation should be helped. The right way to deal with legitimate grievances of domestic industries is through adjustment assistance, liberalized and speeded up to help when the help is needed—when workers are laid off and not many months later. Labor has been disillusioned too long by the assistance they have been unable to obtain under the Trade Expansion Act of 1962. We must show them that such assistance is possible, now.

Mr. CORMAN. Mr. Speaker, since 1962 the U.S. trade policy has been moving steadily away from the liberal trade approach which has characterized it since 1934. The Trade Expansion Act of 1962, which had overwhelming support in Congress, led to the Kennedy round of trade negotiations. Yet, since 1962, quantitative restrictions on imports, including "voluntary restraints" by foreign suppliers, has risen to the point that the liberalizing effect of tariff cuts in the Kennedy round has been reduced.

Several arguments have traditionally supported a liberal U.S. trade policy in the post World War II era:

By exchanging goods which we can produce most efficiently for goods which can be produced more efficiently by others we will improve our economic growth and national wealth.

Imports can help to alleviate the problem of inflation and can help to maintain necessary competitiveness among U.S. industries.

Consumers are given a wider choice of goods at lower prices.

Discrimination against the United States is reduced among foreign economic groups such as the Common Market and the European Free Trade Association, thus protecting our exports and acting as a disincentive for foreign investments by American firms.

On balance, free trade creates jobs in this country by the need for more labor to produce exported goods.

It is apparent now that if no action is taken to reverse the present momentum on trade restrictions, we can only look toward further erosion of our traditional freer trade policies. We need to explore the possibilities of stemming such erosion.

On February 11, this year, the U.S. trade negotiators, principally the Secretary of Commerce and his advisers, and representatives of the Common Market Community, stated jointly that multilateral discussions would start early in 1973 with the aim of erasing existing barriers to trade, particularly the nontariff trade barriers. Canada and Australia have already indicated that they are eager to join such discussions in the light of their peculiar Empire preference, as these were affected when Britain joined the Common Market. The United States is now actively seeking the support of other major trading countries for such a trade conference.

During the last few weeks the urgent problem of our trade deficit has been discussed here at length because of the drastic "quota" law that has been introduced to minimize the harmful effects of excessive imports of like or competitive products.

It is evident, however, that the whole question of protectionism has arisen due to the fact that certain basic industries have had to contend with excessive imports, not only undercutting U.S. prices but also causing widespread layoffs and closing of plants. This has led to strong statements that only a "quota" law could be the remedy against such injurious imports.

But such protectionism is not the answer. There are constructive alternatives. My colleague, the Honorable SAM GIBBONS, has taken the lead in stating that freer trade has benefits for all and that restricting our import trade not only will upset the U.S. traditional free trade philosophy but will invite retaliation from our trading partners. Not only will such restrictive action reduce consumer choice of available articles, but it will undoubtedly raise the prices of domestically produced goods. A hard and fast proposal to restrict imports is just not the answer.

I wish to associate myself with the views of Mr. GIBBONS that there are constructive alternatives to protectionism. I believe that the American consumer should have the final say as to his choices. It is up to us to help prevent the protectionists from building a fence around the American market. While there is certainly a need to protect U.S. commerce from unreasonable import restrictions or other policies which discriminate against U.S. trade, a viable case cannot be made that restricting imports would really protect the jobs of American workers. I am optimistic that with devaluation, removal of trade barriers, additional export expansion incentives, wider participation in export drives and governmental credit and insurance programs, we will be able to generate at least 750,000 new jobs in foreign trade in the near future. And none of these programs is restrictive of imports.

The proponents of "protectionism" may say that this is an optimistic appraisal. But, according to the Bureau of Labor Statistics, using 1969 figures, about 2.6 million jobs could be attributed to the $37.5 billion of exports of merchandise in that year. Thus each $1 billion of exports generated 69,000 jobs. To this total one could actually add another 69,000 supporting jobs in related industries. In 1971, the estimate is that about 66,000 jobs are generated for each $1 billion worth of exports. It seems obvious that the more we push the export trade, the more our employment will rise.

In the aggregate, export employment accounts for about 4 percent of total private employment. But actually, in some important sections of the country, the employment ratio is far higher. In agriculture it is 9 percent, in manufacturing 7 percent, in construction machinery it rises to 27 percent, engines and turbines 15 percent, office and computing machines 13 percent, and aircraft 14 percent.

On the other hand, it is far more difficult to estimate the domestic employment related to imports, because we assume theoretically that these imports were produced in this country. Naturally, imports may be absolutely necessary to our manufacturing industries. Here, using BLS figures, it was estimated that in 1969 approximately 2.4 million people were engaged in import and related activities.

I would also like to stress another factor which is often minimized, namely that by introducing added competition, imports may encourage more efficient and cheaper domestic production.

All in all, higher imports into the United States during the last few years represent a transitional problem in our economy. With realinement of our national resources, with a wider assistance program to those individual companies that are in difficulties due to various causes, and above all, with a concerted effort by our thousands of smaller companies that have not yet even tried to sell in foreign markets, we can stabilize our international trade in such a way that our exports can show a growing surplus, our consumers get the best prices on goods, and our overseas trading partners will continue their long-established associations with us.

In any discussion of the U.S. free trade concept, one other factor concerns me deeply—and that is that our liberal trade policies since World War II have been in a large sense an important component in our foreign policy. Our exports were essential to the reconstruction of Japan and Europe and an essential corollary to the Marshall plan and to our later technical assistance programs to developing countries. It is evident that our trade policies have, and will continue to have, a strong impact on the overall foreign policy of the United States. If we permit our trade programs to become protectionist, we turn our back on the world. We then begin the road back to the isolationist policies of the earlier years in this century, and thus lose our influence in being an effective force for world peace.

Beyond the consumer who is helped through importation of certain goods; beyond the creation of jobs a nonrestrictive trade policy would provide; beyond the prospective increase in our gross national product and additions to our national wealth, this country's role

in the keeping of world peace—often minimized—is reason enough why this country must clearly continue to follow the road of a liberal trade policy.

Mr. UDALL. Mr. Speaker, I want to congratulate the gentleman from Florida (Mr. GIBBONS) for initiating this educational series of discussions on the Nation's trade policies. Few subjects are so important and so dimly understood.

The relative merits of free trade policies and protectionism have provided this country with one of its most persistent debates. Yet all too infrequently has that debate emerged from academia and officialdom and entered the world of those most affected by the outcome—consumers.

Such an unusual public debate on the trade issue was sparked 3 years ago in Arizona when the Agriculture Department—bowing to the pressures of domestic growers—issued a marketing order severely limiting the import of Mexican tomatoes into my home State. My investigation of that incident led me to write an essay which has bearing on current arguments being made for and against protectionist legislation.

The essay follows:

PROTECTIONISM VERSUS FREE TRADE: THE GREAT TOMATO RHUBARB AND OTHER WAR STORIES

"The United States reached a turning point in its life as a nation when Congress overwhelmingly approved the Trade Expansion Act. By its action, Congress rejected economic isolationism and the status of a second-rate economic power for the U.S. It accepted the challenges of competing at home and abroad with the world's toughest competitors. It accepted the responsibilities of Western leadership." Columnist Sylvia Porter in the 1963 World Book Year Book.

This congressman and the Department of Agriculture are locked in a struggle right now—a struggle which may be just an opening round in a broad new war between domestic producers and consumers. Historically this is a kind of war in which consumers finish last.

At issue at the moment is a new order, printed in the Federal Register January 4, which sets new and higher standards for tomatoes sold in interstate commerce. Behind it is an attempt by tomato growers in Florida to reduce competition from tomato growers on the West Coast of Mexico. Since the Mexican tomatoes are generally vine-ripened, whereas Florida tomatoes are shipped green, a careful writing of the new regulation has had the effect of keeping a substantial portion of the Mexican product off the U.S. market. The Department of Agriculture acknowledges its new marketing order, drafted by the Florida Tomato Committee, will cut Mexican tomato shipments by 20%. Growers and shippers say it will be somewhere between 30 and 50%.

Since U.S. imports through Nogales have made it one of the principal points of entry for this Mexican produce, this restriction can have dire effects on many of my constituents, on the economy of Santa Cruz County and—perhaps most importantly—on U.S. relations with Mexico, our important neighbor to the South.

What's more, this kind of import restriction—and let's call it exactly what it is—can result in the adoption of similar protectionist or retaliatory measures by other nations. In the case of Mexico this could mean the loss of many more U.S. jobs than would be gained for agricultural workers in Florida. The reason: we sell far more goods to Mexico than Mexico sells to us. In 1967 we sold Mexico $1.2 billion in goods while spending $749 million on Mexican imports; this has been the consistent pattern for years. Some Mexican officials are already talking about retaliating by buying farm machinery in Europe rather than the United States.

The angry reactions of my Nogales constituents and others to this new trade barrier recall the protests of 3½ years ago when the United States reduced the amount of liquor which could be brought back, duty free, from other countries. Our neighbors in Nogales, Sonora, are still reeling from that blow engineered by bourbon distillers in Louisville, Kentucky, and other centers of domestic liquor production.

Tomatoes and liquor—these are but two small items in a growing debate over foreign trade policy in this country. Already we have seen major efforts mounted in Congress to restrict imports of steel, textiles, meat, dairy products and numerous other commodities claiming a need for protection from foreign competition. Arizona is involved in many direct and indirect ways. Some examples which cross my desk:

A Cochise County rancher, resenting the import of Australian beef which, he says, competes with American-grown beef and drives down the price, demands a lowering of beef import quotas.

A pack bag manufacturer who does part of his manufacturing in Arizona and part in Mexico protests U.S. textile import quotas which limit the number of finished pack bags he can bring back into this country.

A stockholder in U.S. Steel writes me to do something about the increasing imports of German and Japanese steel, which he believes will cut into sales of American steel products.

An Arizona firm seeks help from this same congressman in nailing down a $750 million contract to supply iron ore pellets to the Japanese steel industry and, simultaneously, asks the U.S. government to prohibit an American group from investing money in Australia for development of iron ore to supply the same Japanese market.

Arizona cotton growers, enraged by President Nasser's false charges against our country during the Middle East War, ask me to cosponsor a bill denying cotton import quotas to nations having severed diplomatic relations with us—namely Egypt and the Sudan. I cosponsor such a bill. It passes but is vetoed.

Arizona's industrial development leaders urge manufacturers to establish "twin plants" along the Mexican border, employing Arizona labor for a part of the production, cheaper Mexican labor for the remainder. They see this form of enterprise as a great boon to Arizona's industrial growth and as the answer to competition from countries having significantly lower labor costs, such as Taiwan and Japan.

An Arizona newspaper tells the story of a plant in Flagstaff which was forced to shut down because it couldn't pay the federal minimum wage of $1.60 an hour. Out of work: 33 Navajo Indians. The explanation: competition from Taiwan and Mexico.

Who can say where the answer lies? Would Arizona be helped by import restrictions—on both beef and tomatoes? Would we be better off with free trade, to encourage "twin plants," or limited trade, to help foster Indian employment in Flagstaff? Is it better to permit beef imports which make hamburger cheaper for Arizona housewives, or to restrict them for the benefit of Arizona cattlemen? These are complex questions which have no simple answers. But I think it's important to realize that, just as we see import restrictions from many points of view in Arizona, people in other states also have their special problems and their special, and often conflicting, points of view. Since this is one nation, and not 50, the job of the President and the Congress is to arrive at policies which are of greatest benefit to the nation as a whole. And as a congressman I see my job as striving for a delicate balance between contending interests in my district and between the interests of my district and of the nation as a whole.

For Arizona and the nation one must ask: where will all this lead? What are the implications of protectionism and of free trade for our economy, for domestic wage levels, employment and unemployment, the stability of the dollar and our role in world affairs?

ARGUMENTS FOR TRADE RESTRICTIONS

One of the most outspoken opponents of free trade in this country is O. R. Strackbein, chairman of the Nation-Wide Committee on Import-Export Policy. He sees the U.S. economy as terribly weak and shaky, unable to meet the challenge of competition from abroad. To those who might have imagined that competition was the great strength of our economic system his words may come as something of a shock. Here is what he wrote in a statement which just crossed my desk:

"The competitive weakness of this country makes our economy stand like an island plateau against the pounding waves and tidal flows that beset it from all sides. The natural sequence will be a leveling process that will continue, unless it is halted, until we are level with the sea."

Those who view our position in this light argue that the lower wages paid in other countries inevitably will result in a drop in the production and sales of the same commodities and products turned out in this country. In the end, as they see it, our standard of living will be reduced or our industries will wither and die.

To these people the "reciprocal trade" concept introduced by President Roosevelt in the 1930s was a terrible mistake, and the Trade Expansion Act of 1962 was a disaster. The latter set the stage for negotiations, just completed last year, to reduce the tariffs we assess incoming products and pay to ship our products into other countries. Prompted by the severe competition of the European Common Market, that act—which, as your congressman, I supported—gave authority to the President to reduce existing tariffs by 50% in exchange for concessions from other nations, and to eliminate tariffs on those products where the United States and Common Market countries dominated world trade. As a result of the so-called Kennedy Round of negotiations many of those decisions are now history, and others are awaiting congressional action on what is known as the American Selling Price (basically, a "temporary," "infant-industry" protective tariff established for benzenoid chemicals after World War I and left untouched to this day).

Without doubt tariffs are the most effective device for stopping imports. But this tactic is no longer available for most commodities. Protectionists are now turning to non-tariff barriers especially import quotas. The import quota says to Japan, for example: we won't tax the steel you ship in, but we'll limit your imports to so many million tons per year. The size regulation on Mexican tomatoes is another form of non-tariff barrier. The effect is the same—to lessen competition and prop up domestic prices. Through pressure on Congress to enact such quotas industry groups hope to do indirectly what they can't do directly through tariffs. Presumably domestic producers benefit, but domestic consumers pay more for what they buy.

As the protectionists see the situation, any gain realized by consumers in the form of lower-priced goods can only be a short-term advantage because ultimately their own income and jobs will suffer. Scratch a consumer, they say, and you'll find someone whose income is derived from U.S. production. Anything that threatens U.S. produc-

tion of any commodity or product threatens U.S. consumers, too.

Mr. Strackbein states this case very clearly. In answer to those who say we can meet the threat of foreign competition through cost-reduction and modernization of plant facilities he says:

"Also, no one should deceive himself that significant cost-reduction is a mild operation. In terms of employment it is harsh and drastic. We have a classic example in coal mining. In the mid-'fifties this industry was moribund because of encroaching competition from diesel oil, natural gas and imported residual fuel oil. The only hope of survival lay in cost reduction. The objective was indeed accomplished by the introduction of machinery that supplanted men in a gargantuan ratio. The coal industry saved itself but the cost in coal miners' jobs was two out of every three. Employment dropped at a dizzying rate, falling from 480,000 to 140,000 or less in fifteen years. The problem known as Appalachia was a direct result. The cost of relief and inhuman misery was 'unthinkable' and had it been appreciated ahead of time, would no doubt have been avoided as intolerable."

In other words, he believes we should not have modernized the coal industry, not made it competitive with coal production in other countries, but rather subsidized the coal industry in order that it could continue to employ 340,000 men it no longer needed. The implications of this philosphy for an economy that prides itself on its efficiency and competitiveness are rather startling if you think about them.

Significantly, I think, this is not the position of most American industries, of the U.S. Chamber of Commerce or the American Farm Bureau Federation. However, it is the position of many segments of the economy insofar as their own industries are concerned. In other words, many of these groups favor the principle of free trade—but not for their industry. They're happy to lower or eliminate trade barriers on everything else, but they see a desperate need to restrict the import of German bicycles or Swiss watches or English shoes. It's like being against all Federal spending except that in your own state. And it is from the special appeals of many such segments in our economy that the campaign for new trade restrictions has taken shape. The danger is that, acting out of concern for their own special problems, these industry groups, combined, might succeed in turning back the clock in our country's trade relations.

Turning back the clock could mean a return to the protectionist days of the Smoot-Hawley Tariff of 1930. That act, a reaction to the stock market crash of 1929, not only shut off imports but reduced our exports—through reprisals—to a mere trickle. Coming at the very start of the depression that rash act robbed us of hundreds of thousands of jobs just when the economy was least able to handle such a loss.

ARGUMENTS AGAINST RESTRICTIONS

Ever since the mercantile days of Adam Smith and his *Wealth of Nations* in 1776 there has been one matter on which nearly all economists have agreed: that nations benefit from free trade and are harmed by high tariffs. Yet protectionism remained for nearly 200 years as the prevailing rule in world trade. Only in the years since World War II have we seen any significant departure from this pattern. The big breakthrough, of course, was the tariff-lowering arrangement known as the European Economic Community, or Common Market. The huge advantages accorded members of the Common Market in trade among themselves made it a virtual necessity that the United States take steps to improve its competitive position; the Trade Expansion Act of 1962 was the result.

Old ideas don't die quickly, however, and we're now seeing a reaction set in. The old protectionist arguments are being paraded anew, and I think it's important that we weigh the counter arguments:

Trade that is essentially free increases each trading nation's standard of living. This is so because goods tend to be produced by the most efficient producers in each country. For any given level of manpower a greater supply of goods and services can be made available for the enjoyment of the people that would be the case if inefficient producers were kept in business through trade barriers.

Protectionist fears arise from a totally impossible eventuality—a situation in which a nation would import vastly more goods than it sold abroad. But, basically, goods are paid for with other goods; goods are the currency of international commerce. Increased imports ultimately require increased exports, and vice versa. Commerce is impossible without something close to a balance between the two. Thus, the number of jobs lost through imports will always be balanced in the main by the jobs gained through exports.

Unrestricted trade increases the real income of workers in trading nations. First, through the pressures of competition it forces each nation to strive for its greatest efficiency, to produce those goods which it can turn out at the greatest economic advantage to itself; thus, there is a need to get the greatest production out of each worker, and through this heightened efficiency there are the means to increase wages. Secondly, the availability of less-expensive goods (take, for example, the superb Japanese cameras you can buy today at really modest prices) makes the income of workers go farther than ever before.

The ready availability of imports serves as a check against inflation. When demand outstrips supply, the normal result is an increase in prices, often detrimental to producer and consumer alike. The importation of goods from abroad (provided they're not blocked by tariffs or quotas) can avoid such inflationary situations. And, of course, the steady competition from foreign goods will force our economy to reduce costs and hold down prices, thereby relieving the pressures of inflation.

From the foregoing you may sense that I am a "free trader." I tend to be, as does President Nixon. However, I believe every situation relating to our trade with foreign countries deserves careful analysis: I'm willing to acknowledge that an occasional justification can be made for temporary restrictions on the import of certain goods. The maintenance of industries capable of meeting our needs in time of war (when foreign sources may be cut off), the encouragement of new industries having the potential for real competitiveness at a later date—situations of this kind make sweeping generalities hazardous and broad principles subject to occasional exceptions. And that's why Congress will spend so much time this year talking about the problems of so many segments of our economy—about dairy products, textiles, steel and all the rest.

HOW STRONG IS OUR ECONOMY?

Behind the drive for new trade restrictions is the fear that our economy can't stand the test of international competition, as Mr. Strackbein so dramatically stated. Let's take a look at this economy which is so weak and fragile:

Between 1959 and 1967 steel imports rose by 7 million tons. But in the same period U.S. steel production rose by 34 million tons and employment in the steel industry increased by 24,000 jobs.

In 1960 the per capita, after-tax, spendable income of the U.S. population was $1,883 expressed in terms of 1958 dollars. On the same basis per capita, after-tax income is now $2,473—a gain of close to $600 in just eight years.

In 1960 we had total civilian employment of 66 million. Today we have 76 million jobs—a gain of 10 million jobs in eight years.

In 1960 we had 3.8 million unemployed. Today, after adding 20 million people to our population, we have only 2.8 million unemployed. Our unemployment rate of 3.6% is among the lowest in the world. Some even argue that it's too low.

In 1960 our total national product in durable goods was worth $81 billion, expressed in 1958 dollars. In 1968 our durable goods production had risen to $124 billion—a gain of 53% in eight years.

In 1960 our total product of non-durable goods was $60 billion. Last year it stood at $82 billion—a gain of 37% in eight years.

Our Gross National Product in 1960 was $503 billion, compared to $861 billion in 1968. Expressed in 1958 dollars, the 1960 total was $487 billion, the 1968 total $707 billion—a gain of $220 billion. That gain, discounting the effect of inflation, is equivalent to the total 1960 national product of the entire Common Market—Belgium, France, Germany, Italy, Luxembourg and the Netherlands—plus Austria, Denmark, Norway, Portugal, Sweden and Switzerland. That's not our total product—that's just what we added in eight years.

I should think that anyone, reading these figures, would see in them signs of a very healthy, strong and competitive economy. These are not products of protectionism; they're the result of increasingly free trade, marked by declining trade barriers through this eight-year period. To see this economy as one about to be leveled by intenational competition is, in my judgment, like seeing the New York Jets last month as a team on the verge of collapse.

BUT WHAT HAPPENED TO OUR TRADE SURPLUS?

Some of the fuel for this year's trade debate will come from recent statistics showing a sharp drop in our traditional foreign trade surplus last year. Here are some quick figures:

1959: Exports, $16.4 billion; imports, $15.6 billion; surplus, $.8 billion.

1960: Exports, $19.6 billion; imports $15 billion; surplus, $4.6 billion.

1967: Exports, $30.9 billion; imports, $26.8 billion; surplus, $4.1 billion.

1968: Exports, $33.8 billion; imports, $33.1 billion; surplus, $.7 billion.

The 1968 surplus was actually $726 million, a drop from the expected $1 billion surplus. Protectionists undoubtedly will see this as the beginning of the end unless the dike is plugged fast.

Just as one game doesn't make a season, one year doesn't make a trend. The Commerce Department attributes the 1968 decline to strikes and strike-threat situations in steel, copper, and aluminum, and to a boom in the domestic economy making possible the purchase by consumers of more foreign luxury goods, especially automobiles, and including "American" cars made in Canada. Imports represented 3.8% of our Gross National Product, compared to 3% in recent years—still a very modest figure.

It is also helpful to note that our trade surplus in 1959 was just $789 million, yet a year later it had bounced back to $4.6 billion. In any case, most economists consider it important only that there be a reasonable balance between exports and imports; there is not great advantage to big surpluses. In fact, any surplus means some other country or countries will have a deficit—and thus a net loss of jobs. It's unreasonable, in their view, to insist that the United States *always* have a surplus and its trading partners, taken as a block *always* have a deficit.

OTHER TROUBLESOME QUESTIONS

Even though every U.S. President since Franklin D. Roosevelt has favored tariff reduction, and even though that has been the policy of this country since passage of the Reciprocal Trade Agreement Act of 1934, protectionists still argue that free trade will re-

duce our wages, working conditions, living standards and profits to the levels of our poorest trading partners. Countering these arguments is not easy because international trade is such a poorly-understood subject. These are some of the questions raised:

1. It's immoral to buy goods from nations with substandard wages. We ought to use trade as a weapon to force other countries to raise wage levels.

2. Cheap foreign labor will produce unemployment in this country. Charity begins at home.

3. High wages in this country, held up in part by the minimum wage laws, make it impossible for us to compete with cheap-labor countries.

Trade advocates see little merit in these arguments. They answer:

1. Since the world's resources aren't distributed evenly, trade is an absolute necessity, not only within the borders of individual countries, but between countries. How else could non-agricultural countries survive? How would a one-crop economy, producing only coffee, or rubber, feed its people? History shows that the more nations engage in trade, the higher are their standards of living. Without trade they couldn't possibly advance. Higher wages cannot come from production for which a country is not suited.

2. As long as exports and imports are essentially in balance, as many jobs are gained as lost. If exports are in surplus, as they traditionally have been for the United States, there will be a net gain in employment.

3. How could there be exports at all if lower wages always gave the foreigner an advantage? The truth is that lower cost, not lower wages, determines competitiveness, efficiency, availability of resources and other factors are often far more important than wages in determining prices.

F. W. Taussig, a Harvard economist, answered these arguments some years ago when he wrote:

"In the United States by far the most common and most effective argument in favor or protection is that it makes wages high or enables wages to be high. With many persons it is an accepted article of faith that American wages can be kept high, and the American standard of living can be maintained, only if there is protection against the goods made by the cheaper labor of other countries . . . This fear of universal leveling rests on ignorance or misunderstanding of the causes that lead to the differences between countries in money wages, in prices, in general prosperity . . . None put forward in favor of protection are more specious and widely held, none are more fallacious."

THINGS TO WATCH FOR

As the new Nixon Administration gets to work on the many problems facing this country you may want to watch for indications of the President's position on some of these foreign trade issues. Here are the major ones:

Tariff-cutting authority under the Trade Expansion Act of 1962 expired June 30, 1968. President Nixon may ask for an extension of that authority permitting him to take new initiatives in reducing tariffs.

Congress last year failed to act on President Johnson's proposal to eliminate the so-called American Selling Price system, a post-World War I tariff which gives special "infant industry" protection to our giant chemical industry. The Johnson Administration agreed to seek repeal of the ASP in exchange for tariff concessions by other countries. President Nixon may or may not abide by that commitment; if he does, he may face difficulties from congressmen and senators having large chemical plants in their states.

During the campaign President Nixon said he had sympathy with some of the temporary measures proposed to prevent excessive imports of such products as textiles and steel. However, he said last week he opposes import quotas. It will be interesting to see how he responds to mounting pressures from industries seeking such relief.

YOUR THOUGHTS ARE WELCOME

In this report I have tried to present as complete a picture as possible of the foreign trade debate that is shaping up in Congress this year. I have tried to depict for you the kind of situation I face as your congressman—a situation in which I must represent both producers and consumers, both those who seek import restrictions and those who stand to benefit from the free flow of foreign imports of various kinds. I intend to keep trying to do the best job I can of representing all of you.

As I indicated at the outset, producers tend to carry more weight in these debates than consumers. I expect that will continue to be true, not because it's right but because producers of steel, textiles, chemicals—and Florida tomatoes—are better organized and can bring greater pressure to bear on the decisions of government. As a consumer and/or producer you can sit back and watch as the show begins, or you can become part of it. I'll welcome your views.

MORRIS K. UDALL.

Mr. SYMINGTON. Mr. Speaker, I would like to add my voice to those here today calling for us to seek alternatives to protectionism as a solution to our trade problems. Not only does construction of protectionist barriers to foreign trade invite retaliation through enactment of similar measures by our trading partners abroad, but it would seriously undermine the international cooperative efforts to alleviate the crisis in the international monetary system attempted at the Smithsonian in December.

Many words have recently been spoken against the protectionist forces at work among us. Erza Solomon, a member of the Council of Economic Advisers, in remarks made before the American Management Association in February, attacked the notion that "severe protective moves will create jobs." Mr. Solomon noted that the very jobs which our exports created will be eliminated when we stop importing. Further, Mr. Solomon states that the protectionists ignore that fact that "the average job created by shutting off imports is far less economically productive than the average job lost by an evaporation of export markets."

Mr. Solomon maintains that—

The best argument against this line of reasoning is a letter written 150 years ago by a French economist. He wrote in behalf of the fictitious Candlemaker's Society of Paris appealing to the French Government to board up all windows, because the light from the sun, available too cheaply, was competing unfairly with the employment of poor hard-working candlemakers who would otherwise be enjoying a boom in the manufacture of their products. He even pursued the argument further, if only the windows could be boarded up, then the large boom in candlemaking would spread its benefits over the rest of society when the people employed spent their wages and profits buying goods and services from the rest of France.

Clearly the answer for the U.S. is not in that direction but rather in the opposite one. As other nations master the art of producing the older products like textiles (200 years old), steel (100 years old), and cars (60 years ago), it is up to the more technologically advanced societies like the U.S. to create new markets in new products that embody new technologies. We have played this game very successfully for 80 years and there is no reason whatever to believe that we need to be less successful at it in the decades ahead.

Another interesting speech encouraging the United States to seek alternatives to protectionism to improve our balance of trade was delivered recently before the 12th Annual Conference of the Containerization Institute by Robert M. Norris; Mr. Norris is the president of the National Foreign Trade Council. It is his conviction that we should try to improve our trade situation, not by withdrawing behind protectionist barriers, but by facing the realities of import quotas, exchange controls, administrative restrictions and other obstacles to trade and seeking their removal through international agreements for reciprocal reduction of non-tariff barriers. I would like to submit the major portion of Mr. Norris' speech for the RECORD:

A MAJOR PORTION OF THE REMARKS PREPARED FOR DELIVERY BY ROBERT M. NORRIS, PRESIDENT, NATIONAL FOREIGN TRADE COUNCIL, BEFORE THE TWELFTH ANNUAL CONFERENCE OF THE CONTAINERIZATION INSTITUTE, MARCH 14, 1972.

Before we can think about realism in world business, it seems to me important to first think about our foreign economic policy. For nearly 40 years, United States foreign economic policy has been founded upon expanding U.S. international trade and investment. Just as recently as February 9, President Nixon, in his report to Congress on U.S. Foreign Policy for the 1970's, stated:

"A retreat by any nation or group of nations into protectionism, or attempts to gain advantage over others by means of neo-mercantilist policies, will deal a severe blow to the international cooperation which underlies the strength and prosperity of all nations." In the same document, the President calls for "a general expansion of world trade including improved access for American products to foreign markets."

Foreign economic policy, to the extent possible, should be formulated for the longer run. Unfortunately, however, these policies become frustrated by five-alarm, short-term measures.

On the positive side, it seems to me that the New Economic Program provided a badly needed shock last August to the system of fixed exchange rates which had been the monetary mechanism for world trade since the Bretton Woods agreement of July 1944. The Smithsonian Accord reached last December 18th in Washington initiated a new transitional phase for the monetary system, averting the immediate threat of economic warfare. Exchange rates have stabilized within wider margins, so that foreign traders can do business with a greater degree of certainty. Nevertheless, there remains a massive "dollar overhang" of U.S. dollars in foreign hands, waiting to be repatriated. Following our almost incredible $30 billion balance of payments deficit last year on an official settlements basis, the dollar holdings of foreign central banks have shot up to more than $29 billion, and this, plus other foreign holdings, have brought the total dollar "overhang" to more than $50 billion.

We must not be impatient about the reflow of dollars which are held abroad. The enactment of the Administration's gold bill, increasing the official dollar price of gold by eight and a half per cent, should do much to help. But until this takes place, there can be some continued uncertainty about monetary developments. The dollar is not yet out of the woods—or should I say Bretton Woods.

In any event, for the short-term at least, American traders now have the advantage

of a general upward realignment of foreign currencies, averaging around seven per cent, thus making American products more competitive. Actually, calculations of the average appreciation of the currencies of our major trading partners (except Canada) indicate a greater advantage of 10 to 12 per cent for the dollar.

We in the Council welcome the realistic realignment of exchange rates as an interim step toward a truly workable international monetary system. We believe that a foremost imperative for world economic progress is to resolve disparities which had developed in the functioning of the Bretton Woods system.

Another fact of life in the real world of international business is the significant number and variety of non-tariff barriers still obstructing commerce in the aftermath of the tariff cuts negotiated at Geneva under the Kennedy Round and completed at the start of this year. Some say it is time for a Nixon Round of negotiations aimed at removal of non-tariff barriers. Others say there will be no trade bill in Congress this year, which would authorize the United States to enter new trade talks, because of the fear that it would be saddled with protectionist amendments.

Pending new negotiations, world traders must face the reality of import quotas, exchange controls, administrative restrictions and other obstacles to trade. More than a thousand of these arbitrary barriers are said to be listed in a document compiled by the secretariat of the General Agreement on Tariffs and Trade.

We must continue to support stronger initiatives to achieve trade expansion through international agreements for the reciprocal reduction or removal of non-tariff barriers. These negotiations must call for sound bargaining based on the principle of enlightened national interest, promising real advantage for expanding markets for U.S. products, with the interest and well-being of agriculture as well as industry fully comprehended.

Negotiations with the European Economic Community thus assume particular importance. The coming expansion of the Common Market raises serious questions for United States traders. Will the enlarged Market maintain its wall against American farm exports? Will it keep up its preferential arrangements with African countries? We should call for a phasing out of discriminatory trading arrangements and would hope instead for progress in trade liberalization on the most-favored nation basis. The conditions for world trade must be based on equity and reciprocity.

We can no longer rest assured that we enjoy a monopoly on all advanced technology or on production techniques or even managerial skills and know-how. Our trading partners abroad challenge us for markets in Latin America, Africa, Asia and even in our own backyard.

Indeed, our shares of markets have been declining in the face of this competition. World exports last year are estimated to have amounted to $343 billion, of which the United States exported $43 billion, or 12.6 per cent of the total. Ten years ago the world total was $134 billion, of which the United States had a 16.7 per cent share.

Last year the United States had its first trade deficit since fiscal year 1893, amounting to more than $2 billion. Even taking into consideration the boost for American competitiveness provided by the New Economic Program, it must be recognized that some time will elapse before any substantial improvement in our trade balance will be realized. Realistically, a trade deficit estimated at about $1 billion for 1972 would probably be in the ballpark. Another significant balance of payments deficit is clearly in the offing. However, we should look for an improvement in our balance of payments as well as the beginning of a buildup in our trade surplus in 1973.

We are still the world's leading exporter and importer, and I know that—competition or no competition—we intend to keep it that way. You gentlemen, who are on the firing line of world trade, know better than any that America can compete.

But today there is a clear negative reality; namely, the threat to the future growth of our foreign markets in the form of legislation which would have a disastrous effect on America's international companies and the U.S. economy. I refer to the Burke-Hartke bill, entitled "Foreign Trade and Investment Act of 1972," which in its restrictive and protectionist trade aspects, could be more damaging to America's real economic interests than was the Hawley-Smoot Tariff Act of 1930. This legislation would create a new agency to impose quotas on imports of certain goods, would establish controls on the transfers of both capital and technology, and would increase taxation on foreign source income primarily by doing away with the long-established credit allowed for foreign taxes paid and making immediately taxable all foreign earnings even though not remitted as dividends.

Much has been said and written about this proposed legislation. Much will continue to be said and written. In November of last year we in the Council published a document on this subject as a result of a survey of our membership entitled, "The Impact of U.S. Foreign Direct Investment on U.S. Employment and Trade." If I were to make just one point today, the enactment of the Burke-Hartke bill would achieve effects just the opposite of those intended by the proponents of the bill. Instead of saving jobs for American workers, it would cost jobs of American workers. Instead of helping exports, it would curtail exports.

One can readily understand the emotional basis for legislation of this type. When Americans are out of work, the instinct is to pass a law, or do something drastic so they can go back to work. But this bill is self-defeating. It assumes that management is more interested in creating foreign jobs than in creating jobs at home. That is just not so.

The basic problem of maintaining full employment and an equitable bearing of the burden of adjustment to changes in industrial production and trade patterns must not rely on restrictive measures as proposed in the Burke-Hartke bill, but should rely on expansionist approaches which would increase the contributions of international companies to our balance of payments and which would increase the level of employment in the United States and internationally. It is one of today's realities that United States growth is tied directly to world economic growth and cannot be increased at the cost of growth elsewhere.

It is my hope that labor organizations who seem to be campaigning so actively for the Burke-Hartke bill will begin to appreciate the true economics of what they propose before it is too late. Nobody wants a return to the Hawley-Smoot era or to the Depression and the shrinkage of world trade which came with it.

To try to reach full employment through restrictive measures aimed at cutting off imports, slowing the flow of technology and prohibiting foreign direct investment is to multiply several fold the effects of the "beggar-thy-neighbor" policies of the 1930's. Rather, we should be pursuing policies which seek to solve the problems of industrial growth and change through expansion and not contraction or economic isolationism.

At the New York Economic Club dinner the other night, Secretary of Commerce Peter G. Peterson was asked how he assessed the political outlook for the Burke-Hartke legislation and whether the Administration planned to take an active role in working for its defeat. In referring to the economic climate which prevailed just before the New Economic Policy was announced last August, Secretary Peterson said:

"In that environment, with high unemployment, I think I can say almost emphatically that the odds of your getting something like the Burke-Hartke bill, which I would consider a national disaster, were much higher than they are at the present time."

He went on to say "the Administration is doing everything it can to make its position clear—that the effects that are being discussed today are very understandable, they're very human and we must do something about the unemployment problem in this country—we've got to do more about the whole adjustment process—which is getting more serious, but to do it in a way that would close off America would not only have the most serious kinds of effect on our competitiveness on our productivity, indeed on our jobs, but in my view on the kind of world that it would become if this country were to close itself off, because we are entering a world where you cannot separate economics from politics."

Earlier I referred to the progress which you have all made in the effective use of containers. I would be remiss if I did not also commend progress that has been made in a corollary area, namely, that of documentation. The National Committee on International Trade Documentation has shown that our annual foreign trade amounts to 18 million shipments, export and import, and these shipments create more than 800 million documents which generate a total of more than six billion copies. The cost of documents is said to be about 7 per cent of the cost of the product. Much has been accomplished in the direction of the simplification of all this paperwork, notably the development of the United States Standard Master for International Trade, a format which will incorporate commercial forms with the Government Bill of Lading, Drawback Form, Export License and Customs Entry Forms.

Even greater progress in this partnership between government and business is again one of the realities of doing international business.

The Office of Facilitation of the Department of Transportation has provided leadership on the governmental side in the alignment of commercial and governmental documents; in achieving agreement with other shipping nations for an intermodal through Bill of Lading applicable to all surface cargo movements; in studies for a standard transportation commodity description and code system, a uniform system of marking and identification of containers, and other steps toward the development of coordinated transportation services in the intermodal environment which characterizes today's transportation industry.

All concerned agencies of Government are strongly bending their efforts toward helping American traders to expand sales abroad. For example, there is the Administration's legislation for the DISC. The Domestic International Sales Corporation is a means for achieving limited deferral of taxes on export sales income to thus make us more competitive internationally. Without going into the details of this new mechanism, I commend it to the attention of any exporter or potential exporter who has not already looked into

its possibilities. Besides the statutory departments of our government such as State, Treasury, Commerce and Agriculture, we have as partners with business of course the Export-Import Bank of the United States and such other agencies as the Foreign Credit Insurance Association and the Overseas Private Investment Corporation.

The National Export Expansion Council is another example of effective government-business partnership. This organization originated with a directive by President Eisenhower on March 17, 1960 which resulted in the creation of a National Export Expansion Committee of five members. Today, as the National Export Expansion Council, it is composed of some 80 business, labor and professional leaders. It is concerned with advising the Secretary of Commerce on overall coordination of the national export expansion program. The 19-member Executive Board provides planning and policy direction and develops recommendations on international business programs, working through five action committees, export finance, taxation, transportation, export promotion and trade and investment in developing countries.

In turn, the 42 Regional Export Expansion Councils, which coincide with the Department of Commerce field offices, are comprised of dedicated private businessmen and professionals who develop and implement practical programs to stimulate greater interest in exporting. They serve in an advisory capacity on a great variety of export trade matters to assist those who are already in and those who want to enter the export field. I urge everyone here to fully utilize and take advantage of the services and programs of the Regional Export Expansion Councils and the Field Offices of the Department of Commerce.

Last year the United States exported $65 billion worth of goods and services. This was equal to about six and a half percent of our gross national production of goods and services. We can raise this percentage. I am confident and find great comfort in the knowledge that, supported through your work and efforts, American leadership in world trade can and will continue.

Mr. ASPIN. Mr. Speaker, on March 16, the distinguished gentleman from Minnesota (Mr. FRASER) and I introduced the Workers Readjustment Assistance Amendments of 1972. This legislation will improve and liberalize rules of eligibility and benefits for workers who seek adjustment assistance. The present system, Mr. Speaker, to be quite blunt, is a disaster. The Tariff Commission which determines eligibility of workers and of firms has been totally unresponsive to the needs of both groups. Between 1962 and 1969 not one single application for workers adjustment assistance was approved by the Tariff Commission. Since then the number of approved applications has been extremely limited.

The purpose of our legislation is to remove the Tariff Commission from the process of determining workers eligibility for adjustment assistance. Our bill provides for the establishment of 12 regional councils known as industry councils that will be made up of three representatives of labor, three representatives of management, and three public members all appointed by the Secretary of Labor. The regions outlined in the legislation will parallel the present Federal Reserve districts.

The purpose of this decentralization of the process is to wrestle control from Washington's central bureaucracy which is unfamiliar and unsympathetic to the problems of both workers and firms around the country. Members serving on an industry council will know the problems of their particular region. While industry councils based on a single industrial sector could easily become self serving, a regional council offers the necessary balance between excessive central control and dominance by the narrow interests of a single industry.

Not only have we attempted to establish a middle ground in setting up an industry council, but we also have tried in this legislation to stake out a middle position between extreme free traders and extreme protectionists. A few free traders are willing to offer concessions to foreign competition without providing assistance to displaced workers. Many protectionists are willing to throw away all of the important benefits that free trade provides rather than lose a few jobs. Our bill will permit the continued expansion of free trade, which eventually produces more jobs than it destroys, and at the same time provide adequate compensation for affected workers.

It is my hope that if the Congress during this session debates the issue of trade, it will take into serious consideration striking this proposed balance between extreme free trade and protectionism. Free trade is the best route to economic prosperity but it cannot be achieved without providing displaced workers with a chance to start a new life, and find a new job.

SCHOOL BUSING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STOKES) is recognized for 60 minutes.

Mr. STOKES. Mr. Speaker, I have requested time this afternoon to bring together my colleagues from the Congressional Black Caucus and many of our colleagues in the House to discuss President Nixon's proposals concerning school busing. We will be discussing the President's statement of March 17, 1972, and two bills which have been introduced to implement his recommendations.

The first of the bills, H.R. 13915, was introduced by the gentleman from Ohio (Mr. MCCULLOCH), the gentleman from Michigan (Mr. GERALD FORD), and the gentleman from Minnesota (Mr. QUIE). It is entitled the "Equal Educational Opportunities Act" and has been referred to the Committee on Education and Labor.

The second bill, H.R. 13916, was introduced by the gentleman from Ohio (Mr. MCCULLOCH) and the gentleman from Michigan (Mr. FORD). It is entitled the "Student Transportation Moratorium Act."

Before discussing the specifics of the two bills, I must comment briefly on the President's statement and the policy it reflects. There seem to be several basic themes. The first theme is that the struggle to dismantle the dual system of schools is over. By proclaiming victory, President Nixon justifies his proposal to limit the remedies which have been most successful in bringing about desegregation. Several times he states that:

> The dismantling of the old dual system has been substantially completed.

That statement is tragically and grossly incorrect. The administration's own data indicate the minimal progress which has been made since Brown against Board of Education was decided. On June 13, 1971, the Department of Health, Education, and Welfare released data on desegregation of schools. In the continental United States the following figures indicate the degree of de facto segregation which remains:

NEGROES BY STATE—NUMBER AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1968 AND FALL 1970, ELEMENTARY AND SECONDARY SCHOOL SURVEY

State	Total pupils	Negro		Negroes attending											
				0 to 49.9 percent minority schools		50 to 100 percent minority schools		80 to 100 percent minority schools		90 to 100 percent minority schools		95 to 100 percent minority schools		99 to 100 percent minority schools		100 percent minority schools	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States:																	
1968	43,353,568	6,282,173	14.5	1,467,291	23.4	4,814,881	76.6	4,274,461	68.0	4,041,593	64.3	3,832,843	61.0	3,331,404	53.0	2,493,398	39.7
1970	44,877,547	6,707,411	14.9	2,223,506	33.1	4,483,905	66.9	3,311,372	49.4	2,907,084	43.3	2,563,327	38.2	1,876,767	28.0	941,111	14.0

Thus, 49.4 percent of black students are still in schools which are over 80 percent black, and 14 percent of black students are still in 100 percent segregated schools.

The figures on blacks in the 100 largest school districts are even less encouraging.

NEGROES IN 100 LARGEST (1970) SCHOOL DISTRICTS BY GEOGRAPHIC AREA—NUMBER AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1968 AND FALL 1970, ELEMENTARY AND SECONDARY SCHOOL SURVEY

Area	Total pupils	Negro		Negroes attending											
				0 to 49.9 percent minority schools		50 to 100 percent minority schools		80 to 100 percent minority schools		90 to 100 percent minority schools		95 to 100 percent minority schools		99 to 100 percent minority schools		100 percent minority schools	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States:																	
1968	10,328,038	3,195,127	30.9	415,162	13.0	2,779,965	87.0	2,468,005	77.2	2,298,320	71.9	2,148,363	67.2	1,745,219	54.6	1,041,396	32.6
1970	10,482,814	3,387,423	32.3	544,109	16.1	2,843,314	83.9	2,431,526	71.8	2,224,162	65.7	2,000,227	59.0	1,513,616	44.7	710,181	21.0
32 Northern and Western:[1]																	
1968	5,747,849	1,796,111	31.2	248,067	13.8	1,548,044	86.2	1,303,789	72.6	1,171,311	65.2	1,047,760	58.3	752,904	41.9	296,376	16.5
1970	5,787,264	1,909,984	33.0	250,812	13.1	1,654,172	86.9	1,359,940	73.3	1,269,931	66.5	1,129,751	59.1	801,715	42.0	316,148	16.6
6 Border and District of Columbia:[2]																	
1968	1,340,469	470,901	35.1	62,122	13.2	408,779	86.8	375,791	79.8	357,807	76.0	343,097	72.9	278,341	59.1	145,386	30.9
1970	1,360,862	487,435	35.8	66,122	13.6	421,313	86.4	383,259	78.6	364,189	74.7	342,118	70.2	286,306	58.7	150,463	30.9
11 Southern:[3]																	
1968	3,239,720	928,115	28.6	104,973	11.3	823,142	88.7	788,425	84.9	769,202	82.9	757,506	81.6	713,974	76.9	599,634	64.6
1970	3,334,688	990,004	29.7	227,175	22.9	762,829	77.1	648,327	65.5	590,042	59.6	528,358	53.4	425,595	43.0	243,570	24.6

[1] Alaska, Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin and Wyoming.

[2] Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, and West Virginia.

[3] Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

These statistics demonstrate two points. Clearly, desegregation is far from completed. Perhaps even more important, desegregation has progressed much more slowly in the North and West than in the South. The lack of progress in the North reflects the greater degree of segregation in housing in urban areas. The chance of a neighborhood school being segregated are greater in the North than in the South because of housing patterns. Busing, which has sometimes been used to bring together students from different neighborhoods, has been a valuable tool in desegregating these schools. It cannot be lightly discarded.

Another of the President's themes is that busing, in and of itself, is somehow objectionable. His view appears to be that the inconvenience, the disruption, and the expense of busing outweigh the benefits of desegregation. He admits that the courts turned to busing because it offered a realistic and immediate aproach. A busing plan benefits students now in school, not students yet unborn, as plans to construct new facilities would. Because he is satisfied that the struggle for desegregation is over, the President sees no harm in eliminating the effective and immediate tool of busing.

President Nixon cites Chief Justice Burger's statement in the Swann case to the effect that schools cannot be made to solve all of the probems of racial discrimination. Ironically, he never mentions the discussion, in the same opinion, of busing. The reason for this omission is obvious. The Chief Justice, speaking for the unanimous court, upheld the district court's conclusion that assignment of students to their neighborhood schools would not have produced a dismantling of the dual school system in Charlotte. In short, busing was not merely justifiable but necessary in that instance. *Swann* v. *Board of Education* (402 U.S. 1, 29–32 (1971)).

The President's proposal directly conflicts with the reservations of Chief Justice Burger about "rigid guidelines—for application to an infinite variety of problems." Swann at 29. The President would have national uniformity. Courts would be deprived of flexibility to deal on a case-by-case basis with local problems. Busing, which the court upheld in Swann, and which has been successfully used in many cases would be uniformly prohibited.

Finally, President Nixon speaks of equalizing educational opportunities without busing. His plan smacks of Plessy v. Ferguson. He would leave the students, black and white, affluent or destitute, where they are. He speaks of providing additional funds to the poorer schools to bring them up to parity with the better schools. Actually, his proposal provides no new or additional funds to improve poor schools. It simply shifts funds already budgeted, eliminates the cost of busing, and continues programs which were to be funded for just 1 year. In short, the President has once again spelled out a "benign neglect" policy both with respect to desegregation and to improvement of the quality of education.

Let me now comment specifically on the substance of the President's proposals, the bills themselves. The moratorium bill, H.R. 13916, provides for a halt to busing for purposes of desegregation. Busing, under a court order or a desegregation plan submitted under title VI of the Civil Rights Act of 1964, would be stopped until July 1, 1973 or the date of enactment of permanent legislation, whichever is earlier. The bill contains "findings" by the Congress to the effect that busing has been extensive and excessive and that there is a need for national uniformity of standards on reassignment and busing for purposes of desegregation. Nearly 45 percent of all students are bused, and less than 3 percent of that total are bused for purposes of desegregation. Busing can hardly be considered either extensive or excessive. I share the view expressed by Chief Justice Burger that national uniformity on the subject of busing is not only unnecessary but impossible if we are sincere about desegregation. Swann at 29 to 32.

My basic opposition to the moratorium bill is that it will leave thousands of black children where they are, in poor, segregated schools, while the Congress considers ways to improve their lot. Busing, which can provide some relief to some of those children, would be proscribed. This lost time will never be regained. I submit that this moratorium is essentially similar to a stay of proceedings which is available in court proceedings. Why should Congress grant a stay in all cases, including those which are not even on appeal, when that relief is available through the appellate court process.

It makes for more sense to allow the courts to continue to weigh the arm to black children against the expense and inconvenience of carrying out a busing order in individual cases. I note that the courts frequently issue such stays and expedite the appeal process. This was done very recently by Judge Haynsworth in the Richmond case decided by Judge Mehrige.

Whatever happens on the issue of a moratorium on busing, we must confront several very serious policy questions in the equal educational opportunities bill, H.R. 13915. That bill is proposed as the ultimate, long run program to desegregate schools. In reality, it would perpetuate and even promote segregation. The grandiose and eloquent statements of policy are empty because of severe limitations on existing remedies.

The congressional finding in section 3(a)(2) that "the abolition of dual school systems has been virtually completed and great progress has been made and is being made toward the elimination of the vestiges of those systems" is more than a self-serving declaration by the Nixon administration. It will become a convenient excuse for courts and the administration to stop desegregation efforts where they are. It tells courts and administrations that we have gone far enough.

In sanctifying the neighborhood school concept, the bill promotes the theory of separate but equal schools. Given the realities of present housing patterns, neighborhood schools will be segregated. The bill provides no remedies to deal with this situation and eliminates two remedies which have been fashioned by the courts. Busing is proscribed absolutely with respect to students in the sixth grade and below, and is virtually impossible to justify for students in the 7th grade and above. Decisions like that by Judge Mehrige in the Richmond case

would be all but eliminated. That case involved the merging of school districts despite politically determined boundary lines. Section 404 of this bill would require, as the basis of such an order, a showing that the "lines were drawn for the purpose—of segregation—and had the effect of segregating children among public schools." This imposes a nearly unbearable burden on a plaintiff seeking relief. He must go back to the time of the creation of the districts and show that lines were drawn to establish segregated schools. In many cases, this simply is not true and in nearly all cases it could not be proven. This section thus eliminates decisions like that in the Richmond case.

Finally, I must express my complete amazement at the provisions contained in section 406. The section provides that:

> On the application of an educational agency, court orders or desegregation plans under title VI of the Civil Rights Act of 1964 . . . shall be reopened and modified to comply with the provisions of [the] act.

The effect of this section would be to permit all of the existing court orders and desegregation plans to be challenged on the basis of the limitations of remedies contained in this bill. Busing plans would, of course, be the most seriously affected. Desegregation programs which are now operating effectively and with a minimum of controversy would be subject to attacks which would reopen old wounds and undo all gains. The doctrine of stare decisis would be meaningless. Cases which have been through years of appeals would be relitigated with all of the delays and expenses that would involve. This provision amounts to a retroactive rollback of many of the gains for which we have struggled so long.

I have serious doubts about the constitutionality of the President's proposals to limit desegregation remedies. Congress clearly has the power to enforce 14th amendment guarantees.

The power of Congress to restrict or dilute the guarantees of the 14th amendment was specifically considered by the Supreme Court in *Katzenbach* v. *Morgan*, 384 U.S. 641 (1965). Speaking for the majority, Mr. Justice Brennan said that section 5 of the 14th amendment "does not grant Congress power to—restrict, abrogate, or dilute" the guarantees of equal protection and due process. Morgan at note 10, page 651. I submit that this is exactly what the administration bills are designed to do.

The personal rights of litigants to equitable relief, where appropriate, would be cut off by this legislation. The determination of the proper scope of equitable relief should be left to the courts. The President should ponder the statement on the subject by Chief Justice Berger in the Swann case:

> In seeking to define the scope of remedial power or the limits on remedial power of courts in an area as sensitive as we deal with here, words are poor instruments to convey the sense of basic fairness inherent in equity. Substance, not semantics, must govern, and we have sought to suggest the nature of limitations without frustrating the appropriate scope of equity. *Swann* at 31.

The administration proposal would "frustrate the appropriate scope of equity" and would deny litigants their personal rights to adequate, effective relief. Substantive rights without appropriate remedies become meaningless.

In view of the provisions I have discussed, it is hardly surprising that the council of black appointees of the Nixon administration is reportedly dissatisfied with the President's proposals and is studying changes. What is distressing about that report is that the black appointees apparently had virtually no input into the drafting of the bills. The administration plan is far more than an antibusing plan, it is a plan to limit future desegregation efforts and to roll back many of the gains.

We have come to expect the worst from an administration which began its civil rights enforcement efforts by intervening to delay desegregation of Mississippi schools.

Able, dedicated civil rights leaders like Frank Render, Leon Panetta and Clifford Alexander worked within the administration but were forced out because of their effectiveness and unwillingness to back down. These bills are the culmination of a progression of actions which have chipped away at our gains and made further progress more difficult. We begin today to struggle against the constraints of this regressive legislation.

GENERAL LEAVE

Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the subject matter of my special order today.

The SPEAKER pro tempore (Mr. LINK). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RANGEL. Mr. Speaker, I believe that most Americans are against any form of racial discrimination and that they accept the fundamental provision prohibiting it. It follows, therefore, that any child, black or white, has the right to be free from discrimination in our public schools.

President Nixon, however, believes otherwise.

In his speech to the Nation and in the legislation he has just sent to Congress, the President has clearly cast his ballot in favor of racial discrimination, injustice, and unequal opportunity. He has submitted a bill with the misnomer, Equal Educational Opportunities Act, a proposal which, if enacted, would guarantee unequal, antieducational, nonopportunities for millions of black American children.

A close examination of the Presidential proposal makes it obvious that he has surrendered to the forces of regression and racism. His bill opens with a series of fallacious findings which would lay down a smokescreen of deceit in front of our citizens. Were Congress to adopt the President's contention that "the abolition of dual school systems has been virtually completed and great progress has been made and is being made toward the elimination of the vestiges of those systems," then Congress would shut its eyes to the truth: the Department of Health, Education, and Welfare has reported that only a minority of black children—in the North and in the South—attend integrated schools.

The truth is that school busing constitutes the largest transportation system in the country and that only a small percentage of those who ride the buses each day do so for reasons of racial or educational equality; they simply live beyond walking distance of any neighborhood school. Furthermore, since students will travel by schoolbus for many years to come, the President and Congress must take decisive action to establish rigid schoolbus safety standards—regardless of the present controversy.

We did not hear the voice of President Nixon raised when it was black children who were bused away from their own neighborhoods to segregated schools. But the administration would now outlaw the use of busing to achieve a positive result.

The Nixon legislation shows a total lack of understanding of the system of justice which we have developed over the past 200 years. He criticizes the Supreme Court for failing "to establish a clear, rational, and uniform standard for determining the extent to which a local educational agency is required to reassign and transport its students in order to eliminate the vestiges of a dual school system," ignoring the fact that our courts are bound to consider the individual circumstances in each case. We all recognize that each town and city is different, and that is senseless to argue that the courts should disregard variations found in specific cases. However, the cardinal concept is, however, well established: racially discriminatory and unequal schools are intolerable under our Constitution.

We are told that the President is opposed to discrimination, yet his legislation would curb the equity powers of our courts to remedy the effects of that discrimination. Adoption of the President's bill would render the right to equal and quality education a meaningless sham.

We are told that the President believes in "law and order," yet he proposes that any school desegregation case already decided under title IV of the Civil Rights Act of 1964 be reopened at will. Does "law and order" mean overturning the antidiscrimination laws and court decisions of the past? Yes, according to the President.

Congress cannot morally adopt the Nixon plan. It cannot in good conscience succumb to the lure of the bigot. It cannot now reverse the slow, hard-won progress made by those who believe in civil rights and equal opportunity for all Americans.

The question of busing has become a presidential red herring designed to perpetuate racial discrimination and deny educational opportunity to black children.

Mr. CONYERS. Mr. Speaker, I sometimes wonder how far a President will go to mislead his countrymen, and how far they will let him go before realizing that they have been swindled. Surely Mr. Nixon has gone too far this time trying to coax the public to participate in his antibusing sideshow. A proposal which appears to contain something for everybody is in reality the worst kind of political sham.

Mr. Nixon is playing a game which threatens to tear at the already delicate legal and social balance in this country.

He has chosen to cater to the fear of the powerless and to manipulate the power of the fearful. Quality education, no matter how important and basic to a nation's growth, will not solve the problems of school desegregation. And school desegregation, no matter how vital to a healthy, integrated society, will not by itself bring us quality education.

There is no question that a horrendous deficiency exists in today's education. Thousands of schools, black and white, are inadequately funded, poorly staffed, and isolated from the mainstream of American life. Money is desperately needed to rectify the deficiencies of these schools and it must come in great quantities and soon. But, Mr. Nixon's legislation, promising as it may appear to some on the surface, does not solve the economic needs of education. While minimal emphasis is placed on aid to ghetto schools, the bill basically rearranges funds which have already been requested by the President.

Quality education is more than airy classrooms, well-paid teachers, and lots of books. There can be no quality education without integration. Quality education means an educational experience which will lay the foundation for intelligent participation in a democratic society. Children who are raised in isolation can hardly be expected to understand their society and its workings. And, since children learn more from each other than from any other resource of the education environment, there can be no better way to achieve this understanding than through schools which are representative of their society. Integrated education that has the support of the community is working in hundreds of American communities in every region. It can and does result in better education for all children—black and white, rich and poor.

The ruse of "quality education" is not the worst of the Nixon hoax. The President has used as his final justification for the busing moratorium recent polls which say black parents do not like busing either. But what he has not dealt with is the sentiment supported by a recent Gallup poll that 80 percent of the black people interviewed believe that if busing will get them what they want—which is good education for their children—then busing it will have to be.

By rejecting busing out of hand, Mr. Nixon is creating an impression that the courts have ordered excessive busing. This is simply not true. Court-ordered busing has generally not been excessive, nor have courts engaged in indiscriminate racial balancing.

There is a popular belief that busing to desegregate schools has resulted in more overall busing. This has not been the case. Children have been bused so long as there have been buses. A careful look at the Department of Health, Education, and Welfare statistics on busing since 1929 shows that while the number of children bused to school has risen gradually, along with an increase in the total number of children, the rate of increase has not. That is to say, in 1929, 7.4 percent of all schoolchildren were bused. That figure rose about 10 percentage points every 10 years up to 1959. It did not increase after 1954. What is more, the rate of increase has actually dropped since 1959. Yet in the 18 years since Brown against the Board of Education busing has not been massive, where is the basis for current fears? How many times have children been bused to maintain segregated patterns of education? Where are the cries against busing poor little children far from home then? How many times have children been bused past white schools to black schools farther from home?

Despite his public promise to find means to replace busing as a tool of integration, Mr. Nixon has simply not delivered. His revelation that he found an alternative to busing turned out to be just another Presidential pretense. Instead of replacing that so-called bad means to a good end, he has left open the possibility of a bill of questionable constitutionality, sought the enactment of legislation which would inhibit the Federal courts or administrative agencies from rectifying acts which have already been declared illegal by the Supreme Court, and generally muddled an already confused and desperate problem.

Although by the President's own claim, the proposed moratorium on busing would only forbid implementation of new busing ordered by the courts, closer examination of the bill throws this already doubtful proposal into further question. Section 406 of the so-called Equal Educational Opportunities Act states:

> On application of an educational agency, court orders or desegregation plans under Title VI of the Civil Rights Act of 1964 in effect on the date of enactment of this Act and intended to end segregation of students on the basis of race, color, or national origin shall be reopened and modified to comply with the provisions of this Act.

With administrative support and diligent application, this small, unobtrusive section could become the tool for destroying the foundation of desegregated education as we have come to understand it—modest as it has been—in the past 18 years.

So, where are we left now? We could be saddled with legislation which is claimed to do much but which in effect would do very little. It would neither meet the desperate economic needs of education, nor would it resolve the dilemma of integrated education. Those who have remained loyally committed to fighting separate and unequal societies have now been told that the 1954 Brown decision and the Civil Rights Act of 1964 are no longer basic underpinnings of national domestic policy. Even those who oppose busing but favor integrated education have been cheated. And in the process of confusing the issue, the President may very well have succeeded in doing great damage to our constitutional and judicial structure.

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

Mr. STOKES. I yield to the distinguished gentleman from Maryland.

Mr. MITCHELL. First I want to commend my distinguished colleague, Congressman STOKES, for taking this special order, and I wish to further commend him for the very succinct and precise presentation he has made with reference to the latest maneuver by the Nixon administration. This maneuver, as Congressman STOKES has indicated, is clearly a continuing part of the effort of the administration to wipe out the gains that black Americans have made.

I believe we have to speak bluntly and honestly to this. I believe the school-busing issue is the "white herring" of this political campaign year. It is a much better "white herring" than "law and order" was 4 years ago, because it involves children, motherhood, neighborhood, and the American Constitution. Forty to 65 percent of all school children—depending upon whether you read the school bus or the public transportation statistics—are riding something to school already.

Busing is a very good "white herring" indeed.

Antibusers say they cannot be accused of racism, because they can point to significant numbers of blacks who are themselves against busing. They conveniently ignore the fact that blacks have reasons—centuries of reasons and decades of school desegregation legislation—leading them to conclude that it is time to stop holding out hopes, false hopes, to yet another generation of kids, and start educating their own children, controlling their own schools, and improving their own neighborhoods. But do not believe for a minute that this widespread disillusionment is limited to busing, or even education in general, a fact which I have never heard brought out by the big-time antibusers when they gleefully point to black support.

For most of the antibusing forces in this country, however, the issue is so emotional that it is not affected by blacks for or against. People who might have had trouble supporting unembellished racism, can wholeheartedly support a euphemism for racism. Especially when it involves kids and the American Constitution. And when it occurs in the total absence of moral leadership by the American chief of state.

I thank the gentleman for yielding.

Mr. STOKES. I thank the gentleman from Maryland for his remarks.

I now yield to the gentleman from California (Mr. HAWKINS).

Mr. HAWKINS. First, Mr. Speaker, I would like to commend the gentleman from Ohio for the very fine statement which he has made and for this opportunity which he has given to set the record straight.

I am in agreement with what he has said, and I feel he has made a great contribution to a clarification of the issues in this controversy.

I would like at this particular point, Mr. Speaker, to have inserted in the RECORD a record of the Nixon administration on school desegregation actions and inactions.

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

There was no objection.

CHRONOLOGY OF THE NIXON ADMINISTRATION'S SCHOOL DESEGREGATION ACTIONS AND INACTIONS

1969

Jan. 29: Five southern school districts, against which Title VI proceedings had been exhausted and termination of federal funds

were pending, were given a 60-day period of delay by HEW Secretary Finch. Finch said if the districts came up with acceptable plans, they would receive the lost funds retroactively.

Feb. 6: The President said of freedom-of-choice plans for desegregation—If the plan were "simply a subterfuge to perpetuate segregation, then the funds should be denied to such a school system." But, if a plan were found "to be one which actually is bringing an end to segregation" then it would be "appropriate".

Feb. 10: HEW Secretary Robert H. Finch said that the Nixon Administration would move to enforce school desegregation legislation "nationally, not just in the South." "You've got de facto segregation in every part of this country," he declared, "and we're going to go after it."

March 10: Secretary Finch's interview in U.S. News & World Report alluded to some impending change in the HEW school desegregation guidelines. In addition, the Secretary was quoted as saying that HEW must retain its enforcement powers: "We cannot turn (the entire enforcement-compliance field) over to the Justice Department now because we have built up a certain momentum in education, in terms of getting school districts to recognize that a . . . national goal has been set. If you were to chop off everything now in my department, just let Justice handle compliance. . . . I think a lot of this momentum that has been built up would be lost." (See July 3, 1970)

March 14: HEW General Counsel designate Robert Mardian sent Secretary Finch a memorandum advocating, among other things, that HEW might permit an extension beyond the previously established 1969 target date for total desegregation and that this policy could be implemented without any particular public announcement. This memorandum was exposed in an Evans and Novak column.

March 18: The Leadership Conference on Civil Rights received assurance from Secretary Finch that there would be no change in the guidelines.

March 24: Secretary Finch disavowed the Mardian memorandum.

April 15: The *Washington Post* reported that Administration sources claimed that the guidelines were being "revamped" because they were "vague and ambiguous." Secretary Finch and Attorney General Mitchell reportedly attended meetings at the White House on the guidelines.

April 15: The HEW Office for Civil Rights initiated enforcement actions under Title VI of the Civil Rights Act of 1964 against Ferndale, Michigan. This was the first HEW action against a northern district.

April 22: Office for Civil Rights Director, Leon Panetta's letter in response to a letter from Jack Greenberg of the NAACP Legal Defense Fund to Secretary Finch: "The Department is not contemplating any changes in the guidelines at this time."

May 16: Leon Panetta, in a speech in Atlanta, said: "Why can't we continue to use free choice? . . . The answer is that the Supreme Court ruled against it. . . . HEW policies are controlled by that decision."

May 13: HEW submits two year plans to a South Carolina Federal District Court giving 21 districts another year of freedom of choice.

June 20: Jerris Leonard commented that the Administration's position would be that districts are required to desegregate by the target deadline (September 1969) where that was possible." He was also quoted as saying "It's wrong to set arbitrary deadlines." (Washington Post, June 20.)

June 28: Secretary Finch was quoted as saying there would be no relaxation of the guidelines. (New York Times, July 1.)

July 1: Secretary Finch proposed to the White House that a new policy statement on the school desegregation guidelines contain no provisions for more time to comply with the law. (New York Times, July 1.)

July 3: Attorney General John N. Mitchell and HEW Secretary Robert H. Finch announced that no longer would the Administration rely chiefly upon fund cut-offs by the HEW Department to bring districts into compliance. Instead, major emphasis would shift to the use of lawsuits initiated by the Justice Department against noncomplying school systems. Such a shift would, Finch and Mitchell said, minimize the need for termination of funds.

The deadline of September 1969 for complete desegregation was reaffirmed. But the Administration said it would permit exceptions for school districts with "bona fide educational and administrative problems." It continued:

"It is not our purpose here to lay down a single arbitrary date by which the desegregation process should be completed in all districts or to lay down a single arbitrary system by which it should be achieved."

The policy statement was deplored by civil rights leaders and lauded by southerners. It was criticized by the U.S. Commission on Civil Rights as a change to a less effective means of bringing desegregation. School desegregation statistics released by the HEW Department showed that areas under court order achieved substantially less desegregation than those under the jurisdiction of the Department.

July 3: Leon Panetta, Director of the Office for Civil Rights, announced that he planed to send all southern school superintendents a letter explaining the new policy. (Washington Post, July 4.) A few days later Secretary Finch was quoted as saying that no letter of explanation would be sent. He said it was "unnecessary."

July 5: White House Press Secretary said that the Administration was "unequivocably committed to the goal of finally ending racial discrimination in schools."

July 7–8: The Department of Justice filed five school desegregation suits in the South and one in the North. HEW sent termination orders covering three districts to Congress for the one-month waiting period before final cut-off of federal funds. One district submitted an ineffective plan which was accepted by HEW during that month. The other two districts were terminated. These were the last fund terminations for 12 months. In previous years, fund cut-offs had averaged over 150 per year.

August 1: The Department of Justice filed a statewide suit against Georgia to end segregation in the state's public schools.

August 3: The Whitten Amendment to the HEW Appropriations Bill was passed by the House. This Amendment would, in effect, have prohibited HEW from requiring anything other than freedom of choice plans. The Administration took no position on the Amendment. Later, in the Senate, it opposed the amendment.

August 13: In Attorney General Mitchell's speech to the American Bar Association, he said: "The extravagant rhetoric of the last few years have offered promises which cannot be delivered, and have set as immediate goals programs which will take a decade to complete."

August 25: The Administration asked the Federal Courts to delay desegregation in 33 Mississippi districts from September 1969 until September 1970. On August 28 the Fifth Circuit granted the Administration request.

August 26: Civil rights lawyers in the Justice Department met to draft a protest against the Nixon Administration's decision to delay desegregation in southern school districts. The lawyers charged that the Administration had bowed to political pressure from southern Members of Congress to relax the guidelines.

September 16: Vice President Agnew said he was against busing children "to other neighborhoods simply to achieve an integrated status of a larger geographic entity."

September 22: On "Issues and Answers", Secretary Finch said that HEW would continue to use busing as a method of achieving school desegregation.

September 27: Assistant Attorney General for Civil Rights, Jerris Leonard, said, "if the court were to order instant integration nothing would change. Somebody would have to enforce that order." (Washington Post 9–28–69)

October 14: The Department of Justice filed suit against Waterbury, Connecticut. It was the second northern suit filed by the Nixon Administration.

October 29: The Supreme Court in *Holmes v. Alexander* unanimously rejected the Administration's request for desegregation delay in 33 Mississippi districts. It directed immediate desegregation, stating that maintenance of segregated schools under the guise of "all deliberate speed" was no longer acceptable.

October 30: Attorney General Mitchell said, in response to the Supreme Court decree, that the Justice Department would bring every available resource to bear in enforcing the decree. He said, "All Americans, state and local officials, judges, federal officials, and citizens will be called upon to understand, cooperate, and comply. If we believe in a society based on the rule of laws, we will do so without hesitation."

December 8: In a news conference, President Nixon said concerning the Oct. 29 Supreme Court order for immediate school integration, that he intended "to carry out what the Court has laid down. I believe in carrying out the law even though I may have disagreed as I did in this instance with the decree that the Supreme Court finally came down with."

December 31: Again, the Administration asked the Supreme Court to delay until September 1970 the desegregation of "uncommitted districts" of the South. The Supreme Court rejected the request on January 14.

1970

January 6: Secretary Finch expressed concern about the South's new private schools. He said there was a move, which he supported, within the Administration to end tax exemptions for private schools chartered to avoid desegregation in public schools. He estimated 300–400 private schools had opened in the South since enactment of the 1964 Civil Rights Act.

January 22: The Justice Department stated in its Pasadena, California, school desegregation brief that all black neighborhoods were no excuse for all black schools. The Department said, "Under the facts in this case, use of a strict neighborhood school policy and a policy against crosstown busing take on constitutional significance as a violation of the Fourteenth Amendment."

February 1: Vice President Agnew announced that President Nixon planned to establish a Cabinet-level committee to counsel southern school districts about implementing court-ordered desegregation plans "in the least disruptive way."

February 12: White House Press Secretary Ronald L. Ziegler indicated that President Nixon believed the North and the South should be subject to Federal school desegregation orders. He re-emphasized that Nixon had "consistently opposed and still opposes compulsory busing of school children to achieve racial balance."

February 17: Leon Panetta was forced to resign as Director of the Office for Civil Rights. He charged that the Administration was willing to yield to southern political pressure at the expense of the dsegregation enforcement effort. (See Panetta book, "Bring Us Together: *The Nixon Team and the Civil Rights Retreat*", 1971)

February 17: President Nixon promised Federal assistance to school districts "in complying with the courts' requirements." He made the statement during his announcement of a Cabinet-level committee, chaired by Vice President Agnew, to aid schools under court orders to desegregate immediately.

February 21: HEW General Counsel Robert Mardian was named Director of the Cabinet Committee on School Desegregation.

February 24: The HEW Civil Rights Reviewing Authority found that the Columbia, South Carolina school system had failed to desegregate its schools as required by Title VI of the Civil Rights Act of 1964. Secretary Finch said he believed Columbia officials had acted in good faith and that he would reconsider the Reviewing Authority's decision if it were appealed to him.

March 1: Secretary Finch condemned the desegregation orders involving busing for Charlotte-Mecklenberg, North Carolina, and Los Angeles, California.

March 3: Two HEW staff members resigned over the pace of school desegregation and 125 other HEW employees in the Office for Civil Rights sent a letter to Mr. Nixon expressing "bitter disappointment" over the forced resignation of Leon Panetta, director of the office.

March 4: John Ehrlichman, President Nixon's chief domestic adviser, said that he opposed the integration of Negro and white students in the public schools if it only served the purpose of mixing the races and did not upgrade over-all educational standards. The White House aide said he believed "that when a change in the racial makeup of the schools is undertaken for a purely social end, that's a misuse of the schools."

March 6: More than 1,800 HEW employees signed and sent a petition to Secretary Finch requesting an open meeting on school desegregation policies.

March 6: Thirty-seven top black officials in the Nixon Administration met with the President and urged him to clarify his position on school desegregation and to take more action in the field of civil rights. The meeting marked the first time the President had met with all his black appointees at one session.

March 9: Vice President Agnew said the most effective means of ending *de facto* segregation in the United States was by creating opportunities for better housing and better jobs for Negroes, not by busing school children simply to achieve racially balanced schools.

March 24: President Nixon pledged in an 8,000-word document that his Administration would not abandon or undermine the school desegregation gains since the Supreme Court's 1954 ruling outlawing "separate but equal" educational facilities. The President said it was his "personal belief" that the 1954 decision "was right in both constitutional and human terms."

He continued:

"I have instructed . . . officials of the Government to be guided by these basic principles and policies:

"Deliberate racial segregation of pupils by official action is unlawful. . . . It must be eliminated at once.

"Segregation of teachers must be eliminated. . . . Each school system in this nation . . . must move immediately . . . toward a goal under which 'in each school the ratio of white and Negro faculty members is substantially the same as it is throughout the system.'

"With respect to school facilities, school administrators throughout the nation . . . must move immediately to assure that schools within individual school districts do not discriminate with respect to the quality of education.

"Transportation of pupils beyond normal geographic school zones (to achieve) racial balance will not be required.

"Federal advice and assistance will be made available on request, but Federal officials should not go beyond the requirements of law in attempting to impose their own judgment on the local school district.

"Racial imbalance in a school system may be partly *de jure* in origin, and partly *de facto*. In such a case, it is appropriate to insist on remedy for the *de jure* portion, which is unlawful, without insisting on a remedy for the lawful *de facto* portion.

"*De facto* racial separation, resulting genuinely from housing patterns, exists in the South as well as the North; in neither area should this condition by itself be cause for Federal enforcement actions. *De jure* segregation brought about by deliberate schoolboard gerrymandering exists in the North as the South; in both areas this must be remedied. The law should be applied equally."

Mr. Nixon revealed that the Government planned to allocate $1.5 billion over the next two years to help school districts in the North and South alleviate the effects of racial segregation.

He repeated his opposition to student busing simply as a means of achieving racially balanced schools without improving the quality of education, and he said that he was in favor of the neighborhood-school concept.

April 8: Secretary Finch and the new Office for Civil Rights Director, J. Stanley Pottinger, held a press conference in which Pottinger announced that HEW would begin monitoring Southern school districts which had agreed or been told by a court to desegregate. (Washington Post 4–8–70) (HEW has never monitored court-ordered plans.)

April 9: The Department of Justice filed an amicus brief in the Charlotte-Mecklenburg case suggesting that Judge McMillan had committed "an abuse of discretion" by ordering an "extreme" busing plan.

April 11: The Commission on Civil Rights criticized President Nixon's March 24 policy statement on school desegregation as inadequate, overcautious and possibly signaling a major retreat on the issue of school integration.

April 13: The Department of Justice filed a memorandum with the Fifth Circuit Court of Appeals spelling out its strong reservations about the Manatee County, Florida, court order busing provisions.

April 16: Attorney General Mitchell said that everyone has "the right to reject unreasonable requirements of busing and to send their children to neighborhood schools." He said this right is "just as important as the right of all of our citizens to be assigned [to schools] without regard to their race." (Washington Post 4–17–70)

April 27: James E. Allen Jr., U.S. Commissioner of Education, said he intended to continue his work to end school segregation whether it was *de facto* or *de jure*. This statement was at odds with President Nixon's Policy statement March 24 that his Administration could do nothing about *de facto* segregation resulting from neighborhood residential patterns.

April 28: Three Nixon Administration chief civil rights officials and their aides met with South Carolina school administrators and told them that all public schools in the South must implement desegregation plans by the time classes resumed for the fall term. OCR Director, J. Stanley Pottinger said his office soon planned to emphasize enforcement against northern segregation and that "it is time to move as vigorously in the North as other administrations have moved in the South." (Washington Post 4–29–70)

May 5: Secretary Finch said on a television interview program that the Supreme Court should move against school racial segregation caused by housing patterns.

May 21: President Nixon formally asked Congress to appropriate $1.5 billion over the next two years to be used primarily to help finance desegregation of southern schools and to spur northern school districts to integrate voluntarily.

May 25: HEW notified more than 1,000 school districts that they must remove language barriers and other discriminatory practices which handicap national-origin minority children.

May 26: The Justice Department intervened in a desegregation suit in Senora, Texas. This was the first Administration action in a case involving primarily Mexican-Americans.

June 5: The announcement was made that Secretary Finch was leaving HEW to move into the White House as a counselor to the President.

June 10: Dr. James E. Allen Jr. was asked to resign as Commissioner of Education and Assistant Secretary of HEW by Secretary Finch. Allen attributed his dismissal partly to his views on desegregation. He accused the Administration of lacking commitment to the total desegregation of schools. Allen said Finch had told him "he had been directed to seek my resignation."

June 10: The Internal Revenue Service (IRS) announced in a new policy directive that private schools practicing racial discrimination in their admissions policies would have their tax-exempt status revoked. IRS said, however, that a published open admissions statement would be accepted as proof that there was no discrimination.

June 13: New HEW Secretary Richardson said the Administration was doing everything it could under present standards to produce more desegregation in the North.

June 25: Secretary Richardson said he would use Title VI of the Civil Rights Act of 1964 federal fund cut off powers if necessary to enforce school desegregation. (No funds had been terminated since August 6, 1969.)

June 26: The Justice Department filed an amicus brief before the Supreme Court in opposition to the plaintiffs in the Charlotte-Mecklenburg desegregation case.

June 27: Assistant Attorney General Jerris Leonard chastized critics of the Nixon Administration's handling of school desegregation. He said, "I think it's about time that our politically motivated critics stop accusing a department of footdragging [when it] has made more progress in school desegregation in 17 months than was made in 15 years. . . . I'm getting pretty annoyed by the cynical, asinine criticism. All it does is tend to lessen the confidence of black parents and others who are fighting for desegregation." (Washington Star 6–28–70)

July 2: Secretary Richardson ordered the cutoff of federal funds to three school districts under Title VI of the Civil Rights Act of 1964. *There have been no fund cutoffs since.*

July 9: The Justice Department filed suit against 46 southern school districts for failing to produce acceptable desegregation arrangements. Six more suits were filed July 10.

July 16: Assistant Attorney General Leonard confirmed Justice Depatment plans to send a 100-man Federal task force to establish five regional command posts throughout the South in an effort to reduce the potential for disturbances and receive complaints of discrimination as hundreds of southern districts implemented desegregation arrangements for the first time. This activity was in response to the decisions of the Supreme Court and in spite of Administration footdragging.

July 17: The Justice Department issued a statement in Attorney General Mitchell's name declaring that information indicating 100 lawyers were being sent to the South was "premature" and that no decision had yet been made on the number of lawyers to be used.

July 19: Secretary Finch said on "Issues and Answers," "We are not sending any large augmentation of people into the South."

July 20: President Nixon, during an impromptu news conference, said "Our policy . . . is cooperation rather than coercion . . . there cannot be instant integration. But segregation must be ended. That is the law of the land and it is necessary for us to go forward and to end it (segregation) with a transition period which will be as least difficult as possible."

July 30: President Nixon, on sending U.S. officials to the South, said "As far as the number of Federal officials that should be sent to the South, let me emphasize that that will be based on whether those southern districts or states that have this problem of desegregation ask for help, either Justice Department or HEW experts. We are not going to have force—a force policy in this area . . . Our policy is one of cooperation, rather than coercion."

(Top Administration spokesmen told reporters later that the President had erred and that officials would be sent into these areas at the Justice Department's initiative).

August 14: President Nixon visited New Orleans to state his Administration's intention to avoid treating the South as a "second-class part of the nation" in the matter of school desegregation. He said he would meet the responsibility to uphold the Supreme Court desegregation decision. "This is one country, one people, and we are going to carry out the law in that way, not in a punitive way—treating the South as basically a second-class part of the nation—but treating this part of the country with the respect that it deserves, asking its leaders to cooperate with us and we with them."

Mr. Nixon said he had rejected a Federal approach of waiting for trouble and then ordering in Federal enforcers. "I have no patience with those from the North that point the finger at the South and then overlook the fact that in many northern cities and northern states the problem may also be a very, very difficult one."

August 15: Columnists Evans and Novak pointed out that Vice President Agnew had been removed from active participation on the Cabinet Committee on School Desegregation, reportedly to preserve Agnew's standing in the South.

September 6: The New Orleans Times-Picayune reported on an earlier meeting with a group of southerners in which President Nixon stated he had a higher responsibility to enforce the law—and beyond that, to lead the nation out of the energy-tapping racial morass. He said it was time to settle these things, to clean the slate so that the next generation could start fresh.

October 12: The U.S. Commission on Civil Rights reported that there had been a "major breakdown" in the enforcement of the nation's legal mandates forbidding racial discrimination and urged President Nixon to exercise "courageous moral leadership." The 1,115-page report was entitled "The Federal Civil Rights Enforcement Effort."

October 12–14: Solicitor General Erwin N. Griswold, arguing the Government's case before the Supreme Court against student busing and racial balance in the schools in the Deep South, said that white students might flee the South's public schoolrooms if school desegregation were passed too vigorously.

On racial balance in the schools, he said, "I cannot find that in the Constitution." But he rejected the argument that the Constitution prohibited assigning children to schools on the basis of race in order to break up segregated schools.

October 19: The NAACP Legal Defense Fund filed suit against HEW, charging it with "general and calculated default" in its enforcement of Federal school desegregation guidelines.

November 24: Six private civil rights groups charged that the $75 million Emergency School Assistance Program was improperly administered. They found and documented, among other things, that grants went to districts engaging in racial discrimination and projects which were racist in their conception.

November 25: The Office of Education said it planned to send inspectors between then and January 15 to all 812 school districts given grants under the Emergency School Assistance Program, and "where we find violations we are going to crack down." (Washington Post 11–26–72)

December 11: The Office of Education earmarked $3.2 million to help retrain about 1,500 black teachers and principals who had been dismissed or demoted as a result of school desegregation. The Administration made no similar announcement, however, to move legally against districts which discriminatorily dismissed and demoted school personnel.

1971

March 15: The General Accounting Office issued a report on the $75 million Emergency School Assistance Program citing "weaknesses" in the administration of the program. It said the "weaknesses . . . were due, to a large degree, to [a] desire for expenditious funding, at the expense of a more thorough review and evaluation of school districts' applications." The findings confirmed those of the private civil rights groups in their report.

March 16: Senator Robert Dole, Republican National Chairman, said the Nixon Administration must find a credible salesman to improve its image among black voters. He said, "We haven't convinced black Americans that there has been a commitment from this Administration for their cause."

April 20: The Supreme Court ruled in the *Swann v. Charlotte-Mecklenburg* case, among other things, that busing was an acceptable desegregation tool. In so doing, the Court rejected the position advocated by the Nixon Administration.

April 21: Ronald L. Zeigler, White House Press Secretary announced, "The Supreme Court has acted and the decision is now the law of the land and it is up to the people to obey it. It is up to local school districts and courts to carry out the court decision. The Departments of Justice and HEW will carry out their statutory responsibiliites."

April 22: Secretary Richardson said in a speech to an NAACP Legal Defense Fund dinner in New York City, "We are committed to the full enforcement of the requirements of the law. But we are convinced that these requirements can now be fulfilled more effectively by cooperation than by coercion, by persuasion than by force."

May 14: HEW submitted a desegregation plan for Austin, Texas to a federal district court which called for several non-contiguous school zones and required extensive busing necessitating the purchase of up to 100 new buses.

May 28: In an interview, reported in the Atlanta Constitution, Secretary Richardson said southern cities would be told "you now have new tools" to finish the desegregation job and the government will help in any way it can.

June 1: HEW submitted a desegregation plan for Nashville, Tennessee which, like the Austin plan used non-continguous zones and extensive busing.

July 19: A federal court judge rejected the HEW plan for Austin, Texas and adopted instead the local district's plan. The Justice Department had until August 3 to file an appeal.

July 30: The Office of Education sent a memorandum to governors, state and local school superintendents, and HEW personnel concerning priorities under a Congressionally approved resolution continuing the funding of the Emergency School Assistance Program. The memorandum announced that transportation costs would be given very low priority and that local educational agencies were "expected to fund their transportation needs through state and local resources." This memorandum was sent out after Dr. Goldberg himself had earlier told representatives of several groups that money available under the continuing resolution would be used to support additional busing.

August 3: The Justice Department appealed the Austin decision, but accompanied the appeal with a statement from President Nixon which made three points:

First, the District Court decision had to be appealed because it was inconsistent with recent Supreme Court decisions. However, "In the process of the appeal, the Justice Department will disavow [the HEW] plan on behalf of the government."

Second, the President stated:

"I am against busing as the term is commonly used in school desegregation cases. I have consistently opposed the busing of our nation's school children to achieve a racial balance, and I am opposed to the busing of children simply for the sake of busing. Further, while the Executive Branch will continue to enforce the orders of the court, including court ordered busing, I have instructed the Attorney General and the Secretary of Health, Education, and Welfare that they are to work with individual school districts to hold busing to the minimum required by law."

Third, the Administration would submit an amendment to the Emergency School Assistance Act, passed by the Senate but still before the House of Representatives, to prohibit the expenditure of any of those funds for busing.

August 11: Presidential Press Secretary Ziegler disclosed that the President had told the Justice Department and HEW, orally and in writing, to carry out their school desegregation responsibilities "whenever possible without the use of busing." This he topped off with a threat to bureaucrats:

"Those who work within the government are going to be responsive. Those who are not responsive quite possibly will find themselves in other assignments, and quite possibly in assignments not in the Federal Government."

In his pronouncement Mr. Ziegler failed to make clear that Secretary Richardson and Attorney General Mitchell had both approved the Austin desegregation plan. The White House staff had also reviewed the plan, so it must be assumed that they at least had not disapproved it.

August 12: The U.S. Commission on Civil Rights strongly condemned the President's August 3 statement, saying "What the nation needed was a call to duty. Unfortunately, the President's statement almost certainly will have the opposite effect . . . of undermining the desegregation effort."

August 18: The Justice Department asked for a delay in the implementing of an extensive busing plan in Corpus Christi, Texas—a plan drawn up and submitted by HEW 12 weeks earlier. Corpus Christi is 50 per cent Mexican-American and 5 per cent black. Justice Black granted a short delay the next day.

August 19: HEW Office for Civil Rights initiated enforcement proceedings against Prince George's County, Maryland for failure to desegregate according to the requirements of the *Swann v. Charlotte-Mecklenburg* decision.

August 31: Chief Justice Burger refused on technical grounds to stay a racial balance plan for Winston-Salem, North Carolina. Instead he took the unusual step of clarifying" the *Swann* decision. He said that if lower courts "read this court's opinions as requiring a fixed racial balance or quota they would appear to have overlooked specific language" in the *Swann* opinion. Copies of this "clarification" were sent routinely to federal judges with a notation that it was for their "personal attention" followed by the initials "WEB." Some judges were reported to be insulted and distressed by the Chief Justice's "guidance."

September 13: Secretary Richardson said in

a press conference, "In the situations where busing is being required now by court orders, by voluntary plans that have been negotiated with HEW, the amount of busing required is necessary in order to eliminate the vestiges of a dual school system. That doesn't mean—as Chief Justice Burger has reemphasized—that the busing is being required in order to achieve racial balance. It is to eliminate the vestiges of the officially required segregation under old laws."

November 7: Ronald Ziegler announced that on November 5 President Nixon telephoned House Minority Leader Gerald Ford to congratulate House Republican leaders on the anti-busing amendments attached to the school desegregation aid bill that week. The Administration did nothing to prevent the House approval of the anti-civil rights amendments added to the higher education bill. President Nixon, in fact, was the chief advocate of one of the amendments. (*Washington Post* 11–7–71)

1972

January 6: An Office of Education official wrote the head of the Florida School Desegregation Consulting Center stating that the Center could not draw up a desegregation plan requested by a federal judge for Memphis, Tennessee. He said the Center can only draw plans at the request of a local school district. This was a new policy. HEW funded Centers like the Florida one have drawn hundreds of plans including the one for Austin, Texas which was withdrawn on August 3.

January 20: In his State of the Union Message, President Nixon said he opposed "unnecessary busing for the sole purpose of achieving an arbitrary racial balance.

February 14: President Nixon met with Congressional proponents of a constitutional amendment to prohibit busing. While he declined to endorse such an amendment for the time being, he said, according to his press secretary, "We do have a national problem, we are not going to leave the situation as it is . . . we are looking for a remedy." Zeigler characterized the problem as ". . . a situation where there is court-ordered busing of such magnitude that it is widely believed to be counterproductive to the children of this nation."

Mr. HAWKINS. following that, I would like to have inserted also a statement contained in a telegram to the President prior to his educational message in which the leaders of prominent national organizations have pleaded with him to refrain from the type of divisive tactics he employed.

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

There was no objection.

TELEGRAM TO MR. NIXON

MARCH 13, 1972.

DEAR MR. PRESIDENT: We understand that you plan to issue shortly a comprehensive statement on your administration's position on educational policy, including racial segregation and bussing in the nation's public schools.

Since you met, in a well publicized meeting, with those favoring a constitutional amendment to prohibit bussing and to halt desegregation progress, we feel it is only fair that you meet with us at your earliest convenience, and before adoption or dissemination of any school policy. We wish to discuss with you our strong views that:

1. Racial isolation of our children—black and white—in our nation's schools is an educational and legal wrong;

2. Every reasonable means should be employed to end such racial isolation including bussing;

3. The issue at hand is compliance with the law. The constitutional rights of black school children should not be subjected to the political needs of the moment;

4. Our schools are our children's first major involvement with our public institutions and to permit them to incorporate and reflect residential racial discrimination is no less indefensible, legally and educationally, than to fail to eliminate, root and branch, vestiges of official discrimination; and

5. The constitutional rights of school children and quality education are the major issues facing us. Neither can be ignored or achieved by endless debate on peripheral issues like bussing. Black school children should no longer be required to wait for their achievement or to bear a disproportionate burden in their achievement because of America's inability or unwillingness to provide equally for all our children. What is called for now is strong moral presidential leadership counselling compliance with the law as decreed by the Courts of our land rather than defiance and backtracking.

Dr. Ralph Abernathy, President, Southern Christian Leadership Conference, 334 Auburn Avenue, NE, Atlanta, Georgia 30312.

Jack Greenberg, Executive Director, NAACP Legal Defense and Educational Fund, Inc., Ten Columbus Circle, New York, New York 10019.

M. Carl Holman, President, The National Urban Coalition, 2100 M Street, N.W., Washington, D.C. 20037.

Dorothy Height, National Council of Negro Women, 1346 Connecticut Avenue, N.W., Washington, D.C., 20036.

Vernon Jordan, Executive Director, National Urban League, 55 East 52nd Street, New York, New York.

Bayard Rustin, Executive Director, A. Philip Randolph Institute, 260 Park Avenue, South. New York City, New York 10010.

Roy Wilkins, Executive Director, NAACP, 1790 Broadway, New York, New York 10019.

Mr. HAWKINS. Mr. Speaker, while attempting to project an antisegregation public posture, it is the policy of this administration to "pay off" the maintenance of black ghetto schools as a means of avoiding the legal and moral responsibiilties of implementing and enforcing constitutional rights.

The President gives the impression of creating a new policy and making available new Federal funds for what he calls "quality" education. As a matter of fact he is merely bending along with the winds of political pressures and reemphasizing "separate and unequal" schools under the guise of so-called compensatory education.

Despite his own admission that conclusive evidence to support compensatory programs is not available, he is willing to ignore constitutional requirements on the nebulous basis that by spending $300 per child, equal educational opportunities can be achieved.

Actually, the President is resting his case on the racial-inferiority concept of "cultural deprivation" that assumes that black children are deficient and not their schools. He ignores the vast amount of data available that support the theory of the socioeconomic composition of the student body being more important to student achievement than such inputs as class size, teachers, and expensive physical facilities. He is willing to take the costly and wasteful road for the political mileage.

This is not to conclude that only by integration can any improvement be made. The problem is how, if not by desegregating our schools, and at what cost? And who is going to pay it?

It must be obvious that a 3 to 4 percent annual inflation rate, it would require much more than $2.5 billions in new money merely to repair the monetary policy damage to our schools.

Even more, successful compensation education will require structural and reorganizational changes in school systems, a vast amount of community control in decisionmaking, and three to four times more money than is now being expended. In addition we would have to address ourselves to both racism in our society and revolutionary changes in the power structure. That all this is about to happen is as unlikely as a snowstorm in Washington in the summertime.

Even restricting the problem to cost alone, would involve an expenditure three times the current level on title I—ESEA—or about $3.5–4 billion, plus strengthening teacher personnel, and capital expenditures for many more classrooms. The total has been estimated to exceed $15 billion a year and with no assurance of substantial and lasting success.

In partial recognition of this cost the President proposes to rescue only about a fifth of the target population of disadvantaged children. This he calls "the critical mass" concept of confining the benefits to fit into a Federal outlay of $2.5 billion. This raises a curious legal question as to the constitutional rights of the ignored children who will be denied even compensatory education.

It is this brutalizing assault on children we know to be in need of educational and constitutional protection that constitutes the danger in Nixon's political expediency. His words of sophistry that "conscience and the Constitution both require that no child should be denied equal educational opportunity" are revealed as a sham and a ploy without substance, with no expectation of fulfillment.

The President's proposals have set us on a dangerous course of confrontation that leads to disunity, despair, and even violence. In a period which calls for greatness, he has abdicated to the bigots and political demagogues. It is now left to the Congress to lead. And, I submit, Mr. Speaker, this is our opportunity and responsibility if we would uphold the Constitution and move our country ahead.

Mr. STOKES. Mr. Speaker, I thank the gentleman from California for his contribution.

Mr. Speaker, I now yield to the distinguished gentleman from Massachusetts (Mr. DRINAN).

Mr. DRINAN. Mr. Speaker, I want to commend the distinguished gentleman from Ohio for arranging this special order so that we would have at least a moment of rationality on this particular subject.

Mr. Speaker, I ask unanimous consent at this time to place in the RECORD a number of editorials which have vigorously opposed the recent statements on this subject by the President. The Boston Globe, the Milwaukee Journal, the Washington Post, the New York Times, and many others have criticized as incredible and unbelievable, President Nixon's statements.

The SPEAKER pro tempore (Mr. LINK). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The material referred to follows:

[From the New York Times, Mar. 18, 1972]

FALSE BUSING CRISIS

President Nixon has snatched the anti-busing ball off the muddy field of Florida primary politics and is trying to carry it to a November touchdown, whatever the price in national division. In his televised address Mr. Nixon rejected demands for a Constitutional amendment to ban school busing, not because it would trivialize the Constitution, but only because "it takes too long."

With a strident appeal for "action now" that lent a presidential imprimatur to the hysteria already distorting this issue, Mr. Nixon has asked Congress to pass legislation that would "call an immediate halt to all new busing orders by Federal courts."

Far from adding perspective to the argument, the President further confuses it by inveighing against the busing of children over long distances to inferior schools "just to meet some social planner's concept of what is considered to be the correct racial balance. . . ." He wants to save a generation of children from the policies of those who are putting "primary emphasis on more busing rather than on better education."

All this paints an alarming picture of a reality that does not exist. No new legislation is required to prevent the courts from mandating racially balanced schools. In a unanimous ruling based on an opinion written by Chief Justice Berger last April, the Court upheld busing as a means of dismantling dual school systems. At the same time, however, the Court stated explicitly that it had neither mandated nor considered desirable the establishment of a racial balance or of any "fixed mathematical norms."

The Burger ruling stressed that, where there was no history of discrimination, "it might well be desirable to assign pupils to schools nearest their homes." It specifically questioned the wisdom and proprietary of transporting children over long distances.

Thus, it is clear that the Supreme Court does not require the kind of indiscriminate busing Mr. Nixon wants to outlaw. No legislation is required to prohibit a Federal court from ordering what the Supreme Court has already declared undesirable. Mr. Nixon must surely know that the principal aim of desegregation is to allow children who have been confined to inferior schools to be given access to superior ones, and not vice versa. Many children moreover have long been bused over long distances, in order to maintain segregation.

The President's second proposal—the Equal Educational Opportunities Act of 1972—aims at improving schools now attended by poor children, in other words primarily the segregated schools. This is what desegregation was all about in the first place. It is in those districts which have failed in the nearly two decades since the historic Brown decision of 1954 either to desegregate or to improve the schools attended by black children that Federal courts have been driven to order busing.

There is little in the President's call for spending $2.5 billion to upgrade poverty schools attended by black children that Federal courts have been driven to order busing.

There is little in the President's call for spending $2.5 billion to upgrade poverty schools that is not already contained in the Elementary and Secondary Education Act of 1965. Regrettably, neither the Federal Government nor many state and local school authorities have shown the will and skill to put the act and the funds to effective use.

President Eisenhower made little secret of his personal coolness toward the 1954 desegregation ruling, but he enforced the law as defined by the Court to the limit of his Presidential power. When the Chief Executive now appeals for legislation to limit the authority of the judiciary, he tampers with the foundations of government under law; for he diminishes the capacity of the courts to gain voluntary and peaceful compliance for their rulings. Such compliance is never more vital than in times of deep social conflict. It is an asset not to be squandered for temporary political gain.

[From the Boston Globe, Mar. 18, 1972]

A TERRIBLE INJUSTICE

President Richard M. Nixon has, as he likes to say, made one thing perfectly clear in his 15-minute television address Thursday night and in his special massage to Congress on Friday. He has adopted the busing issue as a prime vote-getter in his campaign for re-election.

The Southern strategy is in full bloom again. And what is not so clear is where this leaves Alabama Gov. George C. Wallace, who may have thought that he had the issue all to himself. Yet it is becoming quite clear where all this is leaving or could leave the nation—back in 1954, before the US Supreme Court ruled that racial segregation in the public schools is unconstitutional.

The President's action was both political and opportunistic—two adjectives that are not necessarily contradictory. Before the returns from Florida, Mr. Nixon had planned only a written message to Congress on busing. But with Wallace polling 42 percent, and 74 percent of Florida's votes favoring a constitutional amendment to ban school busing, the President changed his mind and took to the airwaves.

It was a blatant piece of free campaigning and the Democrats would do well to demand equal time.

"Busing" has become a code word, and the President surely had to know this and take advantage of it. Forty percent of all schoolchildren in this country are bused every day to regional, parochial or private schools with no protest at all. But when busing for purposes of racial balance is involved, it becomes another matter.

When the President took office he also took a solemn oath to "preserve, protect and defend" the Constitution, which vests in the Supreme Court the judicial power to interpret the Constitution. The Supreme Court has ruled—and unanimously—that busing is one of the tools—not the only tool, but one of them—that may be required to desegregate public schools.

Mr. Nixon has now gone farther than he went last Aug. 3 when he opposed "the busing of our nation's schoolchildren to achieve racial balance," which in itself seemed to call into question the Supreme Court's ruling.

He will now, he says, take action to stop such busing, because "a number of . . . lower Federal courts . . . have gone too far, in some cases beyond the requirements laid down by the Supreme Court in ordering massive busing to achieve racial balance." Doing all this by a constitutional amendment "deserves a thorough consideration by the Congress," he says, but has "a fatal flaw. It takes too long."

And so what he proposes is a law calling "an immediate halt to all new busing orders by Federal courts, a moratorium on new busing." It is bad enough for a Chief Executive to contravene the ruling of our highest court, but in this case he is asking the legislative branch of government to join him in dictating to the third branch established by the Constitution he is sworn to uphold.

And in what case pending in a lower Federal court would he have the Justice Department intervene, not on the side of the Constitution, but on the side of those charged with violating it?

Would it be similar to the case involving Charlotte, N.C., and its surrounding county, decided last April 21 in a unanimous opinion written by Chief Justice Burger? In that case, the decision approved a new busing plan that meant less busing, not more, to achieve racial desegregation. Under the old, dual school busing system, pupils at all grade levels had averaged 15 miles of busing one way, for an hour a trip. Under the new system, an elementary school student would average only seven miles, and not more than 35 minutes.

And it is not alone a matter of how far Congress, already divided, will go on this spurious and divisive question of changing the law of the land. Mr. Nixon says he will have the Justice Department intervene in "selected cases" in which lower courts have exceeded Supreme Court requirements on busing.

Is he not willing to recognize that the final arbiter of lower court decisions that exceed its own is the highest court itself, and that so intervening in the judicial process is to load the judicial dice?

No amount of words, under such attractive headings as "The Equal Educational Opportunities Act of 1972," can hide the terrible injustice of what is being proposed. All in all, it was a demeaning day for our country.

[From the Washington Post, Mar. 18, 1972]

MR. NIXON ON SCHOOLS AND RACE

In his address to the nation on Thursday evening, Mr. Nixon played fast and loose with the hopes of two quite different constituencies—those committed to an immediate rollback of busing orders, and those committed to the pursuit of quality desegregated education. When you have read the documents the White House withheld until the morning after the President's public address and when you consider that those documents—draft legislation and the rest—are meant to fulfill the expectations the President raised, you can understand why the fine print was kept out of view for a day.

The President's proposed moratorium on more busing, for instance, would, if enacted by Congress, leave busing previously ordered by the federal judiciary intact—the buses, like the caissons, would go rolling along. True, that much, at least, might have been divined from an attentive reading of Mr. Nixon's Thursday-night remarks. But the hoax played on those other Americans who took seriously Mr. Nixon's remarkable revelation that he had come up with an alternative to busing and one that would produce desegregation, is something else again. Busing, the President said, "is a bad means to a good end," and he went on: "The question, then, is 'How can we end segregation in way that does not result in more busing?' " He then announced to the nation that he had found the way. "The proposals I am sending to the Congress," he pledged, "provide an answer to that question." Well, they do not. There is nothing there. Mr. Nixon has neither found nor presented an answer to the question he raised. Rather he has recommended rejuggling some funds, having a pass at a court-curbing bill of questionable constitutionality, and enacting legislation that would ultimately inhibit the federal courts or administration agencies from remedying what are concluded to be illegal acts of segregation.

We shall return to the specific provisions of the legislation which Mr. Nixon has proposed. These are divided between two bills. The first which would remain in force only until the second had been enacted (or until July 1, 1973), if there were no action on the second bill) would forbid implementation of any new busing ordered by courts for the

purpose of desegregating schools. It is a highly dangerous and highly political maneuver—one that would interfere with the courts' capacity to fulfill their constitutional obligations and which would also presumably provide Mr. Nixon with political credit in certain antibusing circles and yet one which would offer no relief to those districts currently in the midst of implementing comprehensive busing orders.

The second bill fetchingly named the "Equal Educational Opportunities Act of 1972," rearranges funds (almost all of these already requested by the administration) so that some emphasis is put on aid to ghetto schools. So far as desegregation is concerned, it sticks fairly closely (with a few exceptions) to the definitions of illegal segregation that the Supreme Court and most of the lower federal courts have been using as the basis of busing orders. What it would change is the nature of available remedies. Busing of children below the sixth grade would be limited by a standard that would be different for each district and the standard would be wholly unrelated to the constitutional violation found. It would thus do nothing to achieve the uniform national policy Mr. Nixon has professed to be seeking. Busing of older children would be undertaken, as it now is by most courts, only as a last resort and if no lesser remedy will serve.

What is so disappointing—and so reckless—in all this is that Mr. Nixon's proposals sport with a desperate national need. Never mind that the reason the federal courts have increasingly been obliged to function as school boards is that the Nixon administration has systematically withdrawn executive branch support from implementation of the Civil Rights Act of 1964—it is true, as Mr. Nixon suggested, that the nation needs a uniform and wise national policy concerning desegregation that will see the courts, the Congress and the executive branch functioning together and to an agreed-upon end. And never mind that much of the progress in desegregation that the Nixon administration claims credit for was produced by its loss of court cases trying to inhibit desegregation—it is true that we have come to a point where better means are required to reach the "good end" of school desegregation.

But the President has done nothing to fulfill these desperate national needs. He has offered recommendations that at most will make them more apparent and perhaps less soluble. Black Americans and white Americans who have labored at some cost and some risks to "give life to the law" (in Mr. Nixon's phrase) have had the rug pulled out from under them. Those in affected districts who have argued that the law must be obeyed and that the commitment of the Brown decision of 1954 and the Civil Rights Act of 1964 must be fulfilled have been abandoned by the President. Blacks who had been led to believe since 1954 that this country's commitment to equality was real and irreversible have been given good reason now to doubt that it is either. The conflict between the federal judiciary and the other branches of government has likely been exacerbated, not helped or healed. Beneath the rhetoric, Mr. Nixon in fact said very little. It is amazing that he could manage at once to say so little and do so much harm.

[From the Washington Post, Mar. 22, 1972]

MORE ON THE PRESIDENT'S "ANTI-BUSING" PROGRAM

The President's mish mash of proposed "anti-busing" legislation has now gone to the Hill. It is, as we have already observed, fraudulent in its failure to provide even half the things the President has claimed for it, of questionable constitutionality so far as its court-curbing features are concerned, and disgraceful in the willingness it reveals to kick equality in the head for the sake of short term personal political gain. For anyone who may imagine that the two legislative measures Mr. Nixon has proposed are to be taken seriously as an attempt to deal with the tormented problem of race and schools or that they reflect the end product of some consistently held belief regarding desegregation or "equal educational opportunity"—to use the elevating phrase—we think a little historic perspective may be in order. This most recent maneuver by Mr. Nixon can best be understood in relation to his administration's 2-year record on the legislation at hand.

We will leave aside that part of the record which is not specifically connected with this legislation—the incredible ziggings and zaggings on racial policy as a whole, the apparent compulsion to sport not just with constitutionally commanded principles and constitutionally protected rights, but also with the fate of so many schoolchildren and with that of so many school and community leaders who have been trying to act equitably and in good faith. For the measures Mr. Nixon has now sent to Congress relate specifically to his so-called emergency school aid act, legislation that grew out of a statement he made on school desegregation two years ago almost to the day.

Then, as now, the President was responding somewhat belatedly to the pressure of a confused and tension-filled situation which he had done much to create. He had done so by swinging his administration back and forth, by summarily going into court to slow down a desegregation order the administration had previously been supporting in court, by losing the case and bringing on a unanimous Supreme Court demand that desegregation be accomplished—and be accomplished forthwith. Subsequently, the Congress went into an acrimonious and inconclusive debate, threatening all manner of curbs on both the federal judiciary and the provisions of the Civil Rights Act of 1964. At about this point in the fracas, it was announced that Mr. Nixon would make a statement.

The presidential statement of March 24, 1970, contained a pledge to abide by the Supreme Court's rulings in these matters, and Mr. Nixon also disclosed that his administration had decided to recommend an expenditure over two years of $1.5 billion "to be put . . . into programs for improving education in racially-impacted areas. North and South, and for assisting school districts in meeting special problems incident to court-ordered desegregation." Since it turned out that, among other things, the administration had neither decided where the money would come from nor how it was to be spent, another two months elapsed before the proposal was submitted to Congress. The House took its time and did not get around to passing the measure until winter. Without administration support, it appended an "anti-busing" proviso to the bill, one that would have prevented its funds from being used to support busing in certain situations. The Senate refused to accept this version and with administration guidance, advice, encouragement and support refashioned the bill into a much more integration-minded measure—and one from which any anti-busing provision was notably absent. With administration and joint leadership support, it passed the Senate 78 to 8.

That was in late spring of 1971. By summer, Mr. Nixon was abruptly to announce another turnabout. He now wished a stiff "anti-busing" provision to be put into the legislation, one that would prohibit the use of any funds for the purpose of busing—even busing that had been ordered by the courts and which affected districts had no choice but to pursue. The President revealed this latest swerve in the course of announcing that the Austin busing plan, which his administration had been in court trying to put into effect, was no longer the administration's plan. (Although it had been cleared personally with Attorney General Mitchell and Mr. Nixon's White House aides, the plan was now to be disparaged as the work of "bureaucrats.")

Despite the protests of school officials who believed that funds earmarked to aid in the process of desegregation could best be used by them to implement busing orders, the House put the Nixon "anti-busing" proviso into its new version of the bill, added a few even more stringent amendments and sent its handiwork back to the Senate. Mr. Nixon, who had congratulated Minority Leader Ford for his role in helping pass the whole "anti-busing" package, thereupon fell silent again. The administration observed the whole recent uproar in the Senate over the Griffin and other amendments with what it termed "benevolent neutrality"—first cousin, presumably, of "benign neglect." Only after a series of tense votes and reversals and after it had observed Minority Leader Scott fighting desperately to bring enough party members along to spare the bill Senator Griffin's embellishments and after a fairly decent Senate version of the bill had reached conference, did the President publicly speak or deign to give guidance. He had a whole new set of ideas he told the world Thursday night—some of them more regressive than the worst features of the House-passed bill.

As the congressional rematch gets underway, it seems to us important that a few things be held in mind. One is that "busing" is a fake issue—and not just because of the patent fakery with which the administration has been manipulating it. For it is not "busing" that Mr. Nixon is seeking to undermine by this program, but rather the integrity of the courts, the vitality of the constitution, and the commitment this country has long since made—or was thought to have made—to the rescue of those black schoolchildren who are trapped in an environment which must destroy them and of which the schools are a single, but essential part. He is not alone in his instinct for retreat. You hear a lot of scholastic argument from others these days about how test scores show that this won't work or that won't work and about how the school can't do it all and about how money isn't "the answer" or integration isn't "the answer"—and in the name of this exquisite polemical stalemate a monstrous national cop-out is being justified. That there is no single universally applicable or desirable method for meeting our constitutional social responsibilities surely does not suggest that we should merely forget them. But that is the course Mr. Nixon has now urged on the country. It will require the efforts of a lot of brave and wise men in Congress to reject what he has asked.

[From the Milwaukee Journal, Mar. 17, 1972]

LEADING THE COUNTRY BACKWARD

President Nixon's highly political television statement on school bussing was a confusion of doubletalk. We already knew that he opposed bussing, but where does our leader lead us from there?

He sidestepped the question of constitutional amendment to stop bussing. He said Congress should thoroughly consider it, but that its fatal flaw is that it would take too long to accomplish. Thus, he permits the belief that he favors a constitutional amendment without actually going on record in support of one.

Nixon correctly noted that some lower federal court orders for bussing had gone beyond what the Supreme Court has so far specifically required. That, of course, is in the nature of the court system. It is misleading to imply, as Nixon did, that the Supreme Court would necessarily declare those orders invalid. In fact, the Supreme Court so far has refused to do that.

In asking Congress to declare a moratorium on all new court ordered bussing, Nixon raises

once again, but does not answer, the question whether Congress can stop the courts from enforcing the Constitution. Congress cannot, and the Senate specifically rejected the idea in finally voting down the Griffin amendment. Even some of bussing's strongest opponents among those pressing for a constitutional amendment say that Congress through legislation cannot do it.

Nixon says, perhaps correctly, that a majority of Americans oppose bussing while favoring continued desegregation. The question then, he says, is "How can we end segregation in a way that does not result in more bussing?" He did not answer the question. Instead, the legislative proposal he outlined on TV is nothing more than warmed over compensatory education—the old idea of improving education in existing, racially isolated schools. Where is he leading us, back to "separate but equal," back before 1954, when the Supreme Court declared "separate but equal" to be unequal inherently.

And how, instead of leading the fight for desegregation and court ordered integration, the Justice Department is to be sent into the battle against bussing for that purpose. After 18 years it is to reverse its field and take us backward.

As for Nixon's $2.5 billion concentration of federal funds on improving education in poor urban and rural schools, it is welcome, and in fact the government is already doing much of that. But it has nothing to do with the question how, specifically, he plans to "provide better education for every child in America in a desegregated school system," as he promised early in his speech.

The president ended his address by saying that the way we handle this complex issue "is a supreme test of the character, the responsibility and the decency of the American people." Thursday night he flunked.

Mr. DRINAN. Mr. Speaker, I would also ask unanimous consent to insert at this point in the RECORD an article by Carl T. Rowan in the Washington Evening Star of March 22, with the title "Busing Stand a Sad Chapter in U.S. History."

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

There was no objection.

The material referred to follows:

BUSING STAND A SAD CHAPTER IN U.S. HISTORY

(By Carl T. Rowan)

For many reasons, personal and professional, I have strained to find something good to say about President Nixon's latest pronouncement on school busing. But I am driven to the conclusion that the President's proposals mark one of the saddest chapters in this nation's history.

A periodically glorious campaign to make this one society of mutual admiration and respect, which began full-force back in the 30's, has been dragged to an end. For the first time in half a century the President of the United States has arrayed himself and the immense powers of the executive branch on the side of "separate but equal." He is decreeing generations more in which the poor, the have-nots, wind up without a remote chance to succeed in that race we call the pursuit of happiness.

Nixon turned some neat phrases about integration and equality of opportunity, but they can never camouflage the truth that he was retreating before the charge of George Wallace, bending to the howl of the mob, both of whom he unwittingly armed when he put the phrase "forced busing" into the language.

The White House may call it a "libel" on the American people, but the naked truth is that bigotry is now riding high in this country, so high that even the President is crowded into a position where he appears to be either its prisoner or its ally.

Nixon beseeches Congress to direct the courts not to order any more busing for racial balance. The President must know that he cannot seize the schools any more than Harry Truman could seize the steel mills in the face of a disapproving court. Congress simply cannot forbid federal constitutional rights of this nation's children. And let no one forget that busing is simply a form of relief to children who have been subjected to a panoply of officially sanctioned injustices.

Nixon may believe that his "strict constructionist" Supreme Court will go along meekly with whatever Congress orders, but I rather suspect that even his most conservative appointees will see the dangers of this meat-cleaver attack on the judicial branch.

Millions of black Americans find bitterly amusing Nixon's argument that a constitutional amendment would "take too long" and leave thousands of youngsters to endure busing next year.

Where has Nixon been during the 17 years and 10 months since the *Brown vs. Board of Education* decision when black parents and children were screaming that "it takes too long" to escape the discriminations and humiliations of Jim Crow schools that our highest court had outlawed?

Justice delayed was justice forever denied to millions of black kids who finished their entire public schooling without getting one iota of judicial relief. Suddenly, when it comes to canceling their late relief, the White House finds that time is of the essence!

The truth is that from Wild Goose, Minn., to Sloppy Gulch, Fla., the school buses will roll on, with more than 18 million children aboard, from now until Richard Nixon is just a name in the history books. Because busing is the passport of white children to equal education. The record will show that the only buses derailed were those carrying black children toward a reasonable chance to secure their American birthright.

I know Nixon proposes to mollify minority and poor children with his "Equal Educational Opportunities Act of 1972" and a $2.5 billion expenditure.

Even if we give the President credit for the most egalitarian of intentions (which I frankly find it hard to do), there are some dismaying flaws to his proposals:

He is offering a warmed-over "compensatory education" scheme with extra financing from unnamed sources. I have documented in previous columns how earlier outlays of billions for educating the deprived and speeding desegregation wound up in swimming pools and fancy frills for affluent whites. Until the White House spells out the guarantees that vast new money will actually be spent to benefit the poor, experience dictates that we regard the new scheme as a pretty piece of wool to be spread over gullible eyes.

Even if the government does pour some money into neighborhoods occupied by blacks, Puerto Ricans, Indians, it would still be a reversion to "separate but equal." It would scarcely differ from 1952 and 1953 when legislatures in South Carolina and other Southern states were pumping money into showcase schools for blacks (after generations of abominable neglect) to try to head off the outlawing of Jim Crow.

Nixon has to know that allocating $2.5 billion to remedy the plight of schools for the poor is like weeping into the Pacific Ocean in an attempt to make it run over. He must know that however flamboyant the gestures toward the ghettos may now be, there is absolutely no possibility of equal education opportunity if you keep the poor, black, brown and red in separate schools while the rich and influential bask in the sanctuaries of their "neighborhood" emporia of education. Money flows toward affluence—and influence.

Much of the nation wants to kid itself. But some of us have to live with the reality that Nixon has asked Congress to underwrite an educational setup that guarantees this country remaining two nations, quite divisible, one white and one black, with liberty and justice for some.

Almost all of us will live to rue this sad interlude in the life of an already too troubled society.

Mr. DRINAN. Mr. Speaker, it has now been 17 years and 10 months since the Brown decision, when the Supreme Court ruled that with all deliberate speed there should be integrated schools. Now, 17 years and 10 months afterwards we have the President giving an address on this subject in which he never once mentions the term integrated. He asks, rather, that we have a moratorium on integration for 2 more years.

This raises a most fundamental moral and constitutional issue: Does this proposal constitute an unlawful invasion of the Federal Courts' jurisdiction and involve a violation of the doctrine of separation of powers? I am certain that scholars and others will agree that the President has unlawfully confronted the Federal Courts of this country.

Contrary to what the President has said, the courts have not ordered massive busing to establish racial balance. Not a single example of such judicial activity has been cited by the President nor by anyone who has supported his particular viewpoint. Not a single decision has been cited, even though in his address the President said at least three or four times that there have been judicial decisions which are unreasonable.

There is specific judicial protection against any unreasonable busing decisions given by Chief Justice Burger in the Swann decision of April 20, 1971, and I cite the very language of the Chief Justice:

> We find no basis for holding that the local school authorities may not be required to employ bus transportation as one tool of school desegregation. Desegregation plans cannot be limited to the walk-in school.

Chief Justice Burger goes on to say:

> Busing will not be allowed to significantly impinge on the educational process.

The Chief Justice went on to define what unreasonable busing is, and these are his words:

> When the time or distance of travel is so great as to risk either the health of the children or significantly impinge on the educational process . . .

It seems to me that the alleged rights sought to be protected by the President have already been precisely anticipated by the U.S. Supreme Court. Every decision requiring busing is appealable. If the people at the local level think that a decision is unreasonably burdensome, they have their remedy, and their remedy should not be in the Congress; it should be by appeal through the normal, established, legal process, in the courts.

The President is asking the Congress now to join him in fundamentally eroding the authority of the courts and the Constitution.

It seems to me that now as never be-

fore we have to have rationality and we, in the Congress, have to deescalate continually the rhetoric that has reached the White House.

The President of the United States has said that busing is a bad means to a good end. But he gave no good means to that end, which presumably still is good, in his judgment.

As has been noted here previously, more than 18 million children every day go to school on a bus, and a very tiny minority of that group go there by reason of court-ordered integration.

I will conclude, Mr. Speaker, by quoting the very sound and wise words of Senator MONDALE, chairman of the Senate Select Committee on Equal Educational Opportunity.

He cut through all the rhetoric and put it calmly this way:

> We have only two choices; we can assume our share of the burden. We can begin to ask the right questions—not whether we should resist school desegregation, but how we can best work to assure that school integration is conducted in a sensible, educationaly beneficial manner. We can fulfill the commitment to equality of opportunity which we have made in the past. We can build on the hopeful examples of successful integration, help the courts avoid educational mistakes, and make school desegregation work.
>
> Or we can stand in the schoolhouse door. We can resist the rulings of the Supreme Court and the advice of educators. We can abandon all the efforts of the past 17 years to eliminate discrimination and end racism—in pursuit of a policy of national resistance toward what the Constitution requires and what each of us knows to be morally right.

I am afraid, Mr. Speaker—and I say it with sorrow—that the President of the United States has chosen to stand in the schoolhouse door.

Mr. STOKES. Mr. Speaker, I thank the gentleman from Massachusetts for his contribution.

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

Mr. STOKES. I yield to my colleague, the gentleman from California.

Mr. DELLUMS. Mr. Speaker, I thank the gentleman. I would like to commend him for obtaining this special order on an issue which unfortunately has become—by virtue of the President's involvement and utilization of the politics of fear, divisiveness and expediency—one of the No. 1 questions today in America.

Yet when we are dealing with the fact that busing has so become the No. 1 issue in America, we are still bombing and maiming and killing in Vietnam, we still have mass unemployment, inadequate housing, inadequate health care and all the other critical problems that daily affect human beings in this country, I find it a major travesty in human justice—one that reflects very negatively on the politics of this country.

At the risk perhaps of being repetitious, I want only to make some brief remarks.

In addressing myself to the President's proposal: First, I find it ludicrous that the President of the United States can engage in implicit intimidation of the lower courts. I think that issue should be at least addressed and focused upon for and by the American people.

Second, when the President suggests legislation that would limit the ability of the judiciary to do the job that it is constitutionally charged to do, we walk into a very dangerous area of separation of powers, which, in my estimation, must be maintained if there is to be any humanity or any sense of democracy in this country.

Third, the President's proposal that we spend $2.5 billion to bring some level of equality of education to those who are educationally deprived and even harmed in America—I find that also ludicrous.

It was interesting that the President never mentioned where he was going to obtain the $2.5 billion. I think we can speculate with great accuracy. The $2.5 billion will come out of the pockets and out of the hands of the poor who would have received that $2.5 billion in some other form, except for expediency by the President who now comes rushing to the aid of the country—and interestingly enough—during a presidential election year.

When you place that $2.5 billion a year to elevate the level of education for millions of young people in this country in juxtaposition to $2.5 billion that we are spending each year to fight squalor and poverty, it becomes only enough money to address itself to, perhaps, 3 percent to 5 percent of the total needs of the human beings who live in dire poverty. But we can quickly release $2.5 billion to enhance the level of education in this country.

Again, it only points to expediency, and not for real relief of the human needs that exist in America today.

Finally, I close with a few remarks that you and I as Members of the Congressional Black Caucus as elected Members of this body and who are ostensibly concerned about human justice and human rights should—and must—oppose every single effort to pass antibusing legislation on the floor of the Congress.

First, any constitutional amendment that goes to the issue of limiting busing would be, in my estimation, a very dangerous precedent. When the U.S. Congress infringes upon the rights of the judiciary with a constitutional amendment, what makes us believe that next week, next month, or next year it would not limit other human rights and other human justices?

When we start such a precedent, it is very difficult to turn it around.

Second, I do not believe that this body should be involved in the process of limiting the powers of the judiciary as laid out in the Constitution of the United States. Whether we like many of the decisions that the Supreme Court has made or not, whatever human liberties we are experiencing in this country have been because the Supreme Court has been willing to legislate through the judicial process. Why? Because, over the years, we in this body or in the other body have not been strong enough or committed enough to legislate in very controversial areas.

Perhaps that is because some of us are too preoccupied with being reelected to office rather than in solving human problems.

Third, any effort to pass legislation which would cut off the limitation of Federal funds into a community for this purpose also strikes at title V, section (b) of the 1964 Civil Rights Act. That act is not the most powerful instrument in this country, but it certainly provides a handle by which some of us can stop the flow of Federal funds into communities where discrimination exists. I think this instrument should be an instrument that is not damaged.

So I would urge all of my colleagues to think very clearly about the constitutional implications, the issue of the separation of powers, and the lack of funds which the President has proposed in terms dealing with this very grave problem. If he was talking about $20.5 billion a year, maybe we would be in the ball park.

Fourth, it would be my hope that I would be a Member of this body where the overwhelming majority of the people here were focused on the major and critical problems that are facing the people of this country, black and white, red and yellow, young and old, rather than continuing to project expediency and the divisiveness of an issue—busing—that should not be the No. 1 question in America.

I close by thanking the gentleman for his courage and articulateness in focusing on this serious issue, and I thank him for the opportunity he has afforded us to join him in his special order.

Mr. STOKES. I thank the gentleman from California for his remarks and his contribution to the special order.

I yield to the gentlewoman from New York (Mrs. ABZUG).

Mrs. ABZUG. Mr. Speaker, I want to join the gentleman in expressing my appreciation for his taking this special order so that others can join him in responding to a very serious question facing the Congress and the country.

Last Thursday the President calmly informed the Nation that busing as a means of assuring quality education for our children was no longer acceptable to his administration. While Mr. Nixon was really saying was that he wanted to go back to 1896 when the Supreme Court enunciated the doctrine of "separate but equal" in the case of Plessy against Ferguson. In so doing, he implied that the Supreme Court's 1954 decision in Brown against Board of Education, which held that separate facilities for black and white citizens were inherently unequal, should be ignored or overruled.

Furthermore, it is quite clear that the President denies the law of the land, the 1964 Civil Rights Act and other statutes enacted in the struggle to make equal opportunity a reality in the United States of America.

I do not believe that the American people will be misled by this attempt to dupe them. Therefore, I believe it becomes the responsibility of Representatives in Congress to oppose vigorously the proposals of the President.

In asking for a moratorium on busing, and allegedly asking for billions of dollars to promote a so-called "equal

educational opportunity" program, the President is callously overlooking a fact which the courts accepted 20 years ago and which most Americans, in the calm of ordinary discussion, recognize today—that separate facilities are inherently unequal.

During the past 25 years thousands of Americans—white and black—have walked on picket lines, sat in lunch counters, and paraded in marches in the effort to realize the goal of an integrated, quality school system and indeed, an integrated society. In recent years their efforts have begun to fruition in that Congress and the courts have acted by law to provide equality for all Americans. It is important to keep in mind that those of us who are speaking here today are supporting busing and other methods of integration not merely for the sake of integration, but because it is crystal clear that only when our schools are integrated will there be quality educational opportunity for both black and white students, and that only this can bring about hope for political and social equality for black and white students.

Busing is a means, and not the only means, to achieve the end of equal, quality education. It is where necessary, an acceptable means and one which we cannot abandon merely because we are in an election year.

I want to note at this point my opinion that any action taken by Congress to restrict the power of the courts to order busing is unconstitutional. Article III of the Constitution empowers the Congress to limit the jurisdiction of the Federal courts, but that power is circumscribed by the due process clause of the fifth amendment; that is to say, Congress may not exercise its article III authority in a manner which will deprive any person of due process of law. It is plain that Congress cannot prevent the Federal courts from considering constitutional questions. It follows quite naturally from this that the courts cannot be prevented from ordering whatever remedies are necessary and proper to vindicate these rights. As Justices Rutledge and Murphy said in *Yakus* v. *United States*, 321 U.S. 414 (1944):

> Whenever the judicial power is called into play [as it must be in a constitutional case], it is responsible directly to the fundamental law and no other authority can intervene to force or authorize the judicial body to disregard it.

Since the question of equal protection of the laws is a constitutional one, the Federal courts automatically have jurisdiction to consider it; having this jurisdiction, they must have the power to order whatever remedies are necessary to effectuate it.

What President Nixon proposes as a "new" substitute for quality integrated education is in fact not at all new. The $2.5 billion which he seeks in Federal funding for inner-city schools has long been authorized under title I of the Elementary and Secondary Education Act.

We cannot turn our backs on the effort to rectify the effects of 250 years of slavery and an additional 100 years of a more subtle bondage.

We cannot turn our backs on such court decisions as Brown against Board of Education and Swann against Charlotte-Mecklenburg, and such enacted and accepted statutes as the Civil Rights Act of 1964. This is the law of the land, and it should be the law of the land, and it must be the law of the land. What we must do now is to see that it is carried out.

The President is using the issue of "busing" as both a code word and a smokescreen for his real issue—opposition to integrated and equal opportunity in education, in housing, and in employment. Congress must recognize that and fight it as such.

Mr. STOKES. Mr. Speaker, I thank the gentlewoman from New York for her contribution to this special order.

Mr. Speaker, I yield to the distinguished gentleman from Massachusetts (Mr. HARRINGTON).

Mr. HARRINGTON. Mr. Speaker, what we need today is not just speaking out against President Nixon's message on busing, though I intend to speak out each day on that moral outrage. What we need now is action by a courageous Congress to thwart its effect on the courts, and on the Nation. It is a policy which will continue the hatred and disharmony in the nation between those of the white race, and those of the black. It is a policy based on a remarkable misunderstanding of the constitutional principles involved in recent court cases from Denver to Pontiac to Richmond. And it is a policy which threatens to throw this Government into a constitutional crisis pitting the power of the judiciary against that of the Congress. The President has sought to commit the Nation to a dangerous policy designed to produce maximum political effect with minimum positive results for quality education either in the cities, or in the suburbs. Quality education can never be separate education. Separate education is inherently unequal, whether caused by law or not. And unequal educational opportunities is indefensible from a moral if not constitutional standpoint.

There is no confusion in the courts about busing. The Supreme Court set out in Swann against Charlotte-Mecklenburg and Taylor against Board of Education exactly what the Constitution mandates. The Court has not insisted upon racial balance. What it does insist upon is that no governmental action be taken on any level which furthers school segregation, and that where such action has been taken in the past, the Government in question must take remedial action to undo its segregationist efforts.

Emerging from the President's message is a commitment to separate but equal educational opportunities, a philosophy rejected time and again since Brown in 1954. In accepting that antique premise, the President demonstrates an inexcusable naivete when he claims that the schools should not serve a major social purpose. Schools are never neutral—never. They are the most potent social force of any nation. In segregated areas, they serve to reinforce a never-ending cycle whereby minority and low-income families are forced to live, eat, recreate, and educate in a confined lifestyle which is stifling to their humanity and certainly abhorrent to any sense of social justice. Government complicity in this segregation cannot be tolerated.

From a budgetary standpoint, the President's message is a fraud. A renaming of $2.5 billion already in his 1973 budget will not provide even a beginning toward the goal of acceptable urban education. That sum includes a title I commitment $4.6 billion below the congressional authorization level for title I programs under the Elementary and Secondary Education Act, and will reach less than half of the pupils in this country between the ages of 5 and 17 who should qualify for supplemental assistance. Past administrative actions on education round out the picture: Appropriations in excess of the President's inadequate requests have met with two stern vetoes. For him now to talk of quality education is fraud.

Finally, Mr. Speaker, I most resent the political context of the busing message, with its bow to pressure from those who would seek their own self-interest at the expense of social progress and equal opportunity. It is a cheap political ploy against the courts and the Constitution in an election year. And I resent being called an extremist by the President because of my support of integration and equal opportunity. That seems an irresponsible label for a man who says he is calling on the "collective wisdom and experience" of the Congress in dealing with the busing issue.

Mr. STOKES. I thank the distinguished gentleman from Massachusetts for an excellent contribution to this subject.

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

Mr. STOKES. I yield to the distinguished gentleman from California (Mr. CORMAN).

Mr. CORMAN. I thank the gentleman for yielding.

I join my colleagues in commending the gentleman for taking this special order. The matter we discuss is of utmost importance to this Nation.

I remember some 7 years ago, when the leadership of this Nation was in other hands, the President of the United States stood in this Chamber and said, "We shall overcome." He meant that we would overcome the vestiges of human slavery in this Nation, racial segregation.

He devoted much of his energy, effort and time as our President in helping to overcome segregation.

In 1967, when much of this Nation erupted in violence and there was an obvious social sickness in our land, he asked 11 of us to look as carefully as we could at what happened, why it happened, and what ought to be done about it. We unanimously concluded that this Nation would never free itself from the threat of that madness, so long as we maintained a dual society.

We also concluded that the next important point at which we must strike down this dual society was in our public schools.

There is no question but that every American is greatly affected by his edu-

cation, not only what he learns in school but what his experiences are in school. It is what the U.S. Supreme Court was saying in 1954. The Court was not concerned about whether a board of education was of good heart or of malicious intent. What the Court was looking at was little children who sat in classrooms and what happened to them. The Court said that if you isolate children by color, you are inherently unfair to them; you demean them and deprive them of equal education.

Many children who were born that year are finishing high school this year in racially segregated schools. Their right to equal educational opportunity is gone forever. There is nothing we can do about that.

What does the President now suggest we do about 5-year-olds whose educational experience is ahead of them? He seems to imply that we must stop any opportunity those 5-year-olds have of going into a U.S. court and saving themselves from a racially segregated school life.

But he goes on to plead for Federal funds to, as he puts it, offer for the first time real equal educational opportunities.

A willingness to spend any Federal money on aid to elementary and secondary education is a change from President Nixon's historic position. One might reasonably assume that school children in this country were as bad off in 1950 and 1960 in this regard as they are in 1972. It is a fact that in 1950 Congressman Nixon, as a member of the House Education and Labor Committee, cast a crucial vote to kill Federal aid to education. In 1960, then Vice President Nixon cast a tie-breaking vote in the Senate for the same purpose—to block Federal aid to education.

I do agree with the President that we must spend money now for quality education for every school child. This in no way alters the constitutional fact that racially segregated education is not and cannot be quality education.

Looking specifically at the President's moratorium proposal, to whom is he speaking and what is he saying? He is speaking to American children who have gone to court, pleaded their case, convinced a judge that they are being denied their constitutional rights, and have had their grievances redressed. This has happened in about 600 cases across this land. Richard Nixon now says to those children, "I, as your President, snatch from your hands that victory. I do not deny your rights or your need for help, but I, with the help of the Congress, will intervent to deny you your remedy."

The President misreads the Constitution. I believe he misreads the sense of fairness of the American people. Clearly no parent wants his own child bused to an inferior school. He does not want his child to walk to an inferior school. But clearly he does not want to impose on other children what he rejects for his own.

We were angered when we saw pictures a decade ago of grown people assaulting and spitting upon little girls entering integrated schools in Louisiana for the first time. We saw little to be admired in a Governor who stood symbolically in the schoolhouse door. When we sort out carefully what President Nixon has said, we will realize that the President's adversary is not a judge, a bureaucrat, or an extreme social planner. Rather the President's adversary is a 5-year-old child, probably black, who wants a chance to live the American dream.

I have a young lady in my office who grew up under that old segregated system. I asked her to write for me what she thought about school desegregation. Her name is Winifred Burrell. I ask unanimous consent that I may include her remarks at this point in the RECORD.

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

There was no objection.

BUSING

In 1954, the Supreme Court of the United States ruled that "Separate educational facilities are inherently unequal" and ordered that desegregation of public institutions be accomplished "with all deliberate speed." It has been eighteen years since this landmark decision, Brown v. Board of Education of Topeka, and it appears that "all deliberate speed" is a slow deliberate process since the majority of our Nation's schools are still segregated. Very understandably, conditions in different localities, North-South, urban-rural, vary so widely that rigid rules could not be laid down to govern all situations. It was, therefore, left to the lower federal courts and-or local school districts to devise the means necessary to abolish segregated schools in a particular area. This, however, presented a major problem for the school districts simply because integration is not an easy matter. It is neither simple nor popular, and resistance to any plan or method could be expected. Finally, in 1969, the Supreme Court ruled that the time in which schools were to desegregate with "all deliberate speed" had expired and school systems were ordered to desegregate immediately. As a result, federal courts across the Nation ordered massive student busing, if necessary, as an immediate and economical remedy. Not unexpectedly, adverse public reaction spread rapidly and anti-busing forces moved swiftly to create an atmosphere of confusion and rebellion. Busing students, however, is not the total answer to the problems involved in integrating our schools, but it is a step forward toward the ending of segregated schools and the beginning of quality education for all.

Before the 1954 Supreme Court decision, Black and white students alike were bused to segregated facilities. Even today, forty percent of the Nation's public school children are being bused to and from their respective schools. Busing in itself has never been viewed as undesirable, but busing to achieve integration has been labeled as unconstitutional, unfair and unjust. It is, therefore,the word "integration" not "busing" that draws the thin line of distinction from acceptance. It is further noted that the basic need for busing as a tool to eliminate segregated schools is merely a direct result of segregated housing patterns. If the neighborhoods were integrated, the schools would automatically become integrated. This, unfortunately, is far from being realized.

To show the changes in housing patterns and school compositions, I cite my own experience as an example of the trend. In 1952 I was in the 7th grade when my family moved into a predominantly white neighborhood in Washington, D.C. A white junior high school was situated approximately three blocks from our house. I was, however, compelled to attend a segregated junior high school in another section of town. This meant I had to walk past the white junior high school to use public transportation to attend a segregated school. By the time I graduated from junior high school, the Supreme Court decision had been handed down, and school officials used residential boundaries for the abolishment of separate institutions. During this period of time, however, this predominantly white neighborhood had rapidly diminished to a predominantly Black neighborhood and the all white junior high school was now integrated with an all Black community. It was, therefore, impossible to integrate two elements because you only had one component part. Specifically, the housing barrier has long been the contributing factor which justified a dual educational system. Busing, however, can be used to overcome this barrier and, thus, provide the fully integrated educational systems guaranteed by the law.

Busing will also ensure quality education for all, especially the Black student. Black students have been subjected to inferior education for decades. Studies have shown and proven that educational separation produces educational inequality. It is, therefore, essential that Black people be given the opportunity to enter the mainstream of American life, and quality education is a first step toward this end. Further, quality education is necessary for the national security and economic prosperity. But most important it will make possible the enrichment of an individual's life. Black students, traditionally, have been educated in schools where facilities and curricula are inadequate and by teachers who, themselves, often are products of the separate and unequal system in which they teach. Since Blacks have never been accepted as an equal part of this Nation in a society that rejects and attempts to dehumanize them, it is no wonder that they are ill-equipped to compete or adjust. It is, therefore, imperative that Blacks be afforded the opportunity to receive quality education no matter what the cost, and since busing is one of the methods devised to accomplish this, it should be used, when and where necessary, as a move toward the ending of unequal educational facilities in this country.

Busing, very simply, is only one device that can be implemented to ensure quality, integrated education. It cannot change the attitudes and minds of a society that has long believed in "separate but equal" educational systems. Even though quality education was a myth under the separate but equal statute, it was the intent of the Supreme Court to rectify this fallacy. It is unconscionable that this Republic committed since its inception, and written into the Constitution by which it is governed, to the principles of freedom, justice and human dignity for all its citizens, should continue to separate children in school simply because of the color of their skin. A child born in 1954 was given a great opportunity when the historic Supreme Court decision was handed down. This same child has now completed his high school education under the same conditions that prevailed at the time of his birth. Although the Supreme Court charted the course, separate educational facilities are still sanctioned in this country. Maybe the child born today will be afforded his inherent rights as a citizen as dictated by the Constitution.

Mr. STOKES. I thank the distinguished gentleman from California.

I now yield 1 minute to the distinguished gentleman from California (Mr. WALDIE).

Mr. WALDIE. I appreciate the gentleman yielding.

I commend the gentleman for bringing this matter before the House.

I am one sitting here today who is troubled and deeply troubled by conscience and, I think, my own questionable courage on the issue. My conscience has been, I think, clarified by what I listened to today, and I am encouraged. I wish there had been others in this House who were as troubled as I am and who are uncommitted, who would have been able to sit here today and listen to this debate. It is sad that but a handful of Members were on the floor during this presentation and most of them were already persuaded as to opposition to the President's proposal. Those not so persuaded might have learned.

Mr. STOKES. I thank all of my colleagues who have participated in this special order. I think you have rendered a real service on the part of the House and on the part of this Nation.

Mr. BURTON. Mr. Speaker, I would like to commend my colleagues for bringing some light to this issue which has, to date, generated a good deal of heat but all too little understanding.

I have received a number of communications from leaders in my community and in the Nation which will help to put this issue into some perspective. Excerpts of these letters follow:

Kathryn S. Blalock, president, League of Women Voters of San Francisco:

Thank you for your vote on March 8 against inclusion of strong anti-busing provision in the higher education bill . . . We cannot afford to eliminate any method which will achieve the goal of quality integrated education.

The Reverend James M. Purcell, cochairman; Dr. Robert Bulkley, cochairman; Rabbi Roger Herst, cochairman, San Francisco Conference on Religion, Race, and Social Concerns:

We ought to tell you that we are opposed to the anti-busing amendment, however, because we are firmly committed to integrated schools and while we would want any school system to explore ways other than busing to achieve integration, we would not rule out busing.

The real issue, Congressman Burton, has not changed since 1954. It remains equal educational opportunity and the elimination of segregation and discrimination and we must use creative and imaginative means to achieve those ends. This means not foreclosing busing as a possibility.

Rev. John J. O'Connor, executive director, Catholic Social Service of San Francisco:

I am writing to urge you to refrain from signing the discharge petition on H.J. Res. 620. I feel this proposed Constitutional Amendment would strike down progress toward school integration.

Lucy Wilson Benson, president, League of Women Voters of the United States:

Vote against instructing conferees to insist on House busing amendment to Higher Education Bill S-659.

Clarence Mitchell, legislative chairman, Leadership Conference on Civil Rights:

On behalf of our 127 national organizations we urge you to oppose any effort to instruct Higher Education Act conferees on any anti-civil rights provisions.

Andrew J. Biemiller, director, Department of Legislation, AFL-CIO forwarding text of President George Meany's statement. The Meany statement reads:

The President's message on busing significantly omits any commitment on the part of his Administration to enforcing the law of the land—quality, integrated education for America's school children.

He does not commit his Administration to the expenditure of one penny in new money to improve the educational opportunities of disadvantaged children. The Elementary and Secondary Education Act—already on the books—authorizes in Title I far greater expenditures than the President is proposing. The Emergency School Aid Act—already passed by both the House and Senate—is the source of the rest of the money the President proposes spending. In fact, the $2.5 billion the President talks about is far short of the authorized spending level in ESEA for the improvement of disadvantaged schools.

Ever since his inauguration, the President has consistently opposed increasing the appropriation for the program designed to improve schools attended by the disavantaged.

He twice vetoed congressional efforts to increase federal funding of the nation's schools—including tens of millions of dollars for aid to disadvantaged schools. One of these vetoes was carried out in front of a national television audience.

Now the President is back on national television trying to convince the American people that he has changed his opinion on improving the educational opportunities of disadvantaged children. This is political chicanery.

No new legislation is needed to improve educational opportunities for the disadvantaged. An excellent law is already on the books. What is needed and what has been lacking, however, is Presidential leadership to encourage the Congress to increase the appropriations to their full authorized level.

Further, the "busing moratorium" President Nixon proposes is a cynical attempt to reward those who said "never," and to undermine the moral leadership of those citizens who endeavored to comply with the Constitution and the Supreme Court's 1954 decision.

The Administration has chosen a course that, at the least, is at the margin of constitutionality. The real loser in this Nixon-inspired constitutional confrontation will be the integrity of our legal system.

The Administration, while invoking the slogan "law and order," has repeatedly struck at the courts, which, since the time of John Marshall, have been regarded as the ultimate line of defense for constitutional liberty. It now proposes, in the guise of regulating the courts' jurisdiction, to deprive them of the power to enforce the 14th Amendment by busing orders designed to eradicate the last vestiges of the segregated "dual school" system, even where that is the only method sufficient to secure true desegregation. If the 14th Amendment can be deprived of its vitality in this way then none of our constitutional rights is secure.

The harm to the constitution is no less severe because the proposed legislation is of limited duration—to expire five months after the presidential eletcion. For the rights in question are those of individual school children and once lost for any school year cannot be recaptured.

The AFL-CIO remains firm in its commitment to quality, integrated education. We are, therefore, opposed to the President's current political maneuvers on this question.

Mr. RYAN. Mr. Speaker, at a time when our Nation desperately needs firm moral leadership, the President has abdicated and alined himself with those who would make political capital out of racial distrust and discord.

Instead of calmly reminding the American people that a clearly established line of Supreme Court decisions, starting with Brown against Board of Education in 1954, requires the integration of schools, and the use of busing where necessary to dismantle the dual school system, the President enunciated a new doctrine of nullification in his message on the busing of school children.

The legislative package the President has presented to Congress concerning busing is certainly designed to halt the progress achieved over the last two decades in eliminating the dual school system. The legislation presented by the President is both deceptive and of questionable constitutionality. In engaging in this maneuver, the President encourages the public to lose respect for the landmark Supreme Court decisions in this field and falsely raises hopes that the difficult problem of busing will now be solved. It is a sad day for this country when the actions of its Chief Executive encourage the citizenry to lose respect for the law.

Specifically, the President has proposed: first, a moratorium on all new or additional busing orders lasting through July 1, 1973, or until the passage of substantive legislation; second, the Equal Educational Opportunities Act of 1972 which would combine the already existing programs operating under parts of title I of the Elementary and Secondary Education Act and the proposed Emergency School Assistance Act, which is pending in Congress, to provide money for schools in poor neighborhoods and offer these impoverished districts some extra money, as a way of compensation for the lack of busing. This program, in other words, is a disguised throwback to the old Plessy against Ferguson doctrine of separate but equal school facilities, which the Supreme Court explicitly overruled in the 1954 Brown against Board of Education decision.

In so ruling the Court found that separate schools are inherently unequal, despite whatever monetary efforts might be expended on the black school system. That finding of the Court has been borne out in more recent studies of the education system. The massive report of James S. Coleman, of Johns Hopkins University, entitled "Equality of Educational Opportunity" suggests that the home environment is the best way to achieve good school performance, and that mixing of social and economic groups in schools leads to improvements in performance and is a much more promising approach than raising expenditures and facilities and teachers in largely segregated schools of poor communities.

Thus does the President attempt to implicitly reverse the Supreme Court and foster the unconstitutional concept of separate but equal schools. The Pres-

ident does not serve the country well by dancing to the tune of Gov. George Wallace on this issue. Moral leadership was what was required, and it was sadly not forthcoming.

The SPEAKER pro tempore. The time of the gentleman from Ohio (Mr. STOKES) has expired.

THE NIXON MANIFESTO—SEPARATE BUT EQUAL

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

Mr. CLAY. Mr. Speaker, the President has once again exploited the executive privilege of free public air waves. This time in a nationally televised speech, President Nixon disgracefully called for a return to public education as it existed prior to May 17, 1954. By appealing to the baser instincts in the American people, our President added fuel to the flames of racial hate which now engulfs our country. He started his defense of a separate but equal society on a false premise that U.S. district courts have been ordering "massive busing" for the purpose of racial balance. What might I ask, constitutes "massive busing?" Is it real or illusory? Does it exist in fact, or does it exist only in the minds of those who vehemently oppose the extension of full rights to all Americans?

The real issue, indeed the only issue at stake in the busing controversy, is that of race. The so-called evils of busing only become emotional monsters when that big yellow bus terminates at the little red schoolhouse which happens to have many black students enrolled. There is no such animal in the American educational system known as the "neighborhood school." Anyone who alludes to it is injecting a dimension into the debate which smacks of racism. The fact is, that more than 60 percent of all American children attending school today are arriving there by bus.

If our President were honest, if the majority of our citizens were honest on the question of busing—we would not be confronted today with the so-called solutions to the so-called evils of busing. If busing entails all the evils our President contends, such as creating serious risks to the health and safety of children; disrupting their educational process; and impinging significantly on their educational opportunity, then, our President is advancing the wrong solutions. I would think that our President would be advocating that no Federal funds be used to finance buses or schools where children are enrolled who live more than 3 miles from school. If indeed there is an existence of neighborhood schools, I see no reason for a child to attend a school more than 3 miles from home.

For the President of the United States to provide the forum and vehicle to create the climate for respectability of racists and racism is diabolism. His intentions must be held in suspect by any decent person who knows him and his past performances. In one breath he calls for a moratorium on all busing for racial balance and in the next proposes to spend $2.5 billion to provide equality education for minorities. It seems unbelievable to me that he could make such a statement in light of the fact that just 18 months ago in his veto message to the Congress he said, $453 million for elementary and secondary education, handicapped, vocational and adult education, student college loans, and libraries was "the kind of big spending that is wrong for all the American people." In fact, his budget for fiscal 1972 included only $1.85 billion for all elementary and secondary education. How then can any intelligent person believe that President Nixon is serious about spending a meager $2.5 billion to improve the quality of education for minorities? A closer look at the $2.5 billion which Nixon now proposes reveals no new commitment of funds but rather a "hold the line" effort in an attempt to spend the same amount as is now being spent.

Under President Nixon, we have witnessed the whole thrust of the 1960's to eliminate the degrading, dehumanizing effects of racism reversed. Under the Kennedy and Johnson administrations, racial and social injustices were confronted as moral and legal wrongs to be rootel out from our society. Neither Kennedy nor Johnson was reluctant to use the entire weight of the Presidential Office to embrace and promote the concept of racial equality. Unfortunately, President Nixon has chosen to follow the lead of men like Adolf Hitler and Woodrow Wilson. President Nixon prefers demagoguery to decency. He prefers to "bleed-white" than to "lead right." If President Nixon is genuinely interested in improving the quality of education for the deprived, denied children of the ghetto, then he should use the resources of this great Government of ours to improve the quality of life in all aspects for them. He cannot support "economic discrimination" in suburban housing which is equated with racial discrimination and yet contend that ghetto children are being denied quality education because of the conditions under which they are forced to live. He is, in effect, responsible for them being forced to live under those conditions. The President opposes "forced" busing on the one hand but protects "forced" patterns of housing discrimination on the other.

He cannot shed tears for those same black children who are bused to suburban areas to receive quality education and at the same time deny their black parents equal job opportunities by refusing to enforce the laws against discriminatory hiring.

Sitting back and watching how the wind blew in Florida, the President seized upon the results of that State's busing referendum. Mr. Nixon may win additional support from the racist segment of our population but in the process of gaining these votes, he is taking the Constitution into his own hands to turn the civil rights clock back to 1896. For blacks, the journey on the road to equality has been a long and trying one. Obstructionists such as Mr. Nixon have always attempted to block the road to total equality. But he and his kind cannot turn back the clock, cannot deny blacks their constitutional rights without endangering the constitutional rights of whites.

Those who drafted the Constitution and the Declaration of Independence foresaw the kinds of hysteria and pandamonia that would exist in days like this. They knew that men who normally are protectors of the Constitution and the rights of individuals would be called upon by ignorant mobs to set aside the rights of individuals and in effect destroy the Constitution.

Thomas Paine so eloquently put it when he said:

> These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but be that stands it now, deserves the love and thanks of man and woman.

Seldom in our Nation's history has the need for a reasoned approach to our many social, political and economic problems been more clearly felt. Yet, we permit ourselves to be confused and divided by issues that are magnified and distorted out of all relation to reality.

The matter of school busing to achieve integration is one such issue. Our ability to separate out the real problems from the contrived may well prove a supreme test of our ability to maintain a democratic, pluralist society.

The American Jewish Committee reasserts its unequivocal commitment to an integrated society and to quality public education for all. Integrated public schools offering equal educational opportunity are a necessary component of that society.

We are unalterably opposed to a constitutional amendment against busing or any other executive or legislative technique which would undermine this commitment.

We make no attempt to ignore or minimize the many practical difficulties involved in integrating schools. Many Americans are resisting court-ordered busing because they honestly feel it would jeopardize the quality of their children's education. Many are concerned for their children's safety. Some support has also developed among our racial and ethnic minorities for a retention of separate schools as part of their political and social drives. These real problems have been exploited by cynical politicians who fan hysteria and offer simplistic solutions to complicated social issues.

The current emotional debate over busing loses sight of some of the important facts; first, 18 million schoolchildren—40 percent of the total school population—are normally bused to and from school for reasons that have nothing to do with racial balance; second, in Mississippi, South Carolina, and Alabama there has been a 2- to 3-percent decrease in the number of students bused since 1967–68 in the process of desegregating previously segregated schools. The issue, therefore, is not "massive" or "forced" busing, but rather whether there should be new constitutional, legislative, and executive prohibitions on the use of any busing in desegregation plans that are developed by local communities or directed by courts.

The American Jewish Committee believes that there should be no such prohibitions, and that a variety of school integration approaches must be used to achieve the twin goals of integration and quality education.

We must not permit "the busing issue" to divert us from the complex of economic, social, and political issues crying out for solution in order to improve the quality—and the equality—of life for all Americans.

MEAT PRICES

The SPEAKER pro tempore (Mr. LINK). Under a previous order of the House the gentleman from Iowa (Mr. SMITH) is recognized for 30 minutes.

(Mr. SMITH of Iowa asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. SMITH of Iowa. Mr. Speaker, in yesterday's newspaper appeared two full-page advertisements, one by Giant Food Stores and the other by Safeway Food Stores, both of which alleged to contain information which could help consumers fight inflation.

The Giant Food Store ad reads, in part, as follows:

You have the right to be informed about meat prices. Meat prices are high and from all predictions will remain high. Beef is near the highest level since the end of the Korean war. Why are they so high? It begins at the source: Livestock prices were not and are not now controlled under the present economic program. Less meat is reaching the market. Prices from our suppliers have skyrocketed. Because of all these reasons, you will find higher prices on almost all fresh meats.

We consumers can help bring prices down. Buy less meat. Use other forms of protein.

Then, they list as examples many kinds of fish, both fresh and frozen, as good buys. Dried beans, lentils, cereal grain products, macaroni and spaghetti, and peanut butter too, when combined with animal proteins and other foods, such as dairy products, make a meal of high quality protein.

Then it says:

There are lower-priced, nutritious substitutes for high-priced meat. In addition, Giant has provided some valuable shopping tools that can help you get the most nutrition for your food dollar. Nutrition information is posted for 85 items in all Giant stores. Check the posters to find nutritious alternatives for the more expensive foods.

The unit price, that is the cost per measure, is posted for most items sold in Giant stores. Use unit pricing. It is there to help you. There are ways to beat the high cost of meats.

It is signed by Esther Peterson who takes the title of "Consumer Adviser to the President of Giant Food."

Then the ad on Safeway Stores says, in big, black print:

HELP FIGHT INFLATION AND EAT WELL, TOO!

Under that it says:

There is something you can do to help fight inflation. It's something all of us can do in the fight against higher food prices. Let's use more of the many nutritious foods which are plentiful and lower in price. When you serve one of these, you save money right now. Also, you help to speed the day when costs will go down on other foods.

We will be telling you in Safeway newspaper ads and through store signs which foods are current "Inflation-Fighters."

Then it lists a number of foods it says one should buy to fight inflation, such as scrapple, bologna, some pancake mix, and some other foods.

Now, Mr. Speaker, my curiosity was raised enough that I went to both a Giant Food Store and a Safeway Food Store, which are across the street from one another near the 3900 block of Minnesota Avenue. After shopping and comparing the prices in those stores I can only conclude that these ads are an outright consumer fraud designed to mislead customers to buy foods which contain less of the needed nutrients per dollar of expenditure. While in almost every instance the comparable food at the Safeway store was cheaper than in the Giant store, the foods Safeway promoted in their ad as "Inflation-Fighters" in fact cost more per protein unit than other available foods including some meats. This is another example of how consumers are being charged more money than necessary in order to pay for advertising which commits a fraud upon them.

The Giant ad states that "Beef is near the highest level since the end of the Korean war," and says that the cause is that "livestock prices were not and are not now controlled." While beef is barely higher than it was 20 years ago, the earnings per share of stock of the Giant Food Corp., which operates in the District of Columbia, Maryland, and the Virginia area, on an adjusted basis, have increased more than 100 percent in the last 4 years, from $1.13 in 1967 up to $2.65 for the past 12 months. The earnings per share of stock on Safeway Stores, Inc., for the same period advanced from $2 up to $2.91, or 45 percent in just 4 years. Instead of diverting attention toward a product that has barely increased in price in 20 years, it seems one place they could better help fight inflation would be to take less profit and spend less of the consumers' money for advertisements designed to mislead consumers.

The Giant advertisement was centered on the idea that meat prices are too high, but that Giant offers several good protein alternatives such as fish, eggs, cheeses, and various other products mixed with animal protein. Upon checking prices, I found an interesting fact. I broke these products down from a table that is in a handbook published by the Department of Agriculture Research Service which shows the amount of protein in each of the various foods.

For example, it shows that on round steak of choice grade there are 91.6 grams of protein per pound. At the price that was quoted in the store that is 1.6 cents per gram. On the other hand, chuck roast, which was featured as one of these "inflation fighters," was 89 cents a pound, but it only contains 18.7 grams of protein per pound, so that the cost per gram was 4.7 cents.

In fact, the "inflation fighter" chuck roast is three times as much per gram of protein as is the choice round steak.

Also it was noteworthy that big bologna, for example, which contains all kinds of leftovers and cereals, and some other foreign substances to meat, as binders, is actually as highly priced per protein unit as round steak.

Mr. Speaker, I insert at this point a list of the various foods that I checked.

The material referred to follows:

	Price per pound	Gram of protein per pound	Price per gram of protein, in cents
Round steak (choice grade)	$1.49	91.6	1.6
Ground beef	.75	81.2	.92
Stewing lamb	.39	83.5	.45
Sliced ham	.79	90.7	.87
Big bologna	.93	60.3	1.52
Chicken legs	.75	51.2	1.47
Chicken thighs	.69	61.6	1.1
Turkey	.57	55.6	1.0
White enriched bread	.29	39.5	.73
Chuck roast (choice grade)	.89	18.7	4.7
Perch filet (frozen or fresh)	.79	31.5	2.5
Catfish filet	1.09	79.8	1.36
Carp fish (whole)	.49	24.5	2.0
Eggs, grade A large per dozen $0.49 per 24-ounces dozen equals	.39	52.1	.6
American cheese	.89	105.2	.84
Swiss cheese	1.26	119.8	1.05
Cottage cheese	.33	61.7	.53
Scrapple	.43	39.9	1.08
Margarine (corn oil)	.49	2.7	18.1
Cheese pizza, $0.79 for 13½-ounces	1.00	40.4	2.7
Pizza with sausage, $0.79 for 13½-ounces	1.08	35.4	3.05

In several instances good meat of cheaper cuts that were available were much cheaper, in fact, than some of the so-called inflation fighters.

The Giant ad alleged that cereal grain products combined with meat is cheaper and indeed it should be. However, you will notice in the table I am inserting in the RECORD that the cereal grain product combined with proteins in the list is pizza.

According to a handbook printed by the U.S. Department of Agriculture Research Service on the composition of foods, the grams of protein per unit figure out in such a way that their pizza is 280 percent as much per protein unit as ham and also 180 percent as much per protein unit as choice grade round steak. It is over 500 percent as much per protein unit as stewing lamb and of course cheaper cuts of meat would be even cheaper than pizza by comparison. So the ad directs attention away from cheaper foods per protein unit.

The Giant ad claims "The unit price, that is the cost per measure, is posted for the items sold in Giant stores." In fact, the only products I saw which told how much protein it contained were dog food and cat food. What good does it do a housewife who is shopping for protein nutrients to know that a certain box contains one pound of some mixture if the protein content of the mixture is not available?

The most important item in most people's diet is proteins. Indeed most people eat too few proteins and too much of the foods which can be stored as fat. The Giant ad was allegedly directed at how to secure a better buy in proteins. Indeed more education is needed on how to shop for protein. However, the Giant ad contained misinformation and if the advice therein were followed would result in customers making the worst buys

in the store in terms of cost per edible protein unit.

Unless a consumer goes to the store armed with a computer and a table showing protein content of each of those foods, they have little chance to know which is the best buy.

When a company increases their margin of profit per share of stock so much that they more than double that profit in 4 years and still have money to buy full page ads to divert the attention of customers from those profits and also mislead them into buying products which cost more per protein unit, it is time for consumers to stand up to those companies which engage in such false advertising techniques with consumers' money and to divert purchases away from such stores as Giant and Safeway to stores which do not use these shoddy practices.

The Giant ad is signed by Esther Petersen who is given the title of "Consumer Advisor." I must conclude that if she advised on this, she was advising Giant how to extract more money for less from consumers.

While prices were cheaper in most every instance at the Safeway store, they too were promoting products which in many instances cost more per protein unit and claiming the higher cost products were "Inflation-fighters."

It is surely past time for supermarkets to either use the truth as a prerequisite in advertising or else stop advertising. Perhaps this specific example will help direct consumers' attention toward the need for an analysis on foods and to be wary of claims by consumer advisers whose paycheck comes from the company that makes higher profits from fraudulent advertising.

We also need a consumer protection agency to take effective action in cases like this.

Meanwhile consumers can protest this kind of activity by avoiding the Giant and Safeway and those who engage in such practices.

I hope Mrs. Knauer of the Office of Consumer Affairs will also give it her attention.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. LANDGREBE. Mr. Speaker, I would like to compliment the gentleman from Iowa on his very close scrutiny of this matter and for bringing this information to the floor of the House of Representative. I would associate myself with the gentleman's remarks.

Mr. SMITH of Iowa. I thank the gentleman.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. LINK. Mr. Speaker, I commend the gentleman from Iowa for bringing this matter to the attention of the House and the Nation.

Mr. Speaker, the retail cost of a representative market basket of food rose $21 during 1971 and $20 of that $21 went to middlemen. Only $1 went to the farmer-producer.

In the past 20 years, farm prices have increased only 7 percent compared to 340 percent for wage earners, 430 percent for Government employees, 200 percent for business and professional people, and 300 percent for receivers of dividends. In the same 20-year period, farm production costs have increased by 50 percent.

The following statistics on live cattle and retail meat prices in a midwestern city in 1952 and 1972 should be noted. In January of 1952, the producer received $39 per hundredweight for prime cattle and $35.50 to $38 for most choice to prime.

Now, 20 years later, on February 16, 1972, the producer received virtually the same price, $38 for prime and $34 to $37 for most choice to prime. Yet, in the same 20-year period, the price to the consumer in the market has virtually doubled.

On January 9, 1952, the consumer paid, 85 cents per pound for Swiss streak; 49 cents for hamburger; 79 cents for rib streak; 79 cents for beef stew; 98 cents for sirloin; 85 cents for round steak; 65 cents for beef roast; and 69 cents for prime rib.

On February 16, 1972, the consumer in the same supermarket paid $1.69 for Swiss steak; 98 cents to $1.19 for hamburger; $1.59 for rib steak; 98 cents for beef stew; $1.68 for sirloin steak; $1.38 for round steak; $1.19 for beef roast; and $1.29 for prime rib.

Mr. Speaker, these figures speak for themselves. Clearly, the producer should not be made the scapegoat for the rising cost of living.

Mr. SMITH of Iowa, Mr. Speaker, I yield to the gentleman from Montana.

Mr. MELCHER Mr. Speaker, I want to commend the gentleman from Iowa (Mr. SMITH) for taking this special order to draw the attention of the House to a misleading advertisement concerning the price of meat. It is timely that the public be informed that a full page advertisement by Giant Food chain in this morning's Washington paper is not giving complete and accurate facts to the public on the price of meat available in their stores and other stores throughout the country.

The wholesale price of choice steer beef on June 15, 1970 was $47.50. Last week, on March 15, the whole sale price was $54.45—both figures Omaha basis. This reflected a 14-percent increase over a 21-month period.

For the same period—June 15, 1970, pork loins wholesaled at $58.80, but on March 15 of this year, the wholesale price was $53.15, or close to 10 percent less. Combining the two wholesale prices on the choice steer beef with its modest increase and the pork loins or pork chops with their modest decrease in price, it is very much apparent that the price increases in red meats since mid-1970 until last week are not the responsibility of the producer. The wholesale price of pork and beef combined are very nearly the same as the combined wholesale price of the two red meats were almost 2 years ago.

The responsibility for the increase in retail prices of red meats which the Giant ad says have skyrocketed is clearly the responsibility of the middlemen and the retailer. It would seem to me that the Giant Food chain executives could well explain to the public that they are not paying the producers of pork and beef any bonuses but are buying these products at very nearly the same combined prices that they purchased them for in mid-1970.

If there are going to be recommendations for fish and seafoods as a substitute for red meats, Giant and other food chains could well start a campaign to protect their consumers by advocating passage of a bill which I have had in Congress for 2 years which would require the inspection of all fish and sea foods for wholesomeness, sanitation, and healthfulness. We do have laws requiring inspection of all meat, poultry, and dairy products but we allow fish and seafood products to go uninspected, leaving the consumers unprotected in sanitation and health requirements.

The consuming public deserves to have complete honesty with presentation of all the facts concerning the price and quantity of the products that they buy in their huge retail food industry.

Mr. SMITH of Iowa. I want to thank the gentleman. I certainly wholeheartedly endorse his comments concerning the need for fish inspection.

I also note in the cable that carp fish, which are usually considered to be the poorest fish to buy, are more than twice as high in protein per unit as ground beef at the Giant store today.

RIGHT-TO-READ PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 5 minutes.

Mr. HOGAN. Mr. Speaker, I would not have thought it possible, but the Department of Health, Education, and Welfare has stooped to a new low in its dealings with the Prince Georges County public school system.

On January 5, 1972, HEW notified the county school board that it had approved a grant for the national right-to-read program to be administered at the Randolph Village Elementary School in my neighborhood. On January 24, HEW notified the board that it would not fund the program.

It is this sort of cruel game playing by HEW which leads me to question more strongly every day if HEW really has the interests of schoolchildren at heart.

The terrible irony of HEW's most recent "now you see it, now you don't" move is that it penalizes most severely the very students it claims it is most anxious to help—educationally disadvantaged black children.

In its noncompliance action against the Prince Georges County School Board, HEW contended the board had not met desegregation guidelines and cited as an example the predominantly black Randolph Village Elementary School.

HEW claims it initiated the noncompliance action to insure quality education in predominantly black schools—a goal which we all share—and then it turns around and withdraws funds from the very type of program that is so desperately needed to provide quality education in those schools.

It makes no sense whatsoever.

Mr. Speaker, let us all hope that the President's recent firm policy against busing will finally put a halt to the absurd activites of HEW which are playing havoc with our schools.

THE DISTRIBUTIVE EDUCATION AT WILLIAMSVILLE NORTH HIGH SCHOOL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, believe today's young people are too often judged en masse by the example of the small minority who make headlines. It is sometimes easy to forget that the vast majority of today's youth are hard working individuals deeply concerned about their future and the future of their country.

I am proud to call attention today to an outstanding group of young people in my district the Distributive Education Clubs of America (DECA) at Williamsville North High School, Williamsville, N.Y., under the creative leadership of coordinator Richard Barry. This fast-growing youth organization has effectively been working with business in a cooperative effort to help preserve and promote our free enterprise system. I would like to bring to the attention of my colleagues the following background information concerning DECA which is available thanks to the efforts of my good friend Morry Poummit, chairman of the Board of Colad, Inc., Buffalo, N.Y.

The Distributive Education Clubs of America (DECA), of which the Williamsville Chapter is a part, is a national organization which combines work and study for students interested in merchandising, marketing, management and service operations. DECA brings together the business community and public schools, providing students with a combination of theoretical and practical job training and businessmen with capable, mature, career minded employees.

Before World War II, a survey was taken by an education committee of high school graduates who did not go to college. The survey showed that 35 percent of these students went into the distribution of products. These young people were the future clerks, salesmen, stockboys, cashiers, and other retail store employees.

Often when they applied for a job, the first question asked was "What training and experience do you have?" Not having either, they were generally rejected and had to continue looking for employment.

So the educators got together and created courses in distributive education, which had to do with salesmanship, merchandising, displays, advertising, promotions, et cetera. It was hard to interest students in taking these courses primarily because they were new and teachers were inexperienced. This has all changed, but let me continue with the historical background.

Between 1937 and 1942 schools created distributive education courses. To interest students in these courses, clubs were formed and adopted names like Future Retailers, Future Distributors, Future Merchants, and Distributive Education Clubs.

Statewide meetings were held between 1941 and 1944 because the local chapters grew and felt the need to communicate with each other. By 1945 State conferences and associations were organized and about this time the idea of a national organization was born.

In 1946 the U.S. Office of Education called a meeting of State distributive education supervisors to develop plans for a national organization. The first conference was held in Memphis, Tenn., in 1947. There were 17 charter members including New York State. In 1948 at the second conference in St. Louis, the official name was adopted—DECA. To better understand what the letters mean, they are DE—Distributive Education—DECA—Distributive Education Clubs of America.

The growth and development of DECA has been rapid. Nationally, there are now 4,000 DECA chapters with over 120,000 members. In New York State we have 133 chapters with 3,500 members.

The national organization is supported by leading American business firms. It administers a scholarship program, makes awards to outstanding students and conducts student leadership conferences.

Past growth and plans for the future give every indication that DECA is destined to become one of the leading youth organizations of our time. This growing success of DECA nationally is due in large part to the tireless efforts of local chapters such as the club at Williamsville North High School which has set an example for excellence unmatched nationwide.

Last year at the Distributive Education Clubs of New York 11th Annual Leadership Conference, Williamsville North High School won more prizes than any chapter in the country had ever won and I would like to list these awards at this time:

1. Chapter of the Year.
2. Student of the Year, Boy.
3. Student of the Year, Girl.
4. Job Interview, Boy.
5. Display Judging.
6. Studies in Marketing on Home Furnishings Manual and Footwear Manual.
7. Second Place DECNY Sweetheart.
8. Third Place Job Interview, Girl.
9. Third Place Display Construction.
10. Four Honorable Mentions.

In addition, one of the chapter's members was elected president of New York State and came very close to being national president. The Williamsville North High School DECA coordinator, Richard Barry, has done a tremendous job and is to be commended for his efforts. His students are presently working on a marketing project that is sponsored by Colad and Buffalo Niagara Sales and Marketing Executives (SME).

I would like to share with my colleagues more detailed information concerning DECA and the accomplishments of the DECA chapter at Williamsville North High School. Therefore, I am proud and pleased to include in the CONGRESSIONAL RECORD at this time an article which appeared in the publication "You and Your Schools" and general information concerning DECA:

COOPERATIVE EDUCATION

DISTRIBUTIVE EDUCATION

The Distributive Education program is probably the most widely known and highly publicized part of the whole, in part because of the huge success of DECA, the students' merchandising club. Distributive education is a three-year program, with a student registration of approximately 125 in each of the two high schools, which has as its most important purpose the recognition by each student of his own abilities, the training of each student in the selling of those abilities, and the presentation to each student of the wide range of opportunities available to one of his abilities.

Classes in Distributive Education include those in psychology, selling and marketing, career choosing, and personal inventory. Students as juniors are placed in jobs fitting their interests and abilities on a part-time basis, usually in the afternoon, five days a week or less. These young people take a full academic course in morning modules at their high school, report to a job for as much as four hours a day in the afternoon, and receive on-the-job training there.

Many students take Distributive Education courses who cannot, because of their academic load, take a job. These students can benefit from the realistic look at the business world which these courses offer them, even though they are not able to take advantage of the unique training which is to be had working in business itself.

Graduates of the Distributive Education Course have entered many colleges such as SUNY at Buffalo, Erie County Community College, Alfred University, and schools such as the Fashion Institute of Technology, and Foxmore Institute. Students earn one regents credit for each year of on-the-job training taken under the sponsorship of the Distributive Education Department, as well as regents credits in all their morning courses. Thus, graduates are fully capable of making different choices: that of attending a four-year college, that of attending a technical school full time, that of studying part time and working part time while further developing skills or going into the work which they will know ahead of time they enjoy and are suited to and in which they have good training.

INDUSTRIAL CAREER TRAINING

The goals of the Industrial Career Department, remain those of recognition of abilities, relevant experience, and development of personal skills, and knowledge of career opportunities.

The Industrial Careers section, headed by Robert Bedell, a teacher with 18 years with this District has sections in both high schools, and is a two-year course. Students must be 16 years old to enter the course, and are placed upon entering the course in a suitable industry.

Courses taught include work in learning about industrial opportunities, personal assessment, and work skills. About 35 students are registered in this department, and

all are worked with by Mr. Bedell on a one to one basis. The placement of each student is decided on the basis of his personal likes, his hobbies, his abilities, and his personality. There is constant communication between Mr. Bedell and the employer to check student progress.

In this department students learn things which adults in the working world take for granted, but which students need guidance to react to in a positive manner. For example, young people who have had no experience in applying to industry for a job need facts to properly make out an employment application. Income taxes and the making out of returns is another factual matter taught to students in this program. The importance of work attitudes, including punctuality, proper work clothes, pleasant personality, and attention to direction are all taught and practiced in actual work conditions.

Graduates of this course have, in many cases, been highly successful in their chosen professions. One young man is now teaching automobile body work for General Motors, and flies to classes all over the country. Another is a baker for a large baking department, having come close to being a dropout before he was placed in a position he enjoyed and to which he believed he could contribute skills learned in the Industrial Careers Department.

Another student graduated from the Industrial Careers Department after working while studying as a machinist with a Williamsville industry. He went into the Navy and earned a machinist rating as a result of his training at Williamsville High School. He then returned to Williamsville and to work for his former employer. He is now a machinist, training students from the Industrial Careers Department in that same industry.

SECRETARIAL OFFICE TRAINING

The Secretarial Office Training course, enrolling about 130 students, is on a morning-study, afternoon-office-work schedule. Most of these students are seniors, but a few juniors are judged advanced enough in their secretarial studies to be allowed to work afternoons in offices also. It should be understood that all students who take shorthand, typing, and office practice are not part of the Secretarial Office Practice course, but only those who have advanced well in their secretarial studies and who want the experience of on-the-job training.

Mr. Mauro is in charge of office placement, and he is assisted by two teacher advisors at High School North, Mrs. Therese Ferrara, secretarial teacher and Miss Clare McCabe, office practice teacher and at High School South, Miss Jean Poorten, secretarial, and Miss Lois Blair, office theory. These teachers rate students as to excellence in their studies for Mr. Mauro who then suggests three names of students who are competent to fill the positions, but the employer is to make the final choice. Further, Mr. Mauro believes that each student would have practice which is gained by talking to an employer about a specific job.

These teacher advisors have a personal knowledge of the ability, achievement and personality of these girls, as does Mr. Mauro.

They also help her with any work problems individual to her own job. To receive credit for the work experience, the student must satisfy both the employer and the teacher advisors as to his performance.

In talking of Cooperative Education, which includes, in the Williamsville plan, three departments—Distributive Education, Industrial Careers, and Secretarial Office Practice, it should be understood that all students who take vocational training are not in these programs. In fact, few of the students in business or vocational training are taking Cooperative Education courses. Students in Cooperative Ed must be screened for commitment, for academic ability (since they must do academic work in a half day while other students may have a full day for such study), and for cooperativeness. Although students earn a small paycheck each week, the important facet of the Cooperative Education idea is that actual business experience is invaluable training for life itself. Most students see the Cooperative Education experience that way, and find the relevance of the courses taught in school valuable in giving them facts on which to base future career choices, and business experience which is of use in developing attitudes which business will pay money for.

MR. MAURO, DIRECTOR

Coordinator of the Cooperative Education Department, Ralph Mauro has been a member of the Williamsville District staff for 13 years. He became coordinator in 1964, with his principal duties encompassing both department administration and placement work for the Secretarial Office Training Section. This year he is teaching a class in career planning at Williamsville North.

A lifetime Buffalo and Western New York resident, Mr. Mauro graduated from Canisius College, and he received his Masters Degree in Education Marketing from SUNY at Buffalo. He now lives in Elma with his wife Betty and his five children, Peggy, a sophomore in high school; Patty, a student in junior high school; Francis and William in elementary school; and Michael, 4, still at home. The whole Mauro family enjoys water sports and spends as much time as weather allows in swimming and boating.

Mr. Mauro is a believer in the ability of young people to offer individually something worthwhile to their community. He is working with other community residents in Elma to form a Boys Club there. His long range educational goals include (1) working toward early career education in the middle schools—offering courses which would expose students to the world of work, work's dignity and the relationship of each student to the occupational world; (2) expansion of supervised on-the-job training; and (3) insuring that work experience is included as an integral part of each student's program.

COOPERATIVE EDUCATION

Cooperative education is a three-pronged weapon to attack and conquer the evils of unemployment, student apathy, inexperience, and lack of commitment. Called "cooperative" because both the Williamsville high schools and local business and industry cooperate to train local young people, this unusual Williamsville program offers training for life—training in:

1. Selling themselves.
2. Using their capabilities to best advantage.
3. Good work techniques.
4. The specific skills of the kind of job they want.
5. Having a successful employment interview.
6. Making out employment forms and resumes.

To make this program work well and to the best interests of the employers in our area and to place the right type of student in each job, Mr. Ralph Mauro coordinates and is liaison for the 3 areas. Cooperative Education comprises three areas—Distributive, Industrial, and Secretarial. Mr. Richard Barry at North High School and Mr. John McCracken at South High School are Teacher-Advisors for Distributive Education. Mr. Robert Bedell is in charge of Industrial Training division in both schools. Secretarial Office training has Mr. Mauro in charge of placement with the assistance of Mrs. Therese Ferrara at High School North and Miss Jean Poorten at South.

COOPERATION FROM EMPLOYERS

Much is required of these employers who must not only train the students in their own work systems, but must also cooperate with the school district in assessing each student's abilities and attitudes to the work world, and in paying each student for his work. The employers gain students who stay on the job because of counseling, school credit gained, and learning of the business world in general. In many cases the employer has the opportunity to employ full time a young person whom he has trained when that employee has finished his further schooling or training.

The Cooperative Education Department is labelled a success by the businessmen who have gained useful and well-trained employees, by students who have received invaluable experience and training, and by the community of Williamsville at large which has great numbers of young people more fitted to join the world of business.

COOPERATIVE EDUCATIONAL PHILOSOPHY

The Cooperative Education department of the Williamsville high schools has as its aim to train good dependable and loyal employees But far more than that, the department works to help students learn the value of their own possible contribution to the world of work and learn the best possible way to make this contribution. That these aims have been met is proved by the hundreds of interested businessmen who year after year hire students from the Cooperative Education department, who sing the praises of the students with whom they have worked and the members of the department who have made this relationship possible. Students of the department have been accepted into colleges all over the country, better fitted to choose their college course, and better fitted to earn part of their college expense. Students of the department have made their way successfully in many phases of business and industry over the years that the department has functioned. Students return to the members of the Cooperative Education department to get further counseling in career choices, to tell members of the department of their successes and triumphs, and to give members of the department further insights into aid which may be given members of the student body not yet out of school.

Because of the one to-one relationship which this sort of training necessitates, teachers and coordinators of the program know their students well and this individualization makes for increasingly valuable knowledge in training for Cooperative Education.

The exceedingly wide range of career opportunities available to be tested by interested students, from carpenters to interior decorators, from landscape designers to auto mechanics, from accountants to salesmen, widens each year as the employment market changes and as members of the department find that there are more and more demands for their students.

The Cooperative Education department offers courses of interest to all high school students, to those who want a work study program and to those who do not, to those who believe they have a career choice well in mind as well as to those who have no idea what they want to do in the complex business network of the United States. Members of the Cooperative Education department believe in their courses so thoroughly that they recommend at least a few of them for each high school student, and high school students in all ranges of ability who have taken one or more of the courses agree in that assessment.

GENERAL INFORMATION ON DISTRIBUTIVE EDUCATION CLUBS OF AMERICA

WHAT IS DECA?

The Distributive Education Clubs of America—otherwise known as DECA—is an organization whose program of leadership and personal development is designed specifically for students enrolled in Distributive Education. Distributive Education is a program of instruction which teaches marketing, merchandising and management.

Any student enrolled in any Distributive Education instructional program in the nation is eligible for membership in his local DECA Chapter, his State Association of DECA and National DECA. Each Chapter elects its own student officers and the DE Teacher-Coordinator serves as the Chapter Advisor. All Chapters within a state comprise a State Association of DECA, which is under the leadership of the State DECA Advisor. Each such unit elects student officers as leaders for that particular group. National DECA is composed of State Associations. Student delegates elected by each state in turn elect their own national officers. DECA, Inc., the legal sponsoring unit of this national youth movement, elects a Board of Directors, which is the policy making group of DECA.

DECA is a non-profit, non-political, nonsecretarian, youth organization. All Chapters are self-supporting, with members paying local, state and national dues.

DE students have common objectives and interests. Each is studying for a specific career objective in marketing and distribution. Chapter activities have a powerful psychological effect upon the attitudes of students and, for many, DECA is the only opportunity which they have to participate in social activities of the school and to develop knowledge of the responsibilities of citizenship.

DECA Chapters are to DE students what a civic or professional organization is to a group of businessmen. Chapter activities are recognized as a part of the total educational program because of their development of leadership ability, professional attitudes, better citizenship characteristics, and social growth of the individual. DECA Chapter activities are always centered in the school. These Chapter activities serve the teacher-coordinator as a teaching tool by creating interest in all phases of marketing and distribution study.

The DECA Chapter is the showcase for student achievement and progress. Through its activities, students with an interest in marketing and distribution are attracted to the DE program. No set pattern of operation is prescribed for any local Chapter; however, the majority plan activities which include social, civic, professional, and benevolent activities and adopt projects which provide for school and community betterment.

DECA activities provide DECA members an opportunity to serve as leaders and followers, and provides an opportunity for them to receive state and national recognition which they would not have otherwise.

GOALS OF DECA

To assist State Associations in the growth and development of DECA.

To further develop education in marketing and distribution which will contribute to occupational competence.

To promote understanding and appreciation for the responsibilities of citizenship in our free, competitive enterprise system.

ADULT GUIDANCE

National DECA is composed of State Associations of DECA. These State Associations have been duly chartered by the Distributive Education Clubs of America, Inc., upon approval of the Board of Directors.

On the national scale, the governing bodies are both student and adult. Distributive Education Clubs of America, or DECA, refers to the student area. It is composed of five divisions: High School, Junior Collegiate, Collegiate, Alumni, and Professional. For these five divisions each State Association selects national voting delegates, who, at the National Conference, elect their own National Officers, and conduct the business of that Division.

The adult governing body is DECA, Inc. This is the legal sponsoring agency of DECA and its membership is composed of the head State person responsible for Distributive Education, or his appointed representative in each chartered Association. This group is represented by a Board of Directors, elected by the members of DECA, Inc. The Board of Directors consists of thirteen members including nine persons elected by and from the membership of DECA, Inc., the immediate past President of the Corporation, plus an appointed treasurer, and the Vice President of the Distributive Education Division of the American Vocational Association. Two meetings annually of DECA, Inc., are held at a designated time and place to coincide with the annual American Vocational Association Convention and the annual National Leadership Conference of DECA. The Board of Directors meets as necessary.

DECA—WHAT IT IS—WHAT IT DOES

WHAT IS DE?

Distributive Education identifies a program of instruction which teaches marketing, merchandising and management.

WHAT IS DECA?

DECA identifies the Program of Youth Activity relating to DE—Distributive Education Clubs of America—and is designed to develop future leaders for marketing and distribution.

DECA is the only national youth organization operating within the nation's schools to attract young people to careers in marketing and distribution.

DECA AND THE STUDENT

DE students have common objectives and interests in that each is studying for a specific career objective. DECA activities have a tremendous psychological effect upon the attitudes of students, and many students have no other opportunity to participate in social activities of the school or to develop responsibilities of citizenship.

DECA members learn to serve as leaders and followers, and have opportunity for state and national recognition that they would not have otherwise.

DECA AND THE SCHOOL

DECA Chapter activities are always school-centered, thus contributing to the school's purpose of preparing well-adjusted employable citizens. Chapter activities serve the DE Teacher-Coordinator as a teaching tool by creating interest in all phases of marketing and distribution study, and serve as an avenue of expression for individual talent.

The Chapter is the "show window" for student achievement and progress, and is the public relations arm of the DE instructional program. It attracts students to the DE program who are interested in marketing management and distribution careers and assists in subject matter presentation.

DECA AND THE COMMUNITY

DECA members have made numerous studies and surveys to aid the economic development of their own community. Individual and group marketing projects continue to encourage this type of contribution.

Many businesses favor hiring DE students because of their interest in training and their related school study of that particular business. Many leaders in business and government have praised DECA for its civic-related activities.

DECA AND THE NATION

DE instruction and DECA activity constantly emphasize America's system of competition and private enterprise. Self-help among students is the rule rather than the exception, and DECA leaders give constant encouragement to continued education.

History has proven that whenever a nation's channels of distribution fail to function, that nation is shortlived. As DECA attracts more of our nation's youth to study marketing and distribution, the total DE program becomes a vital necessity to our national security.

NATIONAL DECA MONTH

The purposes of National DECA Month are to call attention to the Distributive Education program, to enhance the educational facilities of your school and to highlight the activities of DECA. DECA Month is held in March each year and should be centered around local and/or statewide DECA activities. Promotional materials are made available to Chapters and State Associations to aid any planned observance.

THE DECA FOUNDATION

The DECA Foundation is a legal body representing the Distributive Education Clubs of America, Inc. Statements within the Articles of Incorporation give DECA the privilege to receive and spend monies for educational purposes. It also gives protection to those who make financial contributions to DECA for these purposes. The DECA Foundation was officially chartered under the laws of the Commonwealth of Virginia on February 2, 1960. DECA's Board of Directors constitutes the membership of The DECA Foundation and establishes policy for its operation. The national Program of Youth Activity is financed by contributions to DECA and is administered under policy established by these Directors.

ADVISORY GROUPS

There are several groups which serve in an advisory capacity to the Board of Directors. One of the most prominent is the National Advisory Board. This group is composed of organizational representatives which contribute financial support to DECA. Regular NAB meetings are held twice each year, normally during the AVA convention and the DECA National Leadership Conference. The NAB is of invaluable assistance to our youth movement.

Other advisory groups include the American Vocational Association, the National Association of Distributive Education Teachers, the Council for Distributive Teacher Education, the National Association of State Supervisors of DE, the National Association of State Directors of Vocational Education, and the U.S. Office of Education.

DECA HEADQUARTERS

National DECA Headquarters houses the employed staff of DECA, Inc. The Executive Director, employed by the Board of Directors, is responsible for the administration of National Headquarters and for executing the policies established by the Board of Directors. His exact duties are described in Article II of the Articles of Incorporation of the Distributive Education Clubs of America, Inc. Other staff members are responsible for the development, promotion, and coordination of many DECA activities between National Headquarters and State Associations.

DECA TERMINOLOGY

DECA, Inc—legal identity of adult group responsible for the youth program of DECA. Chartered in 1946. Meets twice each year.

DECA—term used in referring to the student organization: local, state or national.

The DECA Foundation—created to assist and encourage DECA members to continue career study in marketing and distribution; serves as a financing arm for DECA.

Board of Directors—elected by members of DECA, Inc., to set policy for DECA, Inc., and The DECA Foundation.

National Advisory Board—representatives from organizations contributing financial support to DECA. Serves in advisory capacity to Directors. Meets as necessary.

Regional Leadership Conferences—leadership meetings held generally in the fall of the year in each of four DECA Regions for the purpose of providing an opportunity for leadership development of State Association Officers and DECA Advisors.

National Leadership Conference—annual climax of year's DECA activity. Purposes: recognize outstanding individual ability and classroom achievement; inspire individual and group leadership. High School Division NLC approved by the National Association of Secondary School Principals.

National Delegates—student representatives elected by State Associations to conduct the official business of the student organization. National officers are elected by and from these delegates.

The DECA Distributor—official publication of DECA, Inc. Circulation 125,000 with readership estimated at two to one. Supplemented by the DECA Dateline.

DECA Headquarters—national offices of DECA; DECA, Inc.; and The DECA Foundation, located at 200 Park Avenue, Falls Church, Virginia 22046.

PUBLICATIONS

The DECA Distributor is the official national magazine of The Distributive Education Clubs of America. Each student member receives a copy of The DECA Distributor through his Chapter Advisor. In addition, the DECA Dateline is sent to each Chapter Advisor for Chapter use. Many other brochures are available at a very nominal charge from National Headquarters.

MEMBERSHIP ITEMS

Beginning in the fall of 1962, a navy blue blazer with the DECA emblem on the left breast pocket was approved as the official identifying uniform of DECA. It is available through Approved Suppliers who meet specifications as may be approved by the Board of Directors of DECA, Inc. In addition, membership pins and other appropriate identification items are available through DECA Approved Suppliers of these items. Each supplier is listed in the Suppliers and Sales Project Guide published annually for Chapter use.

SALES PROJECT GUIDE

At the beginning of the school year each DECA Chapter is provided with a Suppliers & Sales Project Guide to assist Chapters in planning sales project activities for the year. All DECA Approved Sales Project Companies and Suppliers are described in this publication. Chapters may order approved DECA Supplies or products direct, using the appropriate order forms supplied in the Guide.

GROWTH AND DEVELOPMENT

The Chapter Develops

During the period between 1937 and 1942, when cooperative programs in Distributive Education were becoming more widely established, the students in these Distributive Education classes began to form Distributive Education Clubs. This was a spontaneous effort on the part of the students and occurred simultaneously throughout the country. Why did this happen and what need were these clubs filling? Several basic factors were involved.

First, Distributive Education students were employed away from the school campus at their training stations during the afternoon—at a time when many of the other students in their school were involved with the school's extra-curricular activities. The Distributive Education students were, therefore, missing a very important part of school life.

Secondly, these students of Distributive Education had a common interest—their great desire for professional and personal growth.

Thirdly, they felt the need—common to everyone—to *belong*, to develop socially, and to be a part of the group.

Thus, local Chapters began to spring up all over the country. These early clubs adopted many names—*Future Retailers, Future Distributors, Distributors, Future Merchants,* and *Distributive Education Clubs.*

Between 1941 and 1944, when it became apparent that the strength of local Chapters was growing and when they began to feel the need to communicate with each other, a few States held statewide meetings of Distributive Education Clubs. By 1945, a few states had officially organized State Associations and were holding state conferences. During this time, the idea of a national organization was born.

The National Organization Develops

In 1946, the United States Office of Education invited a represented committee of State Supervisors of Distributive Education to meet in Washington, D.C., with representatives of the USOE, to develop plans for the national organization of Distributive Education Clubs and to prepare a tentative constitution and an organizational chart.

As a result of this preliminary meeting, the national organization was launched and the first Interstate Conference of Distributive Education Clubs was held in Memphis, Tennessee, in April, 1947. At that meeting, delegates from twelve states unanimously adopted a resolution to form a national organization. The organization was officially endorsed by the *National Association of State Directors of Vocational Education,* meeting at the same time in Chicago, Illinois. Officers were elected and committees were appointed to prepare a charter and a constitution for consideration at the next year's conference.

The second National Leadership Conference, held in St. Louis, Missouri, in 1948, saw the adoption of the constitution and the official name, the Distributive Education Clubs of America, designated DECA, and the acceptance of 17 charter member states. They were: Arkansas, Georgia, Indiana, Kansas, Kentucky, Louisiana, Michigan, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Utah, Virginia, and Washington.

In order to provide interim leadership, the President of the *National Association of State Supervisors of Distributive Education* appointed a *National Advisory Committee* to serve in lieu of an executive secretary. In 1949 an incorporation meeting, made up of State Supervisors and Advisors of affiliated states, elected the Board of Trustees of the Distributive Education Clubs of America, Inc., to serve as the policy-making body for DECA. DECA was officially chartered under the laws of the Commonwealth of Virginia in 1950.

The development of DECA has been closely followed by many outstanding national, state, and local business organizations, and many have given support assuring the continued growth of DECA.

The *American Vocational Association,* by vote of the House of Delegates, became an official sponsor of the Distributive Education Clubs of America on December 1, 1950.

National Headquarters Develops

In 1951, DECA committees began developing plans for a full-time national organizational structure. Included in these plans were a National Headquarters, *The DECA Foundation,* and other activities designed to promote the welfare of the Chapters, and the State Associations.

In 1953, a National Headquarters was established for DECA and set up at 1010 Vermont Avenue, N.W., in Washington, D.C., in space provided by the *American Vocational Association.* At that time the first Executive Secretary of DECA was employed. The first issue of The Distributor, the national publication of DECA, was presented just prior to the second annual conference in St. Louis. From 1947 to 1953, the Oklahoma Distributive Education state staff edited and published The Distributor.

While the Distributive Education Clubs of America—DECA—is a student organization and is operated by students under an adopted constitution, DECA, Inc., is the legal sponsoring group of the youth movement and is composed of the head State persons responsible for Distributive Education in those states affiliated with DECA, Inc.

The DECA Foundation was established to provide for legal acceptance of gifts, donations and the establishment of funds needed to operate the National Headquarters and the DECA National Program of Youth Activity. Many national, state, and local business organizations have become vitally interested in the DECA movement. Many have given and continue to give financial aid to DECA.

In 1957, donors to *The DECA Foundation* made it possible for DECA to add a Member Service Department to its National Headquarters and to employ a Program Director to head that Department. The annual DECA National Leadership Conference still remains as one of the highlights of the National Program of Youth Activity. A National Officer Training Conference, began in 1957 as an annual function and remains a valuable part of the training of National DECA Officers.

Since 1958, some states have been sending delegations representing junior colleges and other post secondary institutions to the National Leadership Conferences, in an effort to find ways and means to establish DECA Chapters in such institutions. Official recognition was given to this effort in 1961 by a change in the national constitution to allow those states interested to form Post Secondary Divisions. The first National Officer Training Conference for this Division was held in December, 1962, in connection with the *American Vocational Association* convention, meeting in Milwaukee, Wisconsin, at that time. The following year, 1963, the Post Secondary Officer of the High School Division in an effort to more closely coordinate the activities of both Divisions.

In 1960–61 The DECA Scholarship Loan Awards Program was developed and the first scholarship loans were awarded in 1962. This one program has done more than any other DECA activity to help erase the stigma of Distributive Education being a program of terminal education. From 1962 to 1970, approximately 160 scholarship loan awards were given to DECA members.

In 1967, a Public Relations Department was added to the DECA Headquarters, and in 1968 a Publications Department was added, with each Department having its own Director. Both of these Departments have aided greatly in DECA development.

During the 1969 National Leadership Conference in Atlantic City, Alaska became the last state in the Union to be chartered as an affiliated State Association of DECA. Alaskan Delegates received a standing ovation during the chartering ceremony symbolizing a true DECA welcome. Also in 1969 the Board of Directors granted approval to establish four DECA Regional Leadership Conferences as a part of DECA's Program of Youth Activity, to provide additional opportunity for leadership Development activities to a greater number of DECA members.

During the 1970 National Leadership Conference in Minneapolis, Voting Delegates of both Divisions of DECA approved a completely revised Constitution. This major revision allowed for the expansion of DECA to five Divisions: High School, Junior Collegiate,

Collegiate, Alumni, and Professional Divisions. Collegiate and Alumni representatives held developmental meetings during the Conference to draft Bylaws for their Divisions and to plan for Divisional development.

Membership in DECA has continually increased each year from 793 members in 1947 to almost 110,000 members in 1970. During each year of its existence, DECA has experienced a substantial membership increase. The number of State Associations affiliated with this national youth movement has increased from twelve in 1947 to 52 in 1970, including the District of Columbia and Puerto Rico.

The growth and development of DECA has been rapid. Many interested educators and business organizations have given their advice, their cooperation, and their support. Past growth and plans for the future give every indication that DECA is destined to become one of the leading youth organizations of our time.

Membership growth

1948	793
1950	5,127
1952	9,200
1954	11,196
1956	12,431
1958	15,235
1960	19,122
1961	22,183
1962	24,939
1963	29,885
1964	36,889
1965	47,359
1966	59,260
1967	72,426
1968	83,783
1969	97,960
1970	108,226

NATIONAL ADVISORY BOARD

History

The National Advisory Board is a group of individuals who represent interests giving financial support to DECA. The Board was created by a joint desire of the DECA Board of Directors and those investing funds in DECA development. DECA, Inc., first approved the appointment of a "National Business Advisory Board" on April 25, 1954, and one meeting of that group was held in New York City in January, 1955, under the direction of George M. Stone (Executive Secretary of DECA, 1953–55). Primary purpose of that meeting was to discuss ways and means of gaining financial support for DECA.

Following that meeting, no other formal meetings of this group were held; however, several of the individuals attending that meeting were most helpful in DECA financial development.

In the spring of 1956, the name of this advisory group was changed to the *National Advisory Board* and the first official meeting of this group was held that fall. Both the name and the purpose of the group have remained unchanged since that time.

Purposes

To serve as a liaison for all financial interests in matters of DECA development.

To serve in an advisory capacity, as requested by the Board of Directors of DECA, Inc.

To lend support to the promotion of DECA.

To assure equal recognition of each contributing interest regardless of the amount contributed.

Operating policies

(Adopted December 6, 1966)

(Revised December 10, 1968)

I. Name

The organization shall be known as the NATIONAL ADVISORY BOARD of the Distributive Education Clubs of America (DECA), and may be referred to as NAB.

II. Purpose and objectives

1. The purpose of this organization shall be to serve in an advisory capacity to the Board of Directors of DECA, Inc.

2. The basic objectives shall be to serve as a liaison for all financial interests in matters of DECA development and to lend support to the promotion of DECA.

III. Membership

1. Any organization contributing Five Hundred Dollars ($500) or more annually to DECA, Inc., is eligible for membership and to name a representative to serve on the NAB. An organization shall become a member by invitation, and membership shall be in the name of the organization and not the representative.

2. All candidates for membership shall be approved by vote of the Executive Committee.

3. If a representative is unable to continue to serve, it shall be his responsibility to notify his company which should designate his successor.

IV. Officers

1. The officers shall be a Chairman, a Vice Chairman, and a Secretary. All officers shall be elected at the winter meeting of the NAB and shall hold office for the succeeding two years or until duly qualified successors are elected.

2. *Chairman*—The Chairman shall preside at all meetings of the NAB and its Executive Committee. He shall appoint Chairmen of all Standing Committees and other special committees as soon after his election as practicable. He shall be an ex-officio member of all committees except the Nominations Committee. He shall perform all duties incident to his office and shall recommend such action as may be deemed by him likely to increase the usefulness of the NAB. In the event the Chairman, the Vice Chairman, and the Secretary are absent from meetings of the NAB or Executive Committee, the Chairman shall appoint another representative on the NAB to preside.

3. *Vice Chairman*—The Vice Chairman shall oversee the broadening of financial support for DECA, shall arrange to have representatives of new organizations get acquainted with the officers and other members at the semi-annual meetings, and shall assist the Chairman in the performance of his duties at the Chairman shall determine.

4. *Secretary*—The Secretary shall keep a record of the procedings of all meetings of the NAB, shall send out notices of meetings, and shall prepare other records for NAB as necessary.

V. Executive Committee

1. The Executive Committee shall consist of no more than 16 members of the NAB. These members shall be the Chairman; Vice Chairman; Secretary; Chairmen of the Standing Committees; the immediate past Chairman; and six representatives elected from the membership at large. Members of the Executive Committee may serve simultaneously as an elected member and as an appointed chairman of a Standing Committee, described in Policy VI.

DIAMOND CLUB PROGRAM

Purpose

To provide funds for the Program of Youth Activity conducted by DECA on local, state and national levels in the following areas:

Awards and recognition, leadership conferences, program development.

Leadership training, public information, scholarship loans.

Definition: The Diamond Club Program is a project that allows State Association of DECA to strengthen and expand their program of youth activity for student members of DECA. It also provides an avenue for business, individuals and organization to financially support a youth program designed for their direct benefit.

The Diamond Club Program is the plan approved by the Distributive Education Clubs of America for self-support of the State Association. The goal of the Diamond Program is to build and sustain a sound financing program for the State Association on a continuing basis.

Need: The need of each State Association to have a sound financing program has been documented repeatedly by surveys. The need for an avenue through which to conduct their own DECA program including the State local, state, and regional businesses can support a given state has also been recognized by the State Association Advisors, Board of Directors of DECA, Inc., and the National Advisory Board. The Diamond Club Program combines in one package an effective plan for solving both of these needs.

Information on any aspect of the Diamond Club Program can be obtained by writing DECA Headquarters.

MEMBERSHIPS

The *Diamond Club Membership* is an exclusive recognition by DECA for those individuals and business interests who are giving maximum support toward student members of DECA in their own state. It entitles the contributor to personal recognition on the Diamond Club membership roster, a personalized membership card, an inscribed membership certificate, a subscription to all state and national publications of DECA, an opportunity to participate in the Diamond Club of your State Association, publicity releases by the State Association in cooperation with the contributor, and other recognitions by the State Association and the Distributive Education Clubs of America as may be appropriate. Cost: $500 or more.

The *Sustaining Membership* of the Diamond Club Program is a recognition of those individuals and business interests who desire to support the Diamond Club Program of their state to the extent implied. *A Sustaining Membership* entitles the contributor to a personalized membership card, an inscribed membership certificate, and personal recognition by the State Association of DECA as may be appropriate. Cost: $100 to $499.

The *Supporting Membership* of the Diamond Club Program is a method of recognizing those individuals and business organizations who may desire to support the Diamond Club Program of their state on a limited basis. *A Supporting Membership* entitles the contributor to a personalized membership card, a membership certificate, and recognition by the State Association of DECA as may be appropriate. Cost: $10 to $99.

DESIGNATION AND PROTECTION OF NATURAL AREAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BLACKBURN) is recognized for 10 minutes.

Mr. BLACKBURN. Mr. Speaker, on February 17, I had the pleasure of introducing legislation which would grant the Secretary of the Interior the power to develop a program for the designation and protection of natural areas throughout the United States.

Presently, the only program available to the Secretary for the preservation and protection of natural areas is the wilderness system. Unfortunately, land must already be in Federal hands for this act to apply. Though the land and water conservation program does provide a 50–50 matching grant for the development of land and water resources for recrea-

tional purposes, it does not apply to saving natural areas. Thus, the Interior Department does not have authority to grant aid to States and local governments to acquire natural areas of geological or ecological significance. The legislation which I introduced would grant the Secretary of the Interior the power to make 50–50 matching grants for this purpose.

I have found, through my studies, that there is a need for an expanded program to protect natural areas in order to achieve an increased appreciation of the natural history of the United States. Their appropriate use, including environmental education, scientific research, and public appreciation of these areas will be encouraged if they are so protected. Most of us remember our youth in which there were large expanses of natural areas. Unfortunately, with the continuing urban sprawling, these areas are being destroyed and we face the danger that future generations will not have the chance to use nature's wonders as we did.

I realize that in any program of this nature there should be an orderly system and criteria established for designating which areas deserve protection and assistance. Therefore, under title II of my legislation, I establish an Advisory Council on the Preservation of Natural Areas. The members of the Advisory Council shall be the Secretaries of the Interior, Agriculture; Housing and Urban Development; Transportation; Defense; Health, Education, and Welfare; the Smithsonian Institution; the president of the Natural Resources Council; and 10 appointments made by the President of the United States from the public. This Council will advise the President and the Congress on matters relating to the implementation and the coordination of this act with other Federal and State activities. Furthermore, the Council shall establish a national registry of areas which are endangered and will be first to receive funding under this act.

Preservation and protection of our natural areas at this time in our country's history is of prime importance. If we wait too long, there will be little left to protect. I urge prompt consideration of my bill.

EMERGENCY STRIKE LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BURKE) is recognized for 15 minutes.

Mr. BURKE of Florida. Mr. Speaker, I am pleased to join with my colleagues and give my views on strike legislation intended to provide a more effective means for protecting the public interest against national emergency disputes involving the transportation industries. I cosponsored H.R. 12692, along with 76 of my colleagues.

The action taken by the Subcommittee of the House Interstate and Foreign Commerce Committee on March 1, which killed any possible action on this measure this year, is regrettable.

It is unfortunate that the Members of Congress will not have a chance to vote on this bill this year, and it is manifestly unfair to the American people that they are placed at the mercy of management-labor negotiators who have the power to create massive unemployment, food, fuel, and supply shortages, and even to undermine our entire economy. The recent examples of the British coal miners strike and the British mail strike, presage similar chaos in our own country if the present laws are not changed.

Labor leaders oppose compulsory arbitration and want to continue with voluntary arbitration to arrive at what they call a balance of interests between labor and management. In theory this is free enterprise functioning at its best. But, in reality, labor disputes directly involving the public have three parties; namely, labor, management, and the general public—and the materials of all parties are not represented. To me the public's interests are paramount, and the public is not being represented, nor is its welfare being taken into account in prolonged labor strikes. Since the public doesn't have a voice in the negotiations, the average citizen suffers more than either labor or management.

All fair-minded Americans are in agreement that the workingman should be protected against unscrupulous employment practices, but, by the same token, the average workingman and the American public must also be protected against unscrupulous labor practices. Our present labor laws, regrettably, are outmoded today and put the public at the mercy of the labor bosses who must put on a big show and continually demand higher wagers or face the possibility of losing their high position at the next union officers election. Strikes, today, are everybody's business, especially those massive strikes involving large corporations like General Motors, or the recent railroad and dock strikes. Everybody suffers—the employer, the striker, those who work in allied industries whose paychecks are dependent upon the strikers going back to work, and the average citizen who consumes the product or service. It is the consumer in the long run, whether he is a union man, a nonunion man, a worker, or a striker, who ultimately must "pay the freight" because of resulting inflation which brings higher costs and reduces the purchasing power of his hard earned dollar.

Today, in our highly integrated economy, big business and big labor, control such a tremendous amount of our national output, that it is folly to permit such a reckless disregard for the public interest, lest we soon have no nation and no economy with which to deal.

I joined with my colleagues in the Congress in offering a proposal which each of us felt was a viable alternative to compulsory arbitration, but it has been rejected. What we had hoped for was that in cases where a threatened strike or lockout could deprive any section of the Nation of essential transportation services, the President would be authorized to appoint a board of inquiry to study the issues, file a public report and submit to the President recommendations for settlement of the strike. Further, upon receipt of the report from the board, the Secretary of Labor would initiate one or more of the following:

First, a 30-day back-to-work order;

Second, a call for partial operation of struck facilities;

Third, require both labor and management to submit a list of resolved and unresolved issues and submit their final offers for settlement of the strike;

Fourth, appoint a three-member panel to select the final offer from those submitted if settlement has not been achieved.

Nothing in the bill we offered would change the current operation of the Taft-Hartley law with respect to nationwide strikes, nor the use of the 80-day cooling-off period. The bill applied solely to the railroad, airline, maritime, longshore and trucking industries.

The effect of such legislation would be that when existing methods for settlement of strikes are exhausted—which could be a lengthy process—an automatic system would set in to end the strike and preserve the public interest. This would replace the present system where all branches of government get into the act—legislative, judicial, and executive—on each and every major strike.

The law has been applied ineffectively to bring trade unions under the judicial structure so that the same rules are applied to them as to all others in society. Over a period of many decades, however, labor unions have been able to establish a position wherein their activities are virtually immune to actions brought in Federal and State courts. As a consequence, nonunion employees and others have been denied adequate legal protection against coercion and violence, and the general public has been denied protection against economic injury. Badly operated unions by themselves cannot destroy the free market economy, but they may nevertheless make it function so badly as to provide its gradual decline, and, either consciously or unconsciously harm all in our society.

The Congress has been forced to act seven times since 1963 to prevent strikes in the railroad industry alone, and still no effective, permanent, mechanism has been set up to settle national emergency disputes. True, there is a paucity of labor laws. Essentially there are five: First, the Clayton Act of 1914 which regulated issuance of injunctions in labor disputes; second, the Railway Labor Act of 1926 which provided the first interventionist policy for the Federal Government; third, the Norris-LaGuardia Act of 1932 which drastically limited jurisdiction of the Federal courts in labor disputes; fourth, the Wagner Act of 1935—the original National Labor Relations Act—which created the National Labor Relations Board and intervened to eliminate employers' resistance to unionization, and fifth, the Taft-Hartley Act which emphasized freedom of choice of employees to join or not to join a union. This lack of regulation is not an accident. Congress has been controlled by a liberal majority for most of the recent past and the labor leaders have always

been affiliated with the liberals. As a direct consequence there are not enough votes in the Congress in my opinion to pass a bill designed to outlaw compulsory unionism or to in any way reform labor unions since the majority of those on the Labor Committees in both the House and Senate are strongly labor oriented.

With H.R. 12692 my colleagues and I tried to find an equitable and effective compromise position which would preserve the right of labor to strike and yet at the same time guard the public's interests. But alas even this was rejected.

Thus it seems we will have to tolerate prolonged and widespread transportation strikes until the public in righteous indignation demands otherwise. Perhaps the passage of time and the continued abuse of power by strike negotiators will finally enrage the electorate sufficiently to force those they send to Congress as their representatives to support legislation which benefits the people of America rather than just a strong special interest group. Until then however we will be compelled to tolerate outrages such as the recent west coast dock strike which lasted a record number of days and affected all U.S. ports including Port Everglades which is in my district and the Port of Miami just south of my district.

Port Everglades is the shipping site for much of the Florida citrus crop that is exported. The dock strike caused serious disruption not only to citrus shipments which had a drastic effect on the entire Florida citrus industry and the pocketbooks of housewives buying oranges but affected other industries too. It jeopardized over 15 years of effort in establishing overseas markets for Florida citrus products and further added to our already unfavorably lopsided balance of payments.

Agriculture products both exports and imports were greatly reduced. The reduced demand for exports caused by the strikes depressed prices to farmers and raised prices in supermarkets.

Farm income was further reduced by the additional cost of diversion to open ports increased storage costs, and spoilage where adequate storage was not available. These lower prices and increased costs were hard for the farmers to bear. How were the farmers and orange growers' interests represented in the west coast dock strike negotiations?

While I favor the right of our working man to better his condition and I am fully in accord with the principle of free collective bargaining, I feel it should be apparent to all that the succession of laws passed by Congress over the past decades and the rulings of the courts have combined to insulate organized labor bosses from due process, in both equity and law. I feel that this power has often been wielded unfairly, and that all Americans, including both management and the working man has suffered because of it. A proper solution to the problems created by labor-management struggles is of critical importance to the economic and moral health of all the people of our Nation.

THE CLEAN WATER PACKAGE OF AMENDMENTS TO H.R. 11896

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, next week the House will take up the bill called the Federal Water Pollution Control Act Amendments of 1972—H.R. 11896—which was reported out of the Public Works Committee on March 11, 1972—H. Rept. 92–911.

At the outset, let me state that the committee bill contains a number of very fine provisions relating to the construction of municipal waste treatment systems and the conduct of antipollution research and related programs. Many of them are superior to provisions in the strong Senate-passed bill—S. 2770—relating to these same subjects.

The House bill shifts the emphasis away from the water quality standards approach of 1965 which, after nearly 7 years, has met with little success. Water quality standards have been approved only for interstate waters, and then only in 27 of 54 jurisdictions—the 50 States, Puerto Rico, District of Columbia, Virgin Islands, and Guam. Even where approved, many States have unilaterally extended timetables for compliance. Existing Federal law does not even require such standards for intrastate waters, although some States have adopted them. Disputes over the standards, lack of enforcement, and virtually no effluent controls have added to the ineffectiveness of these standards. Moreover, the existing law continues the outmoded theory that our waterways have an unlimited capacity to assimilate wastes.

The House bill, like the Senate bill, wisely transforms the Federal antipollution effort into a program of effluent limitations to control water pollution at the source. Water quality will be a measure of program effectiveness and performance, rather than the sole means of pollution control.

But the Committee bill (H.R. 11896) is far weaker than the Senate bill in the areas of establishing effluent standards and goals after 1976, enforcement, permits to control waste discharges, citizen participation, and worker protection.

In addition, the committee bill would severely limit antipollution enforcement under the Refuse Act of 1899 and emasculate the National Environmental Policy Act of 1969 and the Fish and Wildlife Coordination Act—three laws that are giving the public, for the first time, an opportunity to require the Federal Government and polluters alike to give full consideration to the antipublic effects of their actions on our environment.

Our colleagues—Representatives ABZUG and RANGEL—have already detailed for us the weaknesses of H.R. 11896 in their "Additional Views" (H. Rept. 92–911, p. 393) on the bill. Their views were reprinted in the March 16, 1972, issue of the CONGRESSIONAL RECORD (pages 8805–8813). I need not repeat them here.

When H.R. 11896 is taken up in the House, we will offer the "Clean Water Package of Amendments." That package is already cosponsored by 40 Members of Congress. The amendments will be offered in an effort to strengthen the bill in line with the stronger Senate-passed bill (S. 2770).

The "Clean Water Package of Amendments" will:

Establish that, by 1981, without further action by Congress, polluters must use the best available technology, taking into account the costs thereof, to clean up the wastes they pour into our waterways. Section 304 of the bill, of course, sets forth the following "factors" relating to the assessment of "best available technology": age of equipment and facilities involved, the process employed, the cost and economic, social, and environmental impact of achieving effluent reduction, and foreign competition. Our amendment does not, in any way, affect the "no discharge" goal declared by the House Committee in section 102(a) of the reported bill. With or without our amendments, that declared goal would be a part of the bill;

Provide more national control over the State programs of discharge permits, in order to prevent economic hardship and interstate competition for industries, communities, and workers and to insure that the water quality objectives of the bill are achieved;

Strike from the bill provisions that give polluters who violate this bill or the Refuse Act a total immunity until 1976 from enforcement actions, merely because they file an application for a permit;

Strike from the bill language that would gravely restrict the rights of any person to sue polluters and the Environmental Protection Agency, so as to establish that his rights in water pollution control should be no less than the rights which Congress established for any person in the Clean Air Act and which the House adopted on February 29, 1972, in the noise control bill (H.R. 11021);

Provide criminal sanctions against polluters who willfully violate an EPA order to abate their pollution; and provide adequate worker protection.

The "clean water package of amendments" will also prevent the weakening of the Fish and Wildlife Coordination Act and the National Environmental Policy Act of 1969—NEPA.

The committee states in its report on H.R. 11896 (H. Rept. 92–911) that it did not "intend . . . to decrease or limit the consideration of fish and wildlife" in the administration of the water pollution program (p. 137). But despite this helpful legislative history, the bill amends the Fish and Wildlife Coordination Act. The plain language of the amendment not only limits, but totally eliminates, such "consideration" in the case of future discharges and dredge and fill permits issued under provisions of

the bill. Our amendment will carry out the stated intention of the committee.

The committee, in explaining the NEPA amendment in the bill (H. Rept. 92–911, pp. 137–139), relies entirely on a statement made on the floor of the Senate. We have seen, however, that, since then, a great deal of controversy has arisen in that body and elsewhere over the precise meaning of the NEPA amendment—see National Journal, Feb. 26, 1972, pp. 336–349. Moreover, the House Committee revised the Senate version of this language, causing further uncertainty as to its meaning. The Committee report cites the recent Kalur decision which held that environmental impact statements under NEPA must be filed for Refuse Act permits, and then asserts that if that decision is upheld on appeal, EPA may still be required, despite this amendment, "to prepare" such statements.

We feel certain that the House should not support such a vague and ambiguous amendment, particularly when there is such great uncertainty as to its effect and scope. The House Committee on Merchant Marine and Fisheries, which developed and held hearings on NEPA and has jurisdiction over it, is presently holding hearings on the very problems to which this NEPA amendment in H.R. 11896 is supposedly addressed. The bill being considered by that committee is H.R. 13752. Moreover, that committee will shortly have before it a study by the General Accounting Office on the administration of NEPA. We think that committee, because of its jurisdiction over NEPA, should be given an opportunity to complete the extensive review it has begun and to act on H.R. 13752. Certainly, the deficient piecemeal approach in H.R. 11896 should not be passed by the House while the parent committee is actively trying to work out such problems as may exist in the administration of NEPA.

The "Clean Water Package" is supported by a broad-based group of environmental, civic, labor, farmer, and other groups, including:

Amalgamated Clothing Workers of America.
Bass Anglers Sportsman Society.
Clean Air, Clean Water, Unlimited.
Common Cause.
Environmental Action.
Environmental Policy Center.
Friends of the Earth.
Izaak Walton League of America.
League of Women Voters of the United States.
Minnesota Conservation Foundation.
Minnesota Environmental Control Citizens Association.
Minnesota Public Interest Research Group.
National Consumers League.
National Farmers Union.
National Wildlife Federation.
Northern Environmental Council.
Oil, Chemical, and Atomic Workers International Union.
Save Lake Superior Association.
Sierra Club.
Sport Fishing Institute.
Trout Unlimited.
United Automobile Workers.
United Steelworkers of America.
The Wilderness Society.

The New York Times on March 20, 1972, printed an editorial urging adoption of our "Clean Water Package" of amendments. At this point in the RECORD, I insert the New York Times editorial on H.R. 11896:

[From the New York Times, Mar. 20, 1972]

AND CLEAN WATERS

The water-pollution control bill, which Senator Muskie sponsored and his colleagues long ago approved by a vote of 86 to 0, is even more far-reaching and hence in worse trouble. Between heavy fire from industry and moderate fire from the Administration the Senate bill may be shot down, or existing controls may be seriously weakened in the name of improvement.

Of the changes made by the House Public Works Committee, one of the sharpest setbacks is the drastic modification of the Senate's objective to decrease effluents into the nation's waters for the next thirteen years, by which time (at least this is the goal) they would be eliminated altogether. The House committee, while theoretically retaining the goal, would subject the plan to a study by the National Academy of Sciences, to be followed by a second vote in Congress—by which time a lot of foul water will have flowed under the bridge. Not content to weaken the Senate bill, the committee would also reduce the effectiveness of the EPA by shifting primary responsibility for the issuing of effluent permits to the states, a grave backward step.

Representatives Reuss of Wisconsin and Dingell of Michigan are striving to reverse these stultifying changes with a "clean-water package" of amendments. Unless the efforts of these two outstanding conservationists succeed, there may be no clean water legislation in this Congress at all—a disastrous setback to a cause that cannot afford any delay.

The following Members have joined in urging our colleagues to support these amendments:

LIST OF MEMBERS

Henry S. Reuss, Thomas M. Pelly, John E. Moss, Lucien N. Nedzi, Dante B. Fascell, Floyd V. Hicks, David R. Obey, William D. Ford, Bella S. Azbug, Paul N. McCloskey, Jr.

Martha W. Griffiths, Philip E. Ruppe, James G. O'Hara, Ken Hechler, H. John Heinz, III, Benjamin S. Rosenthal, Robert O. Tiernan, Robert W. Kastenmeier, Dan Rostenkowski, Les Aspin.

John D. Dingell, John P. Saylor, Ray J. Madden, Thaddeus J. Dulski, Gilbert Gude, John H. Dent, Silvio O. Conte, Donald M. Fraser, Jack F. Kemp, Charles C. Diggs, Jr.

John Conyers, Jr., Michael Harrington, Thomas M. Rees, F. Bradford Morse, Charles B. Rangel, Charles A. Vanik, Abner J. Mikva, Donald W. Riegle, Jr., John G. Dow, Ogden Reid.

We urge our other colleagues to join us in cosponsoring these amendments.

The clean water package of amendments follows:

I. AMENDMENTS TO TITLE III OF H.R. 11896, AS REPORTED

Re: Requiring use by 1981 of best available technology

1. In section 301(b), on page 267, line 19, strike the words "except as provided in section 315,"; and

2. In section 315, on page 346, strike the sentence beginning on line 19 and ending on line 2, page 347.

II. AMENDMENT TO TITLE III OF H.R. 11896, AS REPORTED

Re: Criminal sanctions against polluters who willfully violate EPA pollution abatement order

In section 309(c)(1), on page 306, line 25, before the words "any permit" insert the following: "any order issued by the Administrator under subsection (a) of this section, or".

III. AMENDMENTS TO TITLE IV OF H.R. 11896, AS REPORTED

Re: Permits to control the discharge of wastes into the nation's waterways

1. In section 402(a)(5) on page 358, strike all after the period in line 7 through to the end of line 24 inclusive.

2. In section 402(b), on page 359, lines 15 and 16, strike "unless he determines that adequate authority does not exist:" and insert in lieu thereof the following: "if he determines, and publishes his determination, that adequate authority does exist:"

3. In section 402(b), on page 359, lines 18 and 19, strike out "any applicable" and insert in lieu thereof: "all".

4. In section 402(d), on page 362, line 25, insert a comma after the word "Administrator"; and on page 363, line 2, strike "(b)(5) of this section" and insert in lieu thereof the following: "(d)(1) of this section that such State proposes to issue a permit,".

5. In section 402(e), on page 363, line 13, after the period insert the following: "No waiver shall be made under this subsection unless regulations have been first promulgated under subsection (f) of this section relating to the category of point sources with respect to which each waiver is proposed".

6. In section 402(1), on page 365, line 1, after "a" insert "valid"; and strike out the sentence beginning on line 5 and ending on line 19.

IV. AMENDMENTS TO TITLE V OF H.R. 11896, AS REPORTED

Re: Citizen suits

1. In section 505(a), on page 377, line 24, and in section 505(b), on page 379, line 5, strike out the word "citizen" and insert the word "person".

2. In section 505(b), on page 379, line 14, strike out the words "issued by the Administrator";

3. In section 505(g), on page 381, strike lines 1 through 6; and in line 7, change "(h)" to "(g)".

V. AMENDMENTS TO TITLE V OF H.R. 11896, AS REPORTED

Re Employee protection

1. Section 507, on page 384, between lines 7 and 8, insert the following:

"(e) The Administrator shall conduct continuing evaluations of potential loss or shifts of employment which may result from the issuance of any effluent limitation or order under this Act, including, where appropriate, investigating threatened plant closures or reductions in employment allegedly resulting from such limitation or order. Any employee who is discharged or laid-off, threatened with discharge or lay-off, or otherwise discriminated against by any person because of the alleged results of any effluent limitation or order issued under this Act, or any representative of such employee, may request the Administrator to conduct a full investigation of the matter. The Administrator shall thereupon investigate the matter and, at the request of any party, shall hold public hearings on not less than five days notice, and shall at such hearings require the parties, including the employer involved, to present information relating to the actual or potential effect of such limitation or order on employment and on any alleged discharge,

lay-off, or other discrimination and the detailed reasons or justification therefor. Any such hearing shall be of record and shall be subject to section 554 of title 5 of the United States Code. Upon receiving the report of such investigation, the Administrator shall make findings of fact as to the effect of such effluent limitation or order on employment and on the alleged discharge, lay-off, or discrimination and shall make such recommendations as he deems appropriate. Such report, findings, and recommendations shall be available to the public. Nothing in this subsection shall be construed to require or authorize the Administrator to modify or withdraw any effluent limitation or order issued under this Act."

2. In section 509, on page 385, on line 21, after the comma, insert the following: "or carrying out section 507(e) of this Act,".

VI. AMENDMENTS TO TITLE V OF H.R. 11896, AS REPORTED

Re: Fish and Wildlife Coordination Act and the National Environmental Policy Act of 1969

1. In section 511(b) on page 389, line 21, strike "and"; and on line 22, change the period to a semi-colon and insert the following: "and (4) the issuance of permits under sections 318, 402, and 404 of this Act."

2. In section 511(d), page 390, strike lines 6 through 16 inclusive.

LOSS OF A COLLEAGUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CRANE) is recognized for 5 minutes.

Mr. CRANE. Mr. Speaker, today Republicans lost a colleague with the announcement by the gentleman from New York, Representative OGDEN REID, that he is changing his party affiliation. Often the temptation is felt by some on such an occasion to criticize, to level charges of "turncoat" and disloyalty. I think such criticisms overlook a broader issue.

There are wide-ranging philosophical differences within each of our two major parties. Many have insisted that this is desirable, that the parties to be truly national must be all-embracing and reflect every shade of opinion. I have never subscribed to this concept of political parties.

At the inception of the Republic, the hope and expectation was that the country would never witness the emergence of what James Madison in Federalist 10 described as factions, but what we later came to describe as political parties. Ironically enough, it was James Madison himself who was instrumental in developing the first political alternative to the prevailing orthodoxy in the form of a political faction which developed into the first Republican Party which elected Thomas Jefferson in 1800. This was a wholly natural development.

The kind of consensus hoped for by our Founding Fathers represented, perhaps, the one area where they failed properly to understand the nature of man. What they learned in short order is that unanimity is rarely the incident of human councils. Perhaps they knew it all the time and their aversion to faction was simply an expression of hope that we could find a new unanimity to guarantee the survival of the great experiment they had launched.

The Republican Party of Jefferson and Madison was not intended to represent all things to all men. On the contrary, it grew out of the deep conviction entertained by Madison, Jefferson, and others that those who represented the incumbent administration—identified as Federalists at that time—increasingly resurrected the specter of monarchical government. They deliberately chose the word "Republican" to describe their alternative because they were profound believers in republican institutions and saw them as antithetical to oligarchical or monarchical systems. In short they formed an opposition party that rested on the most profound differences that can exist amongst men in their understandings of the role government should play.

At the Constitutional Convention in Philadelphia there was a plan for the Federal Republic circulated amongst the members and authored by Alexander Hamilton. It called for a totally centralized form of government. While Hamilton preferred to use the word "President" to describe the head of that government, the government was so centralized in form that the President would have been a virtual dictator or king. Hamilton went so far as to recommend that Governors of States should not be elected but rather appointed by the President. Clearly, had Hamilton's views prevailed, the system of government created would have more nearly represented the dictatorships we are all too familiar with in the 20th century rather than the one we have. Jefferson, by contrast, believed that government is the servant of the people and the vigor of republican institutions rests upon local autonomy and local responsibility.

Those who today insist upon blurring meaningful distinctions between parties really do a disservice to the purpose of political parties. That purpose is not to guarantee that those on either side of the philosophical spectrum shall always win, but rather that we shall always be guaranteed the right to register meaningful dissent.

The gentleman from New York has obviously made a decision of conscience that was not easy but proper. There is still a residuum of meaningful difference between the Republican Party's approach to problem solving and the Democratic Party's approach to problem solving. My colleague opted in favor of the national party that more nearly reflects his own philosophical convictions.

FULTON URGES CATTLE HIDE EXPORT CONTROLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FULTON) is recognized for 5 minutes.

Mr. FULTON. Mr. Speaker, the American shoe industry, the American shoe worker, and the American shoe consumer face a very serious price-cost squeeze which is on the verge of causing very serious economic dislocation and pressure to increase inflation.

What has been taking place and continues at this very moment is that American cattle hides are being exported at increasing rates only to be used for the manufacture of foreign footwear which is then imported back into this country at increasing rates.

According to a statement of March 2 of this year by House Ways and Means Committee Chairman MILLS, the price of American hides has roughly doubled over the past year. This increase in exports has been matched by an increase in shoe imports. In 1960, imports equaled about 5 percent of U.S. domestic production. In the past year, this ratio had grown to almost 50 percent of domestic production and, in the month of January, it was two-thirds.

In the past, in the case of steel and textiles, the American Government has moved to quick action when the ratio of imports to U.S. production reached only 10 percent.

So, in voicing my concern over the problem of cattle hide exports, I join with many other concerned individuals who are talking about real damage to a vital domestic industry. We are not just crying "wolf."

At this point, I would like to quote from a letter on this subject from a representative of one of the Nation's leading footwear producers which was sent to Commerce Secretary Peterson on February 16, 1972:

> Obviously, as the price of hides increases, the price of leather we make our shoes from also increases. Since hide costs constitute a good part of the ultimate price to the consumer, we will be forced to raise our prices substantially to cover the cost of these increases. Not only will this help increase the cost of living, but at the same time, we will inevitably lose additional business to our overseas competitors. You are very familiar, I know, with the basic problem we have in the shoe industry—competing against the cheap labor, tax advantages, subsidies and other artificial stimulants that the foreign exporters use. We have certainly felt the effects of this in our business and have been forced to discontinue operations in at least three plants.

Mr. Speaker, this is not an uncommon situation or plight in the American footwear industry today. Help is needed and it is needed immediately.

Some time ago, on February 2, 1972, I wrote the Secretary of Commerce urging immediate export controls on cattle hides. In reply, I was told that the Department was considering the options available for relief. However, since that time, absolutely nothing had been done by the Department of Commerce or our Government to alleviate this situation.

Therefore, today I once again communicated to the Department of Commerce through Secretary Peterson my profound concern over this matter and urged, also once again, that immediate action be taken to apply the necessary export controls.

Unless this action is forthcoming, elementary economics warns that the American footwear industry as we know it may well be doomed in the very near future.

THE ADMINISTRATION OF JOHN BELL WILLIAMS, GOVERNOR OF MISSISSIPPI, 1968–72

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. GRIFFIN) is recognized for 15 minutes.

Mr. GRIFFIN. Mr. Speaker, during the term of any administration few people commend it but many are quick to criticize, some perhaps rightfully so. But at its conclusion the task remains for history to judge, not based upon the manner of man but rather on the deeds and accomplishments of the man and his administration. It is indeed very difficult for us all to look objectively at a recent public record and render a fair judgment, but history does not judge hastily and therefore can remain objective in its assessment. But as it is with the judgment of history, we always find that the deeds and the accomplishments when finally realized and viewed in proper prospective are credited to the one man who made them possible, and rightfully so.

In January of this year the Honorable John Bell Williams completed his term as Governor of the State of Mississippi. I do not attempt here to prejudge history on this administration but do attempt to look at it objectively, not at the man himself but the deeds and accomplishments. And after looking at these deeds and accomplishments I believe we must credit the man, John Bell Williams, with a job well done.

Even in these turbulent times, we in Mississippi were able to find hope—to find direction and to dedicate ourselves to the task that was before us to achieve a great and prosperous future.

Mississippians under the John Bell Williams administration were able to enjoy a tremendous program of improvement for public education. Appropriations for higher education were doubled in an effort to build a university, college, and junior college system where our young people did not have to leave our State to obtain a good education. In in the past 4 years four more junior college campuses were opened making a college or vocational education accessible to all citizens.

During the past 4 years, through a successful industrial development program in our State, over 54,000 new jobs were created by new or expanding industries. In a period when other sections of our country were experiencing slowdowns, Mississippi's economy continued to swing upward to new heights.

With the establishment of a coordinator of Federal-State programs in the Governor's office, the Williams administration became Mississippi's first to seek actively Federal funds in various aid and assistance programs to upgrade the quality of life for all Mississippians.

During the Williams administration, there were enacted sales tax reform, income tax reform, the new Drug Control Act, medicaid, the largest highway construction program in our history, penal reform and many more that will benefit the future of Mississippi.

Few of the programs of the past 4 years that I have mentioned here are short lived gains or contributions. On the contrary, they go to the very construction of a strong foundation upon which our people can build their homes for a prosperous future and fulfill their hopes and needs for that future. Many years will undoubtedly pass before the full benefit of many of these programs are realized but the passage of years will not dull the memory of the contributions and accomplishments that have been made nor who made them. Rather like a fossil, the years will leave an indelible mark upon the bedrock on which our State is built.

And I believe that when the judgment of history is finally made on the administration of John Bell Williams, without fanfare of politics or polls of public opinion, the deeds and accomplishments will speak for themselves and place it high among the most successful and progressive administrations in the history of Mississippi.

A few days before passing the torch to his successor on January 18, 1972, John Bell Williams addressed the Mississippi Legislature in joint session. I am sure that many who served with Mr. Williams in this body, would be interested in his farewell address. It follows:

FAREWELL ADDRESS

Mr. President, Mr. Speaker, distinguished members of the joint assembly: I speak to you today for the last time as Governor of the State of Mississippi.

As the shadows lengthen in the fading nours of this administration; as the sun sets to rise again in the expectant dawn of a new administration but a week hence, it is well that our reflections on an eventful yesterday become the prologue to an even greater tomorrow.

The last four years have seen periods of great political controversy; yet these were resolved according to the representative system under which we live. Our State has been strengthened thereby.

During these years, our State fell victim to the most extensive and destructive natural disaster ever to strike the Western Hemisphere; yet our people rose to the occasion, overcame adversity, and effected the most speedy and complete recovery ever experienced under comparable circumstances.

These years have known tragedy; they have known triumph. For me, as Chief Executive of this State shouldering the responsibilities imposed upon me by my oath of office, there have been moments of glorious victory and moments of agonizing frustration. These years have brought heartaches and happiness, disappointment and satisfaction. But in the final analysis, the sum total of these emotional experiences is a further enhancement of my indestructible faith in the collective wisdom of our people as expressed through their elected officials; an even stauncher conviction that our basic republican form of government is the finest ever conceived in the mind of man for the management of orderly society; and last—and perhaps most important to me—an even more intense feeling of confidence in the innate goodness of our people.

Today, in compliance with the laws of our State, I appear before you to give a report of the state of the government; and, in accordance with custom, to recommend to you for your consideration such programs as, in my opinion, will promote the welfare of the people of Mississippi.

I shall not make suggestions for legislative action in new areas. This, in my opinion, is properly the prerogative and responsibility of the distinguished Mississippian in whom the majority of our people have reposed their faith and confidence to serve as Governor of our State for the next four years.

However, I think it proper to suggest to you certain courses of action designed to effect the continuation and strengthening of worthwhile programs already before the people of Mississippi.

Some of these programs had their genesis in our administration. Others were a part of the continuing process of government as we in America know it; programs initiated in previous administrations and passed along to us, in turn, for our consideration.

Herein lies much of the vigor—and one of the principal virtues—of our system of government. We maintain a continuity of interest and purpose which allows one administration to build on the successes of those who have served before. Seldom is this affinity violated to the point where sharp cleavages in government policy are discernible.

It is my confident belief that the transition from the outgoing administration to the one incoming will be harmonious and will result in an orderly exchange of powers.

In a few days we will complete what, by any objective standard of evaluation, must be recorded as a productive, progressive, and responsible administration of the governmental affairs of the people of Mississippi.

Although I believe that the true impact of this administration has not yet been felt fully, nor its implication for the future progress of Mississippi as yet adequately understood and appreciated, I am confident that the judgment of history will deem these four years among the most notable in the life of our State and the general welfare of its people.

In the campaigns of 1967, a general consensus prevailed as to our greatest priority needs; those commanding most urgency in their fulfillment. Succinctly, these major needs, on which everyone agreed, were in the areas of educational improvement and highway construction.

In 1968, the first year of the present administration witnessed the enactment of the largest and most comprehensive program of improvements to public education ever achieved by any Administration. That act of responsibility by the elected representatives of our people might well be considered the real break-through in Mississippi education.

Never before had so many of our people and their elected officials been so united in their support of quality education for our children, the most precious of all our resources. Succeeding years brought forth more improvements, and public education enjoyed its greatest era of general support. At the outset of our administration, we determined that we were going to make it a true landmark period in education; to create a standard by which future progress could be judged. The record of the past four years shows that we accomplished that goal.

At the same time we were striving to upgrade the quality of instruction in our public schools, we faced the most trying and difficult circumstances—perhaps the greatest single threat to the existence of public education—that had confronted our people since the dark and shameful days of Reconstruction. In spite of many harsh impositions and provocations, our people and their elected officials exercised remarkable and commendable restraint. There has been little disruption; and through the patience, fortitude and determination of our people, public education in Mississippi survived its most critical period in one hundred years.

Because of interference through Federal courts and the meddling of Federal bureaucracy, public school conditions in many areas of our State were considered to be intolerable by many of our individual citizens and parents. Parents feared—in many cases with full justification—a deterioration of instructional standards within the public school system in certain communities, and sought refuge for

their children in a private school system. These four years have seen a most phenomenal growth in the numbers and quality of private educational facilities, fortunately in most instances without a feeling on the part of our people that public and private education are incompatible or that one must resist the other. We must continue to urge our citizens to accept the existence of public and private education as being complementary rather than competitive. They must accept the fact that both can live side by side without conflict and accomplish the purpose intended for both: the education and enlightenment of a generation of our children.

Means have been sought to provide some form of public support to these private institutions which are serving the public good. In each instance where we sought to assist, Federal courts arbitrarily frustrated our efforts. Even now, I hope that some means can be found by which this segment of secondary education might be given public financial support.

Because of the priority placed by the present administration on quality education; our schools—for the first time—have been able to compete favorably with those of other States in efforts to attract and retain better and more qualified teachers. During the last four years, teachers' salaries were increased by 39%, while at the same time, expenditures per child from State and local sources rose a total of 44%. A reduction in the teacher-pupil ratio—commonly known as a teacher-unit—from 30 to 27 pupils, provided an opportunity for more individual instruction for the child.

Our public junior college system has shown unprecedented growth in this period of time, and now ranks as second to none in the entire Nation. Enrollment in our public junior college system has nearly doubled during this administration. We are now within reach of our ultimate goal of providing a minimum of two years of college to every young Mississippian who is willing to work for it and who will undertake to pursue that education in a responsible manner.

For the first time, divisional status within the Department of Education was conferred upon our junior college system by Act of the Legislature, thus giving due recognition of the importance of this vital and indispensable segment of our educational system.

Four new junior college campuses have been opened in the past four years, and two more will be opened next September. Strong new programs have been established in basic education, occupational training, manpower development and remedial education, and State support for junior colleges has more than doubled during the past four years.

Annual State funding for vocational education—an indispensable element in the future economic development of our State—has almost doubled. Most important, this new emphasis on vocational education has created a new appreciation for vocational technical training among the people of our State. It has created a new image; one which will help guide thousands of our citizens into new fields of employment and create new opportunities for the realization of individual ambitions for happiness, production and prosperity.

This, in part, is the effort we are making to upgrade education—and thus the economic well-being—of all Mississippians.

We have seen also a strengthening of the entire college and university system within the State. The general support for the eight public senior colleges and universities more than doubled during this administration, and capital improvements for these institutions have totalled more than 44 million dollars.

The level of support now enjoyed by our institutions of higher learning is the highest in their existence; yet, it is but a step toward greater progress that can and must be accomplished in this area of education.

The last four years experienced an alarming trend throughout this country on the part of many college students. Rebellion against authority, disruption of the orderly processes of education, student riots, demonstrations, and violence were the order of the day on a disturbing number of campuses in this country. It is to the everlasting credit of Mississippi's youth that during this period, characterized by uncertainty and turbulence in our colleges, Mississippi students and faculty members—with few exceptions—deported themselves in the best traditions of American citizenship, displaying respect for law and order on our campuses. It is my fervent hope that the nightmare of this era of conflict shall have given way already to an awakening of the responsibilities of citizenship so vital to an orderly society. To those administrators, faculty members and students responsible for keeping these troubles in our State to a minimum, we can but give an expression of profound appreciation.

During the 1969 Extraordinary Session, the Legislature established and funded the Mississippi Authority for Educational Television. On February 1, 1970, Channel 29 in Jackson was activated, and has been in operation continuously since that time. Since that time, enabling legislation has been enacted and funds provided for the completion of a network designed to serve the entire State. I would urge your continued support of educational television as a potentially indispensable aid to our educational efforts.

Perhaps my greatest single disappointment during my four-year term as Governor came when the Senate refused—by the slim margin of two votes—to finance the much needed statewide four-lane highway construction program to which but a few weeks earlier it had given an overwhelming vote of approval. It is paradoxical that those who succeeded in defeating this legislation gained nothing more than a Pyrrhic victory, because in less than two months the oil companies had increased the retail price of gasoline as much as two cents, with none of the increase going to the construction of better highways for Mississippians. Those who took part in frustrating the approval of financing of this initial program must assume the burden of responsibility for delaying for a year and a half the initiation of any major highway construction program in Mississippi; and further, they must hold themselves accountable for the increased costs of bond financing and the higher costs of highway construction caused by this delay.

Because our primary highways had fallen into such a deplorable state that they were impeding our economic development and contributing to one of the highest and most tragic highway casualty rates in the country, it was inevitable that something had to be done. Consequently, having been forced by circumstances to compromise the initial program, it is yet noteworthy that this administration eventually succeeded, in 1969, in enacting what is nonetheless the largest single highway construction and improvement program ever undertaken within the bounds of our State.

The program adopted at the Extraordinary Session of the 1969 Legislature was the first major highway construction and improvement program that had been undertaken since the late 1930s.

Despite the fact that much is said today about the need for a four-lane highway construction program—an emphasis to which I fully subscribe as evidenced by my initial recommendations—this emphasis on four-laning should not obscure from the minds of the Legislature and the public the other important work which has been performed on our highways during this administration.

Under the three hundred million dollar highway program secured in 1969, tremendous improvements have been made on our existing primary and secondary highways. To date, we have committed less than one-third of the initial three hundred million dollar program to the cost of modernizing and improving some 1200 miles of highways, and an additional 600 miles of such improvements have been programmed.

Preliminary engineering and right-of-way acquisition is progressing to begin major four-laning on sections of U.S. Highways 78, 82, 49, 6 and 45. Passing lanes and other safety promoting facilities have been and are being constructed on many routes.

Most of the work on Highway 45 from Corinth to Waynesboro and Highway 84 from Natchez to Waynesboro is under contract, and plans to let the rest of it to construction are in this year's highway program.

In addition, we recently announced application for Federal funds through the Mississippi Division of Appalachian Development which will lead to four-laning of U.S. Highway 78 from Fulton to Tupelo.

We have already programmed nearly 300 additional miles of four-lane highways in Mississippi. This includes the following highways:

78 from the Tennessee line to Holly Springs.
78 from New Albany to Tupelo.
6 from Batesville to Oxford.
82 from Greenville to Winona.
82 from Starkville to Columbus.
49 from Jackson to Yazoo City.

Furthermore, numerous four-lane bypasses have been programmed to expedite the movement of highway traffic around numerous communities which include, among others: Philadelphia, Morton, and Louisville on Highway 15; Meridian and Macon on Highway 45; and Brookhaven on Highway 84.

The enactment of the 1969 Program made possible an acceleration of construction schedules and completion dates for Interstate 55 between Winona and Canton, moving the target date ahead by more than a year. Through the efforts of the Governor's Emergency Council, established following the incident of Hurricane Camille, the completion target date for Interstate 10 from Louisiana to the Alabama line has been moved ahead by two years.

Much more needs to be done in the area of highway construction, if Mississippi is to continue, even, to maintain its present pace of economic acceleration. It is my fervent hope that—at long last—it might become possible to remove the stumbling block of sectionalism from our highway planning. The absence of a modern highway system in North Mississippi, where it is most desperately needed at this point in time, is a severe deterrent to the economy of South Mississippi as well, though it may not be immediately apparent to the jaundiced eye of provincialism. Past experience suggests that too many Mississippians tend to consider the need for highway construction on a regional or local basis rather than to view it in the perspective of a modern statewide network of traffic arteries. There might have been a time in our State when this narrow viewpoint could be justified with some semblance of reason. However, the demands of today's volume of vehicular traffic are such that this viewpoint can no longer be accommodated with any degree of sanity or commonsense. Economic needs, safety requirements, and today's volume of traffic make it absolutely imperative that we continue to embark upon new programs so as to insure a maximum of highway mobility and safety for our people. The program in this administration will not be enough to meet the current needs in this area, not to mention the requirements of the future. This is a challenge which you as members of the next administration are destined to encounter.

Much of the past four years has been plagued with a nationwide business recession, a continuing squeeze on capital available for expansion, and an uneasy foreign situation. Yet, remarkably, the industrial development of Mississippi attained record-breaking heights.

During this period, the years 1968 and 1970 were recorded as the two best years in the State's history insofar as industrial progress is concerned.

From 1968 through 1971, almost 54,000 new jobs for Mississippians were announced by new and expanded industries. We must maintain and even accelerate this pace, for it should be stressed that when we talk about new jobs we must plan ahead for jobs in the next ten years for the young people between 10 and 19 years of age who already are in our educational system.

We have made great progress—and we need to make even greater strides forward. But the fact becomes apparent—when one contemplates the record—that under every administration beginning with the first administration of Governor Hugh White and continuing through the present, the Agricultural and Industrial Board, which administers our statewide industrial development effort, has consistently, year after year, turned in a record of performance scarcely equalled by any other agency in the entire State of Mississippi.

I am confident that this excellent record of professional competence, industry, and devotion to the progress of Mississippi will continue.

Soon after my inauguration, the Office of Coordinator of Federal-State Programs was established within the Governor's Office by Executive Order. Its purpose was to provide assistance to State departments, agencies and institutions in the development of Federal programs so that the people of Mississippi can be assured fair, efficient, and coordinated planning and administration of these programs.

Since the creation of this office, Mississippi has invested slightly in excess of 700 thousand dollars of State funds in programs administered by this office. This investment, in turn, has generated more than 310 million dollars in Federal funds that have been applied to developmental planning and action programs for the improvement of conditons for our people. It was the creation of this office that made possible the establishment of a Division of Comprehensive Health Planning, responsible for the development of plans to utilize with maximum effectiveness the health resources available within our State and to plan for new and expanded health services for our people. Some of these activities include a major State Health Agency Study, an Appalachian Health Care Study in cooperation with the University of Mississippi School of Medicine, and the organization of work which eventually led to the enactment of a fiscally sound and workable program of Medicaid in Mississippi , now providing medical needs for more than 263,000 aged, indigent, disabled and needy citizens of our State.

The Federal-State office was responsible for the establishment of the Law Enforcement Assistance Agency through which millions of dollars have been channeled for the improvement and strengthening of State and local law enforcement agencies. This has been accomplished primarily in the areas of police training and equipment, juvenile delinquency, narcotics and organized crime control and the upgrading of correctional institutions and methods.

The Division of Appalachian Development geographically limited to twenty eligible counties in Northeast Mississippi, has invested more than 20 million dollars in roads, airports, hospitals, schools, colleges, water and sewer systems, and recreational facilites through implementation in Mississippi of the Appalachian Regional Development Act of 1965. This has proven to be a Federal program which nonetheless takes its direction from the local level and the disposition of those funds is determined without Federal dictation or domination.

The Governor's Highway Safety Program, instituted in 1968, has financed programs of motor vehicle registration and inspection, driver education and licensing, a major helicopter ambulance demonstration project, and has made available to local communities and counties thirty-five ground ambulances. The full potential of this program is yet to be realized; but in its infancy, it has made a noteworthy contribution to the welfare and lives of our people.

Largely through the efforts of the Governor's Highway Safety Program, a workable and acceptable Implied Consent Law was proposed by me and adopted by the Legislature. This was much needed legislation in the interest of protecting lives and property on our public highways, and will go into operation later in the spring. No doubt it will contribute substantially to a reduction in highway accidents, fatalities and injuries.

The Division of Economic Opportunity, the Division of Manpower, the Council on Aging, and the Governor's Committee on Employment of the Handicapped have added to the benefits enjoyed by our people as a result of the establishment of the Office of Federal-State Coordinator.

The Office of Federal-State Programs has played a vital role in the acceleration of progress and the orderly development of our State during the past four years. Because of the proliferation of Federal programs available to the States which properly fall within the purview of this Office, its administrative structure might well need revision. I would suggest that a serious study be conducted into the present operational apparatus, in order that such revisions or reorganizations as might be indicated could be applied in the interest of promoting more efficiency and manageability of these programs. Should these programs be kept under the direction of the Governor's Office, or should they be incorporated in the creation of a new department, it is my feeling that a line of authority should be more clearly defined. It should be remembered that although this program is but four years old; and while only a proportionately small outlay of State funds is required for its operation, it is responsible for the expenditure of hundreds of millions in Federal funds for the development of our State.

Last year, the Legislature enacted for the first time a major drug control Act, recognizing the need to cope with a problem that becomes more intense with each passing day. This Act, while not perfect and definitely in need of further refinements; nevertheless, provides for the first time a means by whch our State can meet the problem effectively. As part of the Drug Control Act, the Legislature created a statewide drug enforcement agency, the first of its kind in our State's history. This agency has now been activated and staffed under the direction of Mr. Ken Fairly, a well qualified and aggressive law enforcement administrator. A great portion of its operational funds is provided through the law enforcement assstance agency, and its work is already beginning to be felt—and favorably.

Regrettably, Mississippi does not have appropriate facilities for the rehabilitation of those who have fallen victim to the drug traffic. Recent experiences, all tragic, have shown that commitment of these young victims of the drug traffic to the State Penitentiary as common criminals is not the answer to the problem.

While penal confinement is necessary in the case of professional drug peddlers—human monsters who deserve neither mercy nor quarter—the unwitting youngsters who fall prey to these monsters deserve the help and understanding of society. Most of these youngsters suffer emotional or psychological problems; otherwise, they would not seek escape from reality through hallucinogens or opiates. Accorded proper treatment by society and given competent professional help, a vast majority of these youngsters can be rehabilitated and returned to society as productive citizens. To this end, I would hope that you might devote serious time and study to a more efficacious approach to this problem than has been followed in the past. Perhaps the answer lies in the establishment of controlled treatment centers to which this type of offender might be committed—hopefully, salvaged. It is possible that other answers are available; in any event, I am confident that a detailed study of this and alternative approaches to the solution of the drug abuse problem is not merely in order, but absolutely imperative at this time.

No chronicle of events or accomplishments during this period would be complete should it fail to emphasize the outstanding work of the Governor's Emergency Council in the successful recovery efforts following Hurricane Camille. Created by Executive Order, this Council was charged with the tremendous responsibility of coordinating, planning, supervising and maintaining surveillance over the rebuilding of the Gulf Coast and South Mississippi; acting as liaison between our local political subdivisions and Federal Disaster and Relief Agencies, and making certain that our beautiful and once prosperous Gulf Coast would reacquire its former eminence with the greatest of dispatch. Their outstandingly successful efforts in accomplishing this end—a goal now surpassed—deserve the commendation of all our people.

The swift and effective response of the Mississippi Legislature in providing a State appropriation of ten million five hundred thousand dollars for the use and benefit of the political subdivisions in the disaster stricken area was an act of the highest responsibility. Nor could I fail to mention, and express appreciation for, the millions of dollars in cash relief and emergency items that poured into South Mississippi in the wake of Hurricane Camille from private sources. Mississippians will never cease to appreciate, nor will we forget these generous outpourings from the hearts of a compassionate people of a great nation.

Taking advantage of the knowledge gained through the experience of Hurricane Camille, the emergency relief and recovery effort that followed the subsequent series of tornadoes that devastated a number of Delta communities has been commended by the Office of Emergency Preparedness as the most swift, efficient, and wholly satisfactory undertaking of such nature in the life of that agency.

The Education and Research Center completed in 1969, the new Carrol Gartin Justice Building now under construction, the Walter Sillers State Office Building soon to be dedicated, the Robert E. Lee properties (which include the former hotel now occupied by State agencies, the 301 Building, the Burroughs Building and several large parking areas) acquired by purchase, and the soon-to-be started Mississippi Wildlife Museum will stand long as physical symbols of an era of progress designed to provide greater services to the people of Mississippi.

The establishment at the Mississippi State Penitentiary of first-offenders' camp, prerelease centers for men and women, improvement and modernization of existing housing facilities for inmates, a significant extension of vocational education facilities, aptitude testing of every incoming inmate, the construction of new and expanding inmate recreational facilities, the construction of an employees' recreation center, are but a few of the improvements that have been effected at that institution. These improvements along with the application of modern principles in the science of correction, have contributed to the sharp, and almost unbeliev-

able, reduction in the rate of returns by prisoners following their initial release from custody. This is further enhanced by the fact that, while paying their debt to society, these prisoners are given an opportunity to mold themselves into productive citizens through training and experience gained at the Penitentiary.

This institution, once regarded as nothing more than a "hell-hole" of brutality and human dereliction, is now highly regarded as a model institution of its type by correctional authorities in other parts of America.

Last year, the Legislature enacted a bill that called for additional changes in the physical plant and operation of this institution. This legislation is well intended, and contains some forward-looking innovations. However, I would point out that the bill contains numerous deficiencies that will need correction, as I pointed out to you in the message accompanying my approval of the bill. Further, its implementation is going to be expensive and a burden on the taxpayers of our State. I would suggest that this act be given further study with the view of adding such amendments as might be necessary in the interest of the institution and the taxpaying public.

Tourism is a major industry in our State. While we have witnessed since 1970, the growth of tourism from a 260 million dollar enterprise to one now grossing nearly a half billion dollars, we have yet to scratch the surface of our potential in this area. Our State Park System has added three new State Parks and three historic sites to the facilities which it manages for the recreation and entertainment of our people and our out-of-State tourist guests. Our Mississippi Park System under efficient and aggressive management has contributed substantially to the economy of the State. Much is yet to be done, however, toward the improvement of this system, and cannot be done at the present level of funding for operations and capital improvements. This problem deserves your attention.

The restriction of time precludes further elaboration—even mention or enumeration—of advancements brought about in other agencies in the interest of better government and more services to the people. For this reason, accomplishments of other agencies during this Administration—while no less important in the context of the whole—will have to be delineated elsewhere. Suffice it to say though, that in every category of State government there has been progress and accomplishment, and I invite your scrutiny of these activities.

By reference, I call to your attention for review and further study the recommendations submitted in my message to the last Regular Session having to do with a proposed reorganization of the Executive Branch of our State government. This message was submitted on January 13, 1971, and its text is contained in the journals of both Houses. I hereby renew the suggestion that consideration and study be given to a needed reorganization of these agencies. The Report of the Mississippi Commission on Efficiency and Economy in State Government has previously been made available to each of you for your study. Some of its recommendations, if not all, might well serve as the basis for bringing about desirable reforms in the organizational structure of our State government.

I take great pride in the achievements of the past four years. I take greater pride, even, in the fact that these achievements have been attained without disturbing the fiscal integrity of our State government. Our fiscal posture is one of strength and solidarity. At the close of this Administration—even after providing the services herein mentioned—we will pass to the incoming Administration an unencumbered cash balance in our general fund in excess of $15 million—a most enviable position among the several State of our Union.

In conclusion, permit me to extend congratulations to each of you upon your election and the trust and confidence reposed in you by your constituencies. As a member of the Legislature, you hold one of the most important offices within the gift of our people. It is my prayer that you will be the beneficiaries of God's richest blessings in the years to come, and that He will guide and direct you in all your deliberations as you seek to serve the best interests of your people.

To the Governor-elect, I offer the same congratulations and the same prayer and pledge my help and cooperation to him as he takes the helm of our Ship of State as its pilot to guide it through the uncharted waters for the next four years.

To the people of our great State, I express profound appreciation for the confidence placed in me four years ago, and for having given me the opportunity to serve in the highest and most responsible office in the State.

To the thousands of fine citizens of our State, whose prayers and expressions of sympathetic understanding and approval have given me needed encouragement and inspiration during these four years, I extend my profound gratitude.

To my family and to my staff, I express publicly my appreciation for their loyalty, perseverance, patience and support throughout this trying, but richly rewarding, period in my life.

I would express gratitude to my fellow chief executives throughout the country for the great honors extended to Mississippi through my selection as a member of the Executive Committee of the 50-State National Council of State Governments; for having permitted me to serve as Chairman of the 15-State Appalachian Regional Commission; and for having selected me as Chairman of the 1971, 19-Jurisdiction Southern Governors' Conference. My election by my fellow governors to serve them in these capacities brought great honor to me personally. More importantly, it gave recognition to the fact that Mississippi—despite what may be said by our detractors—still commands a position of highest respect among the sisterhood of States.

This administration has moved the State forward through turbulent waters. It is axiomatic that the winds of progress that fill the sails to move the Ship of State ahead are the same winds that create the waves that make its journey perilous and difficult.

Next week you will have a new Governor. He deserves your support and your prayers. I wish for him, and you, a successful and productive administration.

In the campaign of 1967, I stated to my audiences: "I believe I can make you a good Governor; I know that I can make you an honest Governor."

Now, at the close of my administration, I would paraphrase by saying: "I hope I have made you a good Governor; I know that I have made you an honest Governor."

I take comfort on this day in the knowledge that I have done my best. Whatever mistakes I may have made were those of the head and not of the heart, for I have given dedicated service to Mississippi to the full measure of my strength, my energy, my time and my talent. I have fought consistently and unwaveringly in support of the same principles and philosophies I advocated in my candidacy for this office. I can but express regret that I did not have more to give.

We await the judgment of history.

ADMINISTRATIVE DISCHARGES CAN BE UNFAIR

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

Mr. KOCH. Mr. Speaker, I should like to bring to the attention of this House subjects which are not often raised in legislative forums: Homosexuality in the Armed Forces and the administration of military justice with reference to the absence of due process in many administrative discharge proceedings in the military services.

Currently, there is a matter involving a young man, whose case I am making public at his request, who is charged with allegedly engaging in a homosexual act. Seeking an opportunity to defend himself by requesting a court-martial where he would have his day in court, RMSN Robert A. Martin, Jr., USN, wrote to me on January 19, 1972, stating:

After 1½ years in the Navy, during which I have had a spotless record and high performance marks, the Navy is now trying to give me an undesirable discharge. The charge: "suspected homosexual involvement." That's right, I am accused of being suspected! The Personnel Officer at the US Naval Support Activity Naples (FPO NY 09521), CWO4 Price, who would play the part of the prosecutor against me in an Administrative Discharge Board hearing, himself told me he didn't have any proof against me.

He went on in his letter to say:

As a journalist by profession and training (before enlisting in the Navy I was a reporter for the New York bureau of the Associated Press) I am particularly aware of the consequences of the stigma attached to a less-than-honorable discharge in what remains in its employment practices a conservative profession. . . . If the Captain believes a court martialable offense has occurred, he should bring it to a court-martial rather than use the administrative discharge procedures to punish a person without a proof of wrong-doing.

I believe that RMSN Martin is right in his demand and that an individual should have the right, particularly in situations which could have such grave consequences to one after discharge from the Navy, to a trial to determine whether or not he is in fact guilty as charged. In support of his request for a court-martial so as to enable him to confront his accuser, I sent the following letter to the Department of the Navy:

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 29, 1972.

CONGRESSIONAL LIAISON,
Department of the Navy,
Washington, D.C.

DEAR SIR: I am writing to you concerning RM3 Robert A. Martin, Jr., [redacted], AF South Box 148, FPO New York 09524.

In view of the gravamen of the charges against him and what the effect of a general discharge given for homosexuality will have on his career in the future, I believe justice requires that he be given a court martial, as he has requested, so that he might defend himself against the charges.

It was never intended, in my judgment, to permit discharges under less than honorable conditions as a way of allowing the Navy to avoid proving charges in a serious case. He is aware of the penalties that might flow from a conviction at a court martial which are greater in degree than those from administrative proceedings, and he is willing to take his chances because he believes he is not guilty of the charges.

I would therefore appreciate your giving him the opportunity to defend himself in court and your advising me of the disposition of the matter.

Sincerely,

EDWARD I. KOCH.

In response, the Navy informed me that final action will not be completed in this matter until late April 1972.

At the present time, no decision has been made concerning his request for the court martial. Surely, this is an elementary right—the right to a full hearing with an opportunity to cross-examine one's accuser. Also interested in this matter involving the right to due process is Senator SAM J. ERVIN, JR., chairman of the Senate Subcommittee on Constitutional Rights.

I believe that the time has come for overhauling the legal processes used by the armed services in connection with discharges based on alleged homosexual acts. Prior to receiving the correspondence from RMSN Martin, I had correspondence on this subject with the Department of Defense which I am setting forth:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 7, 1971.

Secretary MELVIN LAIRD,
Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I have on occasion received complaints from young men in the Army who have been discharged as the result of their being homosexuals. The discharge which they receive as I understand it is often less than honorable and obviously has a chilling effect upon their personal and professional lives after they leave the service.

I would appreciate your advising me whether the barring of homosexuals in the Armed Forces is by law or by regulation, and if the type of discharge they receive, which often appears to be punitive, is by law or regulation. I would appreciate receiving your comments on this matter and informing me, if the policy is governed by regulation, whether you would consider changing those regulations so as to permit honorable discharges to those discharged for homosexual conduct.

Further, I should like your point of view on the proposal advanced by some that private homosexual conduct off the base should not bar service in the Armed Forces. Prime Minister Pierre Trudeau summed up my feelings when he said "the state has no business in the bedrooms of the nations."

Sincerely,

EDWARD I. KOCH.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., July 20, 1971.

Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: This is in response to your letter of July 7, 1971, regarding Department of Defense policy concerning homosexuals in the Armed Forces.

The enclosed Fact Sheet regarding Department of Defense policy on homosexuals in the Armed Forces is provided for your information. No changes are contemplated regarding this policy.

The policy regarding the type and character of administrative discharge governing the separation of homosexuals from the Armed Forces is contained in Department of Defense Directive 1332.14, "Administrative Discharges," dated December 20, 1965 [Sections VII.G. 6, and 1.2.) A copy is enclosed for your information.

The nature of a discharge issued as a result of being adjudged by court-martial is specifically governed by Federal statute, 10 United States Code 925. This section encompasses all unnatural sexual intercourse between humans or between humans and animals. Some homosexual relations could come within the provisions of this section. The maximum punishment which may be imposed for a violation of Section 925 is outlined in paragraph 127c, Table of Maximum Punishment, *Manual for Courts-Martial, supra* as follows:

By force and without consent: Dishonorable Discharge, confinement at hard labor for 10 years, total forfeiture of all pay and allowances.

With a child under the age of 16 years: Dishonorable Discharge, confinement at hard labor for 20 years, total forfeiture of all pay and allowances.

Other cases: Dishonorable Discharge, confinement at hard labor for 5 years, total forfeiture of all pay and allowances.

The accused may be charged with assault with intent to commit sodomy in violation of 10 United States Code 934. The maximum punishment in violation of Section 934 is a Dishonorable Discharge, confinement at hard labor for 10 years, and total forfeiture of all pay and allowances.

The *Manual for Courts-Martial* is an Executive Order of the President of the United States as prescribed by Section 836, 10 United Code. All branches of the Armed Services are bound by its provisions.

I trust that the information provided will be of assistance to you. Your interest in matters pertaining to the Military Services is appreciated.

Sincerely,

LEO E. BENADE,
Major General, USA, Deputy Assistant Secretary of Defense.

HOUSE OF REPRESENTATIVES,
Washington, D.C. August 11, 1971.

Secretary MELVIN LAIRD,
Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I am writing to you with further reference to the question of homosexuals in the Armed Services, about which I wrote to you on July 7, 1971.

While I do not approve of the Department of Defense's policy to discharge all homosexuals automatically from the military, I would like to direct this letter to change which could be made in current policy regarding the type of discharge given to homosexuals. When referring to a homosexual in this letter, I mean only a consenting adult who has engaged in homosexual acts on his or her own time and not in public.

Apparently, each branch of the service has a certain discretion in deciding how such an individual is to be discharged, and that such persons usually are not given court martials but are discharged administratively. According to existing regulations as set forth in the Department of Defense Directive No. 1332.14, December 20, 1965, a homosexual could be given administratively either an honorable (Unsuitability G–6) or undesirable (Unfitness I–2 or Misconduct J–1) discharge.

With an undesirable discharge, it is my understanding that any veterans' benefits to which an individual might otherwise be entitled can be cut off at the discretion of the administering agency. Furthermore, the discharge papers are marked "under terms other than honorable" accompanied by a code number signifying sexual deviation. This type of discharge is, in effect, a harsh, punitive measure, one that hardly reflects the contemporary and more enlightened attitude of society today towards an individual's sexual preferences.

Not only is present military policy on this matter cruelly out of date, but I believe that what little discretion exists relating to the method of discharging homosexuals is being abused. By way of illustration, I refer you to SECNAV Instruction 1900.9, April 20, 1964, which in my estimation encourages Naval personnel to give undesirable discharges to any homosexual or suspected homosexual. On the first page of this document, paragraph 4f states:

"When processing an individual by administrative action in accordance with this instruction and when the conditions prompting such action are essentially voluntary participation in aberran sexual activity, the separation of the individual will normally be characterized as having been "under conditions other than honorable." Administrative processing of cases should therefore contemplate such an ultimate disposition."

I cannot see that homosexual behavior in the military is an "offense" which merits this type of discharge. While it is apparent that the leaders of the military, in order to maintain discipline, feel it necessary to exclude homosexuals; there is no need to gratuitously punish them with an undesirable discharge.

Usually these individuals are being punished for a failure to comply with the special dictated of an artificial society which they were forced to join. Many, no doubt, were unaware of their homosexual tendencies before joining the service. Furthermore, the present policy of indicating the reason for discharge as sexual deviation constitutes an invasion of privacy. The military can, of course, keep its own records indicating why an individual was separated, but that information ought not in any way be made public.

What might be argued by some to be the concern of the military in one's personal life while an active military duty certainly ought not to be the concern of others in civilian life.

I would hope that you would give serious attention to this matter and advise me whether or not you would be willing to alter present Department of Defense policy, so that homosexuals, as defined in this letter, are given honorable discharges. Particular attention should be given to issuing new directives to supercede any documents such as SECNAV 1900.9 referred to above.

Sincerely,

EDWARD I. KOCH.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., August 19, 1971.

Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: This is in response to your letter of August 11, 1971, requesting that the Department of Defense alter current discharge policy so that a homosexual would be given an honorable discharge when the consenting adult engages in homosexual acts on his or her own time and not in public.

We cannot agree that Department of Defense policy concerning the discharge of homosexuals, as enumerated in my letter of July 7, 1971, is "cruelly out of date and does not reflect the contemporary and more enlightened attitude of society."

It is noted that in your reference to paragraph 4f, SECNAV Instruction 1900.9 dated April 20, 1964, the following was omitted:

"Whenever a higher character of separation is found to be warranted upon departmental review, such will be effected and command submitting case shall take pains to note all circumstances favorable to the individual which would affect the type of discharge to be awarded."

Accordingly, we do not believe this paragraph, when considering its full meaning and coupled with the total intent of the Instruction, encourages the issuance of undesirable discharges to homosexuals.

At the time a person is separated from the military service he is furnished a DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) which reflects the type of discharge, reason and authority. A separation designator number instead of a narrative statement is used to reflect the rea-

son for separation. This is done to afford the individual who receives a less than honorable discharge some protection from stigmatism which could result from words used to describe the reason for his discharge. The release of these separation designator numbers is closely monitored and provided only to governmental agencies indicating a "need to know." Accordingly, this information is not made a matter of public knowledge.

I trust that the information provided will be of assistance to you. Your interest in matters pertaining to the military services is appreciated.

Sincerely,

LEO E. BENADE,
Major General, USA, Deputy Assistant Secretary of Defense.

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 7, 1972.

Maj. Gen. LEO E. BENADE, USA,
Deputy Assistant Secretary of Defense, Department of Defense, Washington, D.C.

DEAR GENERAL BENADE: I am writing to you with further reference to the question of homosexuals in the Armed Services. I thank you for the response which you sent and which I am enclosing.

I assume from the reference to paragraph 4f, SECNAV Instruction 1900.9, that it is your intent that the Department of Defense whenever possible will provide an honorable separation as opposed to an undesirable discharge to homosexuals. I would appreciate being provided with the number of undesirable discharges issued as the result of homosexual activity each year for the last 5 years, and, if the records are available within that same period, the number of honorable discharges issued to homosexuals.

With respect to the separation designator numbers and your belief that they are not a matter of public knowledge, may I tell you that they indeed are. Employment agencies are well aware of these numbers and as I am sure are many others. What purpose does it serve to place the designator number on the discharge when that information can be kept in the file? In view of that, I would ask you to consider reviewing a change in this area.

Thank you for your interest in this matter.

Sincerely,

EDWARD I. KOCH.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., January 17, 1972.

Hon. EDWARD I. KOCH,
House of Representatives, Washington, D.C.

DEAR MR. KOCH: This is in response to your letter of January 7, 1972, requesting additional information on the matter of homosexuals in the Armed Forces.

The enclosed chart depicts the administrative discharges issued for homesexual tendencies or sexual perversion during fiscal years 1967–1971.

In regard to your comment regarding separation designator numbers (SDN) being public knowledge, it is re-emphasized that the Department of Defense does not make SDNs a matter of public knowledge.

It should be noted that the purpose of DD Form 214 is threefold: (1) provides the recipient with a brief record of a term of net service during his current term of service, (2) provides various Governmental agencies with an authoritative source of information, and (3) provides the military service information for administrative purposes. The form serves a multitude of purposes and the elimination of data such as "reason for separation and authority" would drastically reduce the value and use of the document. For example, the elimination of SDNs from the data element "reason for separation and authority" on the DD Form 214 would cause a lengthy delay by the Veterans' Administration in determining an individual's eligibility for veterans' benefits inasmuch as a time-consuming search and review would have to be made of the veteran's record which is retired to the appropriate record center of the Service upon his discharge.

While the Department of Defense is committed to a periodic re-examination of policies relating to the preparation of and the inclusion of data on the DD Form 214, no changes are contemplated concerning the elimination of SDNs from the document.

I trust the information provided will be of assistance to you. Your interest in matters pertaining to the Armed Forces is appreciated.

Sincerely,

LEO E. BENADE,
Major General, USA,
Deputy Assistant Secretary of Defense.

DEPARTMENT OF DEFENSE—ADMINISTRATIVE DISCHARGES HOMOSEXUAL TENDENCIES

	Honorable	General	Total
1967	64	414	478
1968	230	322	552
1969	254	192	446
1970	250	182	432
1971	204	214	418
Total	1,002	1,324	2,326

SEXUAL PERVERSION

	Honorable	General	Undesirable	Total
1967 [1]				
1968	117	294	654	1,065
1969	140	370	586	1,096
1970	119	481	419	1,019
1971	93	439	235	767
Tota	469	1,584	1,894	3,947

[1] Data not available.

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 28, 1972.

Maj. Gen. LEO E. BENADE, USA,
Deputy Assistant Secretary of Defense, Department of Defense, Washington, D.C.

DEAR GENERAL BENADE: Thank you for your letter of January 17th responding to my earlier correspondence concerning homosexuals in the Armed Services.

Because the military's definition of "sexual perversion" includes more than homosexual acts between consenting adults it is impossible for one to interpret how many of those undesirable discharges, listed in your table of administrative discharges, were for homosexual activity between consenting adults. Only a comparison of honorable, general, and undesirable discharges specifically relating to homosexual activity between consenting adults would reflect the military's present policy towards this so-called "offense." If you have such specific figures, I would appreciate receiving them.

It appears from your letters that the Department of Defense has no intention at this time of altering its present policy regarding homosexuals. While I do not want to prolong this correspondence endlessly, I do want to state that in my opinion your reasons for refusing to eliminate SDN's from discharge-papers are not persuasive. If and when the Department of Defense conducts a "periodic re-examination of policy, I trust the elimination of SDN's will be approved, for indeed their meaning is public and their effect harmful.

Sincerely,

EDWARD I. KOCH.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., February 4, 1972.

Hon. EDWARD I. KOCH,
House of Representatives, Washington, D.C.

DEAR MR. KOCH: This is in response to your letter of January 28, 1972 regarding homosexuals.

The administrative discharge statistics provided in my letter of January 17, 1972 represents the complete break out of data maintained by this office.

Thank you for your letter.

Sincerely,

LEO E. BENADE,
Major General, USA, Deputy Assistant Secretary of Defense.

LIGHT ON CRIME

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

Mr. KOCH. Mr. Speaker, my correspondence and discussions with constituents reflect the growing concern with the menace of street crime. I have attempted to make practical proposals to deter what has become an intolerable situation in New York City. My blow the whistle on crime campaign and my bill to relieve our local police of the responsibility to guard foreign missions are two of these recommendations with which you are perhaps familiar.

Today I am introducing a bill, H.R. 14022, to establish a Federal light on crime program. This legislation would mandate the expenditure of $30 million in each of the next 3 years specifically for the purchase and installation of high-pressure sodium-type lights. The funds would come in grants made directly to local governments on a 75-percent Federal, 25-percent local share basis.

High-pressure sodium lights are able to illuminate a city street far better than our traditional street lighting. They, in a sense, turn night into day and their effectiveness as a deterrent against crime is undeniable.

In Washington, D.C., after installation of high-level lighting in high-crime areas, crime decreased by 31 percent.

Gary, Ind., installed 5,000 new street lights. Criminal assaults dropped 70 percent and robberies 60 percent.

In Chattanooga, Tenn., crime in a 12 block area dropped 70 percent after lighting.

This program I am proposing involves relatively low costs, and can have an immediate impact on reducing street crime. This is a program designed to light our streets for people rather than just for cars; it is a program designed to return the streets to the people.

New York City and other localities have initiated their own, high level lighting plans on a limited scale, combining private and local government funding. Some such light illuminates parts of our own East Side even now. But in a time of budgetary crisis in local government, it is clear that the Federal Government should provide funding for high intensity lighting.

An infunsion of Federal funds would allow the type of massive lighting program which I believe we need in our urban areas, and which localities can never finance alone. Rather than having only individual blocks sporadically lighted, Federal funding could conceivably insure that whole communities would be illuminated, to the benefit of residents and merchants alike.

I hope that the Congress will give prompt consideration to H.R. 14022. We

must do what we can to move the country to the date when we can all "see the light" and end the terror in our streets.

MARIHUANA: A SIGNAL OF MISUNDERSTANDING

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

Mr. KOCH. Mr. Speaker, today the National Commission on Marihuana and Drug Abuse issued its report on the use of marihuana in this country. Entitled, "Marihuana: a Signal of Misunderstanding," the report recommends that possession of marihuana for personal use no longer be an offense. The Commission would also eliminate the sanctions against casual distribution of small amounts of marihuana for no remuneration, or insignificant remuneration, not involving profit.

As the one who introduced the original legislation establishing the Commission, I am pleased with the report that has been issued. The Commission has been judicious in its weighing of the evidence and considerations surrounding marihuana use and reasonable in the recommendations it has made. These recommendations go a long way in placing marihuana in proper perspective.

I plan to offer legislation in the House to implement the report's basic recommendations for the Federal decriminalization of marihuana.

If implemented, the Commission's recommendations will help to change the present legal framework and remove penalties that almost everyone concedes are not justified and not effective in deterring usage. The harsh and unrealistic treatment given marihuana users under Federal, and particularly State laws, has undermined the credibility of the Government's policies vis-a-vis the hard drugs, and has distracted our law enforcement efforts from the serious drug abuse problems facing us today.

It is important that the Congress and the States act to correct the criminal code relating to marihuana which indeed is a result of a "misunderstanding" about the substance we are dealing with. We must be sure that this Presidential Commission's report is acted on and not left to become moribund like so many of its predecessors.

Mr. Speaker, I would like to submit for printing in the RECORD the summary of the 184 page report provided by the National Commission on Marihuana and Drug Abuse. It follows:

NATIONAL COMMISSION ON MARIHUANA AND DRUG ABUSE,
Washington, D.C., March 22, 1972.

The National Commission on Marihuana and Drug Abuse unanimously recommended today a policy of discouragement for marihuana use. While rejecting legalization of the drug itself, as in the case of alcohol, the Commission declared that an effective discouragement policy does not require making private possession of marihuana a crime nor does it recommend putting its users in jail.

In its Report, *Marihuana: A Signal of Misunderstanding*, which was submitted to President Nixon at the White House and to the Congress, the Commission recommended that possession for personal use in private and casual not-for-profit sales in private not be made criminal offenses.

However, the Commission recommended the retention of heavy penalties for cultivation, trafficking, and possession with intent to sell. Use in public would be a criminal offense and the drug, if found in public, would be contraband and subject to seizure. (A list of all recommendations is attached to this information sheet.)

In making the presentation, Raymond P. Shafer, former Governor of Pennsylvania and Chairman of the 13-member Commission appointed by President Nixon (see attached list), said "The Commission exercised judicious restraint in making its recommendations. We unanimously agree that marihuana use is not a desirable behavior, and we agree that society should discourage use. Nevertheless, we feel that, placed in proper perspective with other societal problems, citizens should not be criminalized or jailed merely for *private* possession or use."

Marihuana: A Signal of Misunderstanding is based on an intensive fact-finding effort which began shortly after funds became available March 22, 1971. The investigation included more than 50 commissioned projects, public and student hearings, and surveys of the general public, law enforcement and medical communities.

Governor Shafer emphasized that "We have attempted to tell the American people the truth about marihuana. In our Report, we have tried to separate fact from fiction and to clear up the many misunderstandings surrounding the marihuana controversy."

The following are some of the major findings presented in the Report:

WHO USES DRUG

At least 24 million Americans 12-years-old and over have used marihuana at least once, and at least 8.3 million are current users.

More than 40% of college and graduate students have tried the drug.

Of those persons who have ever used marihuana, 41% of the adults (18 and older) and 45% of the youth (12–17) no longer use it.

The great majority of marihuana users use the drug less than once a week, probably on weekends, or at a party.

Two percent (500,000) of "ever-users" can be classified as heavy users and use the drug more than once a day.

THE EFFECTS OF MARIHUANA

There is no evidence that experimental or intermittent use of marihuana causes physical or psychological harm. The risk lies instead in the heavy, long-term use of the drug, particularly of the most potent preparations.

Marihuana does not lead to physical dependency. No tortuous withdrawal symptoms follow the sudden cessation of chronic, heavy use. Some evidence indicates that heavy, long-term users may develop a psychological dependence on the drug.

The immediate effects of marihuana intoxication on the individual's organs or bodily functions are transient and have little or no permanent effect. However, there is a definite loss of some psychomotor control and a temporary impairment of time and space perceptions.

No brain damage has been documented relating to marihuana use, in contrast with the well-established brain damage of chronic alcoholism.

A careful search of literature and testimony by health officials has not revealed a single human fatality in the United States proven to have resulted solely from use of marihuana.

Tests on monkeys have demonstrated that the dose required for "overdose death" is enormous and for all practical purposes unachievable by humans smoking marihuana.

No reliable evidence exists indicating that marihuana causes genetic defects in man; however, since fetal damage cannot be ruled out, the use of marihuana is not advisable during pregnancy.

The incidence of psychosis from marihuana use is exceedingly rare, and such reactions tend to occur in predisposed individuals.

MARIHUANA AND PUBLIC SAFETY

The evidence indicates that marihuana does not cause violent or aggressive behavior or crime.

Recent research has not proven that marihuana use significantly impairs driving ability; however, reliable research has not yet been conducted and the Commission strongly suspects that the acute effects of marihuana use (such as spatial and time distortion and slowed reflexes) may impair driving. The Commission believes that driving while under the influence of any intoxicant is a serious risk to public safety.

MARIHUANA AND PUBLIC WELFARE

From what is now known about the effects of marihuana, its present level of use in American society does not constitute a major threat to public health; the high-risk group constitutes the 2% of American "ever-users" who use the drug heavily and pose a concern for public health officials.

The Commission emphasizes the need for increased research into long-term psychological effects, especially with regard to effects on motivation.

Although some segments of society fear that marihuana use leads to idleness and "dropping out," little likelihood exists that the introduction of a single element such as marihuana use would significantly change the basic personality of any person; rather, an individual is more likely to drop out when circumstances join to produce pressures which he cannot handle effectively.

MARIHUANA AND OTHER DRUGS

Recognizing that one of the most controversial issues in the study of marihuana is its relationship to other drugs, the Commission explored in depth the hypothesis that marihuana use leads to the use of other drugs.

The overwhelming majority of marihuana users do not progress to other drugs, although statistically marihuana users are more likely to experiment with other drugs than are non-users.

Marihuana use does not dictate whether or which other drugs will be used.

As stated by Governor Shafer, "If any one reason can characterize why people in the United States escalate their drug use and become multidrug users, it is peer pressure."

ENFORCEMENT OF THE MARIHUANA LAWS

The Commission was directed by Congress to evaluate the existing federal and state laws relating to marihuana. The vast majority of arrests occur at the state level (at least 200,000) as opposed to the federal level (approximately 4,000). In a study of enforcement in six metropolitan jurisdictions in different states, the Commission found:

93% of the arrests in the sample were for possession.

69% of the arrests were preceded by no investigation, occurring in vehicles or on the street.

Arrests were concentrated among the young (88% were 25 or under); typically the arrestee was a white male, in school or employed in a blue collar job, without a prior record.

Two-thirds of the arrestees were arrested for possession of an ounce of marihuana or less.

Offenders were generally (67%) arrested in groups of two or more persons.

The Commission pointed out that the criminal justice system often responded to this unusual group of "criminals" in a lenient way:

At least 48% of the adult cases and 70% of the juvenile cases were dismissed by the police, the prosecution or the judiciary.

One-third of the arrestees were convicted and sentenced.

Of those convicted of possession, 24% were incarcerated, usually for a year or less.

The Commission concluded that the law enforcement community has adopted a policy of "containment." "Although effort is sometimes expended to seek out private marihuana use," the Report states, "the trend is undoubtedly to invoke the marihuana possession laws only when the behavior (possession) comes out in the open." Governor Shafer added: "The overriding feature of the present marihuana laws is the threat of arrest for indiscretion."

After considering the effects and social impact of marihuana use, the Commission considered four alternative social control policies for the drug: (1) Approval; (2) Elimination; (3) Neutrality; and (4) Discouragement.

The Commission emphasized that society should not approve or encourage the recreational use of any drug. On the other hand, the Commission concluded that elimination of marihuana and its use is unachievable, and the drugs' relative potential for harm to individuals and society does not justify a social policy designed to seek out and firmly punish those who use it.

The most difficult qeustion, the Commission explained, was whether society should try to dissuade its members from using marihuana or should defer entirely to individual judgment, remaining neutral. After lengthy consideration of this issue, the Commission chose to recommend to the public and its policy-makers a social control policy seeking to discourage marihuana use, while concentrating primarily on the prevention of heavy and very heavy use.

The Commission's next step was to consider three legal responses as a means of implementing the discouragement policy: (1) total prohibition; (2) partial prohibition; and (3) regulation.

The Commission explained that the total prohibition scheme now in effect prohibits all marihuana-related behavior, including possession for personal use. Partial prohibition would prohibit cultivation and distribution of the drug but would not prohibit private consumption or acts related to consumption. The distinct feature of a regulation scheme (legalization) is that distribution of the drug is legal.

The Commission, rejecting both the present system and the regulatory scheme, was of the unanimous opinion that marihuana use is not a sufficiently grave problem to subject its users to criminal procedures, but that legalization was inadvisable for a drug which does alter short-term perception, which has uncertain long-term effects and which may be of transient social interest.

Instead, the Commission recommended a partial prohibition scheme which symbolizes a continuing societal disapproval of use, yet removes the criminal stigma and threat of incarceration for users, and also maximizes the flexibility of future public responses as new information comes to light.

The major features of the recommended scheme are that:

Production and distribution of the drug would remain criminal activities as would possession with intent to distribute commercially;

Marihuana would be contraband subject to confiscation in public places;

Criminal sanctions would be withdrawn from private use and possession incident to such use, but, at the state level, fines would be imposed for use in public;

In order to keep use private, possession of more than one ounce in public would be prohibited;

In addition, casual, not-for-profit transfers of small amounts, permitted in private, would be prohibited in public.

Specific recommendations for federal and state law are attached).

Five of the 13 Commissioners differed in minor respects regarding the recommendations. Commissioners Rogers, Carter and Ware agree with the discouragement policy and the decriminalization aspects of the recommendations but would recommend, in addition, a civil fine for possession of any amount of marihuana and would limit casual transfers only to those instances where there is no remuneration at all. Commissioners Hughes and Javits believe that marihuana should not be contraband, that all not-for-profit sales should be excluded from the criminal sanction, and that the "ounce or less" requirement for possession in public should be removed.

"A most important question," said Governor Shafer in explaining the Commission's position, "and one which it is still too early to answer, is whether the use of marihuana is fad or fashion. It is possible that the widespread use of marihuana could well disappear of its own accord."

In the Commission's opinion, the proposed partial prohibition scheme would permit the law enforcement community to concentrate on what it is best able to do, reduce trafficking and supply of the drug. At the same time, the Commission believes that responsibility for discouraging consumption should rest with non-legal institutions, such as family, schools, church, and the medical profession.

In anticipation of the Commission's responsibility to present a report on all drugs in 1973, Governor Shafer said.

"From the many surveys and research studies, and from our formal and informal hearings and deliberations, it is evident that the phenomenon of drug abuse in our country poses a very serious threat to our society which will require a massive and sustained effort in drug education and in the revision of our laws to make them uniform, appropriate, effective, and humane. However, such responses are in effect only medications that will help to contain the social illness of drug abuse. The causes of drug abuse must be identified more precisely and must be attended to by the cooperative efforts of all institutions of our society. We will not be able to deal effectively with the problem of drug abuse until we find answers to the larger problem of the diminishing concern among some of our citizens for such matters as long-range personal objectives, self-discipline and the sense of public obligation."

I. Federal

a. Possession of marihuana for personal use would no longer be an offense, but marihuana possessed in public would remain contraband subject to summary seizure and forfeiture.

b. Casual distribution of small amounts of marihuana for no remuneration, or insignificant remuneration not involving profit would no longer be an offense.

c. A plea of marihuana intoxication shall not be a defense to any criminal act committed under its influence, nor shall proof of such intoxication constitute a negation of specific intent.

II. State

a. Cultivation, sale or distribution for profit and possession with intent to sell would remain felonies (although we do recommend uniform penalties).

b. Possession in private of marihuana for personal use would no longer be an offense.

c. Distribution in private of small amounts of marihuana for no remuneration or insignificant remuneration not involving a profit would no longer be an offense.

d. Possession in public of one ounce or under of marihuana would not be an offense, but the marihuana would be contraband subject to summary seizure and forfeiture.

e. Possession in public of more than one ounce of marihuana would be a criminal offense punishable by a fine of $100.

f. Distribution in public of small amounts of marihuana for no remuneration or insignificant remuneration not involving a profit would be a criminal offense punishable by a fine of $100.

RECOMMENDATIONS*

* The 13 Commissioners are in basic agreement with the Report and its recommendations. However, several Commissioners diverge with specific recommendations and their opinions are presented in a footnote on pages 151–165. A brief summary of this footnote follows:

Commissioners Rogers and Carter agree with the discouragement policy and the decriminalization aspects of the recommendations, but feel that the contraband concept is not a sufficiently strong expression of societal disapproval of the use of marihuana. They would recommend, in addition, a civil fine for possession of any amount of marihuana in private or in public. This civil fine would not be reflected in a police record.

Commissioner Ware agrees completely with the statements of Congressmen Rogers and Carter but wishes to reemphasize that the social policy and legal scheme adopted is applicable only to marihuana and should not be construed to embrace other psychoactive drugs. He advocates some penalty short of criminalizing the users, such as a civil fine or some type of extensive drug education. Further, he is opposed to the use of any drug, including alcohol, for the express purpose of becoming intoxicated.

Commissioners Hughes and Javits, while agreeing with the Commission's recommendation that the private use of marihuana be taken out of the criminal justice system, disagree with three specific recommendations relating to the implementation of the discouragement policy.

First, they would eliminate the contraband provision from the partial prohibition scheme adopted by the Commission. Second, believing the Commission has not set forth a clear standard as to what constitutes the casual not-for-profit sale, they recommend that all not-for-profit sales be excluded from criminal sanction. Third, they feel there is no need to retain criminal sanction on public possession of more than one ounce of marihuana and would permit public possession of "some reasonable amount" for personal use.

g. Public use of marihuana would be a criminal offense punishable by a fine of $100.

h. Disorderly conduct associated with public use of or intoxication by marihuana would be a misdemeanor punishable by up to 60 days in jail, a fine of $100, or both.

i. Operating a vehicle or dangerous instrument while under the influence of marihuana would be a misdemeanor punishable by up to one year in jail, a fine of up to $1,000, or both, and suspension of a permit to operate such a vehicle or instrument for up to 180 days.

j. A plea of marihuana intoxication shall not be a defense to any criminal act committed under its influence nor shall proof of such intoxication constitute a negation of specific intent.

k. A person would be absolutely liable in civil court for any damage to person or property which he caused while under the influence of the drug.

ANCILLARY RECOMMENDATIONS

In addition to these legal recommendations for federal and state action, the Commission believes certain other ancillary recommendations should be presented for action.

Legal and law enforcement recommendations

I. Federal

a. Federal law enforcement agencies, especially the Bureau of Narcotics and Danger-

ous Drugs and the Bureau of Customs, should improve their statistical reporting systems so that policies may be planned and resources allocated on the basis of accurate and comprehensive information.

b. The Federal Bureau of Narcotics and Dangerous Drugs should increase its training programs of state and local police with special emphasis on the training in the detection of trafficking cases.

c. Increased border surveillance, a tightening of border procedures, and a realistic eradication program to diminish the supply of drugs coming into the country, coupled with a more effective program for diminishing the domestic production and distribution of marihuana, are required.

II. State

a. All states should adopt the Uniform Controlled Substances Act to achieve uniformity with regard to marihuana and other drug laws, with the exception that the legal response to possession for one's own use be uniformly adopted in accordance with our recommendation in Chapter V of this report.

b. Each state should establish a centralized compulsory reporting and record-keeping authority so that adequate and accurate statistics of arrests, sentences and convictions on a statewide basis are available.

c. Those states requiring physicians to report drug users seeking medical assistance should change such requirements to insure the confidentiality of the drug user's identity, so that persons needing medical help will feel free to seek it.

III. International

If the United States should become a signatory of the proposed Psychotropic Convention, we recommend that cannabis be removed from the existing Single Convention and consideration be given to listing it in the proposed Psychotropic Convention among drugs which have similar effects.

Medical recommendations

1. Fuller coordination of the marihuana research conducted by governmental and private agencies is needed to reduce the duplication of effort, assure a diversity of new approaches and new objectives, and to provide efficient integration of findings into the available body of knowledge.

2. Research efforts to develop an inexpensive, easy method for detecting and quantifying the presence of marihuana in the blood, breath or urine of a person suspected of being intoxicated should be accelerated.

3. An accelerated program for funding foreign research should be undertaken immediately.

4. Increased support of studies which evaluate the efficacy of marihuana in the treatment of physical impairments and disease is recommended.

5. Community-based treatment facilities should be promoted in caring for problem drug users utilizing existing health centers when possible and appropriate.

6. Public health courses on the social aspects of drug use should be included in the curricula of the schools of the health professions.

Other recommendations

1. The Commission recognizes that several state legislatures have improperly classified marihuana as a narcotic, and recommends that they now redefine marihuana according to the standards of the recently adopted Uniform Controlled Substances Law.

2. A single federal agency source should disseminate information and materials relating to marihuana and other drugs. The National Clearinghouse for Drug Abuse Information should be charged with this responsibility.

3. The Special Action Office for Drug Abuse Prevention in the White House should be responsible for the coordination, development and content review of all federally supported drug educational materials and should issue a report as soon as possible, evaluating existing drug education materials.

4. The Commission notes the significant role played by the voluntary sector of the American community in influencing the social, religious and moral attitudes of our nation's citizens and recommends that the voluntary sector be encouraged to take an active role in support of our recommended policy of discouraging the use of marihuana.

COMMISSION MEMBERS

By law, the National Commission on Marihuana and Drug Abuse has 13 members. Nine public members were appointed by the President who also named the Chairman and Vice Chairman (five maximum from one political party).

Of the four congressional members, two were named by the President of the Senate and two by the Speaker of the House (two from each political party).

Raymond P. Shafer, Chairman, former Governor of Pennsylvania, Chairman of the Board and Executive Director, Teleprompter Corporation, New York.

Dana L. Farnsworth, M.D., Vice-Chairman, former Director of Health Services, Harvard University, Cambridge, Massachusetts.

Henry Brill, M.D., Director of Pilgrim State Hospital, West Brentwood, New York.

Representative Tim Lee Carter (R-Kentucky).

Mrs. Joan Cooney, President of the Children's Television Workshop and Producer of "Sesame Street," New York, New York.

Charles O. Galvin, Dean of Southern Methodist University, Law School, Dallas, Texas.

John A. Howard, Ph.D., President of Rockford College, Rockford, Ill. and President of the American Association of Independent College and University Presidents.

Senator Harold E. Hughes (R-Iowa).

Senator Jacob K. Javits (R-New York).

Representative Paul G. Rogers (D-Florida).

Maurice H. Seevers, M.D., Professor and former Chairman of the Department of Pharmacology, University of Michigan, Ann Arbor.

J. Thomas Ungerleider, M.D., Assistant Professor of Psychiatry, U.C.L.A. Neuropsychiatric Institute, Los Angeles.

Mitchell Ware, Attorney, Mazza, Mazzio and Ware, Chicago, former Superintendent of the Illinois Bureau of Investigation, Chicago.

REMEDY OR PUNISHMENT?

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

Mr. ASPINALL. Mr. Speaker, the phenomenon of local and regional problems having a "ripple" effect on the national welfare is not uncommon in this Nation and I take this opportunity to call such a situation to the attention of my colleagues. The contribution of Western reclamation to the benefit of the whole Nation has been recited on numerous occasions throughout this century, frequently in response to vague and unfounded criticism.

On May 26, 1964, I spoke to my colleagues here in the House of Representatives on the subject of the reclamation program and the following statement is just as valid today as it was then:

The multipurpose reclamation program carried on through which the Department of the Interior's Bureau of Reclamation is the principal instrument through which the Federal Government, guided by the Congress, seeks to develop the water and related land resources of the arid and semiarid western lands. The dry West comprises more than one-half of our Nation's total land area. It is the most rapidly growing sector of our economy and ranks as the best and most important customer, client, branch office and factory of the long-established business and industrial community of the Eastern States.

The continued well-being and growth of the West—and the East—depends in large measure on the successful development and wise use of a single natural resource. That resource is water.

The development of that resource, Mr. Speaker, is at a critical crossroads as described in a statement by the director of the Colorado Water Conservation Board, Felix L. Sparks. To those who have any question about Mr. Sparks' statement, I suggest that the scientific principle that says, "For every action there is an equal and opposite reaction," has application in political science, as well. When considering the reaction of Mr. Sparks and the rest of us who associate ourselves with him, please consider the action which has prompted it.

The statement follows:

WASHINGTON, D.C.,
March 20, 1972.

Mr. Chairman and Gentlemen of the Council:

I appear here today as a representative and director of the Water Conservation Board of the state of Colorado at the direction of the members of that board to express opposition to many of the salient features of the proposed principles and standards. The Colorado Water Conservation Board is charged by statute with the responsibility for protecting, developing and conserving the waters of the state of Colorado and the prevention of floods. The board has overall responsibility for state water planning and has the specific responsibility of coordinating its activities with those of other states and the federal government. It was one of the first state water planning agencies established in the United States and has functioned in this capacity now for over thirty years.

The state of Colorado supported the enactment of the Water Resources Planning Act in 1965. We were in accord with Section 103 of that act which directs this council to develop uniform procedures for federal participation in the planning and development of this nation's water resources. We are, however, appalled at the results.

The principles now under consideration have been proposed for the use of the many thousands of people in the state and federal governments who are responsible for water resource planning. They should, therefore, be comprehensible to the average person engaged in such endeavor. Unfortunately, the principles consist mostly of random economic theories expressed in rambling and extensive prose. No precise analysis of much of the verbal garbage contained in the proposed principles is possible. However, the conclusion is inescapable that an initial decision was made that water resource development is an evil thing which could be best controlled by a process of bureaucratic strangulation. While it was not easy to reach these conclusions in the mind-numbing process of analyzing the proposed principles, we offer the following supporting observations.

The water resource planning process is already a time consuming and costly endeavor. The average time lag for projects in Colorado from date of initial study to construction exceeds twenty years. For many projects this time lag has exceeded thirty years. It can hardly be argued that water resource projects are hastily conceived and thereafter hastily constructed. Nevertheless, this interminable delay is to be stretched out even further, and perhaps into the millennium,

if the proposed principles are adopted. The ingredients for this delay are contained in the quixotic assumptions that everyone from the man in the street to the man in the White House should be directly involved in the planning process, assisted by layer upon layer of governmental agencies.

The more obvious tool for delay is the fluctuation of the so-called discount rate. This fluctuation is not new but only aggravated by the proposed principles, as I shall illustrate.

In 1965 a series of disastrous floods occurred in the state of Colorado with the tragic loss of over twenty human lives and staggering property damages in excess of a half a billion dollars. The greatest flood in terms of water volume, but not in property damage, occurred in the Bijou Creek drainage of northeastern Colorado. The Corps of Engineers was immediately requested, among other things, to initiate planning leading to the control of floods on Bijou Creek. By late 1969 the Corps had developed a feasible plan for controlling floods originating in that area. Those plans were then submitted for review at the Washington level, but a funny thing happened. They were returned to the Omaha office for reformulation using a new and higher interest rate. Under this new criteria, the Corps presented its revised plans to the state water board about two weeks ago, almost seven years after the 1965 flood. The revised plan drastically reduces the previously planned control of Bijou Creek floods. Since this revised plan cannot be submitted to the Congress before next year, it will be subject to another new and increased interest rate if the proposed principles are adopted. And so ad infinitum.

It is most interesting to note that the proposed principles apparently place no value on human life nor on human suffering. Apparently these elements have no monetary value.

Having made these generalized unkind observations, I would like to turn to a few more specific criticisms, including the proposed seven percent discount rate. I do not purport to fully understand the theoretical opportunity cost of federal investment as it relates to the discount rate, a rate actually described in the principles as being at ten percent. This rate apparently is borrowed from a study made by a Mr. J. A. Stockfisch in 1969 for the Institute for Defense Analyses. If in fact the average rate of return on the investment of private capital is ten percent, then the millions of Americans who annually invest their capital at a lesser rate should be somewhat surprised. Why, for instance, should Americans invest millions of dollars annually in treasury bills which are currently returning less than four percent. Perhaps all investors should hold out for a ten percent rate, or even seven percent. The results on the American economy would be interesting and probably catastrophic.

The originators of the proposed discount rate also suggest that the opportunity rate is based in part on the alleged fact that the federal government foregoes tax revenues when it competes with the private market to build water resource projects. It has long been my understanding that the federal government taxes the interest which is received by investors on government securities. No weight apparently was given to this fact, nor the fact that water resource projects in themselves generate considerable tax revenues, or, in the case of flood control projects, reduce tax deductions by reducing casualty losses.

I realize that these criticisms of the proposed discount rate may not be accurate. Those of us who live in the real world sometimes find it difficult to adjust our thinking to the Olympian world of abstract economics. Nevertheless, the proposed rate smells more like a device to prevent further water resource development in this country than it does to promote the welfare of its citizens, a welfare based to a major extent on the use of water and the prevention of water-caused disasters.

In the event the proposed discount rate is not sufficient to destroy federal participation in water resource development, the five year construction start requirement can be used to administer the coup de grace. As we read the proposed principles, authorized projects on which actual construction or other similar activity is not commenced within five years from date of authorization will be reviewed in accordance with the proposed principles. The words "or other similar activity" are confusing. We know of no activity which is similar to construction except construction itself. We urge that as a minimum change, the Council consider inserting the words "or advance planning", in lieu of the words "or other similar activity".

It is extremely rare to have construction commence on any project within five years from the date of authorization will be reviewed in accordance with the proposed principles. The words "or other similar activity" are confusing. We know of no activity which is similar to construction except construction itself. We urge that as a minimum change, the Council consider inserting the words "or advance planning", in lieu of the words "or other similar activity".

It is extremely rare to have construction commence on any project within five years of date of authorization. The time lag between authorization and the initial appropriation for advance planning is usually at least two years. A time lag of four or five years is not unusual. Advance planning usually consumes another three or four years, primarily because of fiscal limitations.

As an example of the already ridiculous time lag, I cite the example of the Savery-Pot Hook unit, a joint Colorado-Wyoming project. This project was accorded a top priority by the Colorado Water Board in 1938. It was finally authorized by the Congress in 1964. Although advance planning was completed several years ago, construction has not yet started. However, construction funds have been appropriated by the Congress for the past two years but withheld by the Office of Management and Budget. By what legal authority that agency is able to flaunt the laws of Congress, we have not been able to determine. We are not unaware of the domination of the Office of Management and Budget in the preparation of the proposed principles, although the Water Resources Planning Act gives that agency no such authority. The ironic comedy of the five year limitation is that the Office of Management and Budget can, and is, making it impossible to get project construction started within the five year period.

Insulated and protected from normal democratic procedures, the administrative branches of this government are rapidly assuming the total executive, judicial and legislative functions separately reserved by the Constitution. If the laws enacted by Congress can be ignored and rejected by the shadowy fourth body of administrative government, the question remains as to why we bother with the elective process in the first place.

During the past decade, ten multi-purpose water resource and flood control projects have been authorized by the Congress for construction in the state of Colorado, on which construction has not yet started. Because of past fiscal limitations, there is no way that construction on seven of these projects can be started within the proposed five year time limit. With a little more help from the Office of Management and Budget, the other three projects can also be pushed into the never ending cycle of re-analysis. Cumulatively, over 200 years of planning effort and several millions of dollars have been applied to achieve the present status of these projects. Now it is proposed that the hopes, dreams and aspirations of thousands of our citizens be callously crushed by administrative fiat. We may be forced to submit to this type of administrative tyranny, but not without a fight.

We vigorously dissent to this limitation in all of its aspects. Its adoption would constitute a flagrant invasion of the powers reserved to the Congress. Its use would constitute an effective veto over acts of Congress in a manner neither contemplated nor permitted by the Constitution or statutory law. Not even a tortured construction of the Water Resources Planning Act can justify this limitation as a part of planning principles and standards. We therefore urge that this provision be eliminated.

The proposed principles provide that: "The regional development objective will be used in formulating alternative plans only when directed." While we are not sure what this means, the statement appears to violate Section 104 of the Water Resources Planning Act. That section plainly states without reservation that special regard shall be given to achieving optimum use of water in the area involved. While national goals are also to be given special consideration under the quoted section, there is nothing in the act which indicates that national goals are to have any preference.

Neither national goals nor the national economy are separate entities. They are merely the total of many component parts. National goals are at the best difficult to define and are constantly changing. If regional objectives must be subjugated to some mystic and ever changing national goal, then this nation is doomed to stagnation. We therefore urge that the proposed principles follow the mandate prescribed by Congress.

We note that the Council reserves the authority to amend whatever standards are adopted from time to time. This provision appears to be necessary and in accordance with the powers granted by the Congress. However, we find neither comfort nor justification in the statement that such amendments are subject to concurrence by the Office of Management and Budget. The question naturally arises as to whether or not Congress created a Water Resources Council or a subservient arm of the Office of Management and Budget. A careful reading of the Water Resources Planning Act does not reveal that the Office of Management and Budget was to play any part in the formulation of water resource planning principles. This is a futile argument, but we make it anyway.

It has been reported that a former huckster for Lipton tea has made the statement: "All dams are an obscenity. Floods and pestilence have been a means of controlling population." The gentleman is entitled to his opinion, but there are others who would disagree. There are people in West Virginia today, both living and dead, who would certainly disagree. I know from past association that this Council would also disagree with the statement, but I am not so sure about the other agency which participated in the preparation of these proposed principles.

In Colorado, as in most western states, about fifty percent of our total yearly water supply flows down our rivers during two months of the year. In order to support our current population and economy, we must store the excess waters of the spring runoff for use during the remainder of the year. This requires dams.

Most civilizations and their cities developed along perennial streams and rivers. Such was and is the case here in the United States. I am sure that most people do not feel that they should be drowned or their property destroyed because of mankind's ancient habits. Flood protection also requires dams. If all of these dams are obscene, then let us be classed as an obscene people.

We believe that the proposed principles

and standards for water resource planning unjustly and illogically single out water resource development for discriminatory treatment. We know of no other governmental activity, either federal or state, which is subjected to a similar discount rate or planning procedures.

There have been, and probably will continue to be, errors in judgment in the development of our natural resources and the treatment of our environment. Remedial measures are necessary. However, the proposed principles appear to be more punitive than remedial. We therefore urge that they be revised in their entirety in a comprehensible form, with the objective in mind that both water resource development and flood control will forever be essential to the welfare of the people of this nation.

WHY SOVIET ARMS WORRY UNITED STATES

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

Mr. WAGGONNER. Mr. Speaker, I think it is vitally important that we in the Congress are aware of what our top Defense specialist is saying about Soviet military capabilities and what is needed on our part to insure an adequate defense posture for our country.

In a recent interview, Secretary Laird said:

Based on the evidence I see, it is my belief that the Soviet Union is trying for military superiority over the United States by the latter part of the 1970's and during the 1980's. And we are not matching this effort at the present time.

We can ill afford not to maintain that level of technological superiority we now hold over the Soviet Union. To pursue a course of unilateral disarmament as some would have us do would be catastrophic for the United States.

For the benefit of our colleagues, I insert the entire interview of Secretary Laird as appears in the U.S. News & World Report for March 27 following my remarks:

INTERVIEW WITH DEFENSE SECRETARY LAIRD: WHY SOVIET ARMS WORRY UNITED STATES

Q. Mr. Secretary, your annual Defense Report to Congress has created considerable discussion. What do you mean by the new "strategy of realistic deterrence" you are putting into effect?

A. I am pleased with the growing discussion of national-defense issues which this report, together with the President's Foreign Policy Report which preceded it, have brought about.

What we are talking about is peace—how to achieve it and how to maintain it.

Essentially, my report to the Congress tells how we are achieving the transitions from war to peace, from a wartime economy to a peacetime economy, from a draft-dominated armed force to one peopled with volunteers, and from an era of confrontation to an era of negotiation.

I believe the American people are coming more and more to understand that the Nixon Administration has made fundamental changes in how we plan for our nation's safety and security, and for achieving the President's goals of peace and of an improving quality of life for all Americans.

The strategy of realistic deterrence is the Defense Department's plan for implementing the Nixon Doctrine and the strength and partnership pillars of the strategy for peace outlined by our Commander in Chief. Meaningful negotiations—the third pillar—are made possible by adequate strength and stronger partnerships.

Q. Is the U.S. maintaining its military strength in today's world?

A. Not as much as we should be, particularly in the area of maintaining technological superiority.

I believe we have adequate defense forces today, but I am concerned about the period from 1975 on. I don't want any future President of the United States to be in a position where he has to crawl to any negotiating table anywhere in the world. That's what we are talking about as far as the real issues of the defense budgets are concerned—the maintenance of the future strength of the United States.

Since I became Secretary of Defense, I have tried to inform Congress and the American people about the program that the Soviet Union embarked on in 1965 to modernize both their conventional and strategic forces. Based on the evidence I see, it is my belief that the Soviet Union is trying for military superiority over the United States by the latter part of the 1970s and during the 1980s. And we are not matching this effort at the present time.

For example, our research-and-development requests to the Congress in recent years have been cut substantially.

Q. What can you tell us about these cuts?

A. Take fiscal year 1972 [which ends June 30]. That budget did not pass the Congress until last December, six months after the fiscal year began. We had asked Congress for an 800-million-dollar increase in research and development to maintain the technological superiority which is so important to the future of this country. Congress cut that requested increase by 50 per cent—400 million dollars out of our total research-and-development request for fiscal 1972. You can't maintain technological superiority that way.

In this year's budget, we are asking Congress for 1 billion dollars more than they gave us last year. I hope that the Congress will recognize that in a free society which is competing with a closed society technological superiority is an absolute must.

Q. What about reports that the Russians are dismantling some of their armaments?

A. The only things they are retiring are obsolete ships and weapons systems in favor of new ships, new aircraft and new types of strategic and theater missiles.

They are going forward at a tremendous rate with their naval construction, both conventional and nuclear. In the nuclear field, they now have under construction or in being about 43 of the Y-class submarines, each carrying 16 ballistic missiles.

Our ballistic-missile nuclear-submarine force consists of 41 Polaris-Poseidon ships. Looking to the future, what concerns me is that the Soviet Union by the end of next year will likely move ahead of us in numbers of Polaris-type submarines. At the present rate of Soviet construction—if we decided to construct any ballistic-missile nuclear submarines—they would have over 70 by the time we could build and have operational No. 42.

Q. What can you tell us about land-based missiles?

A. As you know, the Soviet Union has already moved ahead quantitatively in land-based missiles. They have more than 1,500 missiles capable of reaching targets in the United States. We have 1,054—the same number approved by the Congress in the mid-1960s.

Q. How do the two nations compare in strategic bombers?

A. We have some 500 bombers assigned to the Strategic Air Command at this time. This number includes about 70 of the smaller FB–1s, with the remainder of the force composed of B–52s. The Soviets have about 200 bomber aircraft assigned to their long-range-aviation forces. About 50 of these are configured as tanker aircraft for in-flight refueling. They also have built and are flying several of their new "Backfire" bombers.

Q. Well, then, why aren't you worried right now?

A. There is a simple answer to that. We have superiority today because of our technology. We have, I believe, a two-to-three year lead over the Soviet Union in technology, in the Poseidon submarine and the Air Force's Minuteman III with their multiple independently targeted re-entry vehicle (MIRV).

However, their land-based missiles are bigger than ours and therefore have a greater "throw weight" than ours. By that I mean their bigger boosters give them a greater capability to deliver more and bigger warheads with their existing missiles than we have in our existing forces.

Given their technological capabilities, I'm sure they can match our technology within two or three years.

That is why it is absolutely essential that we maintain technological superiority over the Soviet Union, and why I put such a high priority on our research-and-development budgets for the Army, Navy and Air Force.

That is also why it is so important to us in the Department of Defense that the United States seek a really adequate limitation of strategic arms, not only defensive but offensive weapons as well.

As President Nixon made so clear last May 20, it is essential that any agreement between the United States and the U.S.S.R. must include offensive as well as defensive-weapons limitations. The safety and security of the American people require this.

That is why, as I have stated before congressional committees, we cannot accept a ceiling on anti-ballistic-missile systems [ABM] without a ceiling on land and submarine-based offensive missiles as well.

Q. Do you think the present negotiations between the U.S. and the Soviet Union for a strategic-arms-limitation treaty will produce suitable results for us?

A. At present, we feel that in the not too distant future we and the Russians can move from arms competition to strategic-arms limitation and from there to limitations on other types of weapons, including conventional weapons. Also, I would hope we can move toward mutual limitations on military assistance, another area where the Soviets have placed great emphasis in recent years.

But it is my strong view that it would be a great and dangerous mistake for the U.S. to take unilateral disarmament actions. In short, we must have verifiable mutual-arms-limitation agreements.

Q. What do you mean by verifiable?

A. Let me be perfectly candid with you. President Nixon is leaving no stone unturned in his pursuit of better relationships with the Soviet Union. But let us not forget, either, that the President recognizes full well the profound differences and disagreements that will continue to exist between the Soviet Union and the United States.

We cannot eliminate those differences overnight, because they have to do with different ideas about the rights and responsibilities of men and governments, and about different approaches in dealing with other nations.

I believe that great nations today can be peaceful adversaries without being belligerent antagonists. But to continue to move in this direction we must have confidence on both sides that any agreements we do enter into are, in fact, being honored.

To put it bluntly, this President and this Secretary of Defense are not going to place the destiny of the United States, or of our friends and allies, at the mercy of the hoped-for good will of any other power. That's why verification is so important as we seek to resolve what can be resolved in our relation-

ships with the Soviet Union and to control what cannot be immediately resolved.

Q. What are some of the things the Department of Defense is doing now to keep our forces ahead technologically?

A. Let's take this year as an example. We have asked Congress for a supplemental appropriation of 35 million dollars to enable us to go forward with what, for the time being, we call ULMS—the undersea long-range-missile system. Shortly, we will be announcing a new name for the ULMS. This is a successor to the Poseidon nuclear submarine, which itself is a conversion of the Polaris submarine which was developed in the 1950s.

As a matter of fact, as a member of Congress I sponsored the amendment appropriating more than President Eisenhower's Administration asked for in its 1957 budget for building up our Polaris force.

Today, I might add, the tendency of Congress is to cut rather than increase military appropriations. Other key programs in the pending defense budget include the B–1 strategic bomber, the airborne command post, and the F–14 and F–15 aircraft.

When I was a member of Congress, representing the seventh district of Wisconsin, I was often distressed when the executive branch refused to recognize the coequal status of the Congress in national-defense responsibility and refused to spend "add-on" money voted by the Congress for national defense.

Let me tell you that this is one Secretary of Defense who will spend every dollar over and above our requests that Congress deems necessary. I have made this position known at every opportunity in my testimony before Congress in the last three years.

"WE ARE STANDING STILL"

Q. Aside from nuclear-ballistic-missile submarines, how does the Soviet Navy compare with that of the United States?

A. Well, they've gone forward also in attack-type submarines which are nuclear powered. They outnumber us in this area. They are also moving ahead vigorously in major surface-combatant-ship construction, including a very large cruiser with multiple missile systems.

We aren't standing still, of course, in ship construction in the face of this momentum. When I became Secretary of Defense we were spending less than a billion dollars a year on our shipbuilding and conversion program. We increased that to 2 billion dollars within a year, upped it to 3 billion last year, and now are asking for about 3.6 billion dollars.

Of course, our concern about the nature and scope of the Soviet threat is not confined to their impressive gains in nuclear and naval capabilities. For example, as I noted in my Defense Report, Soviet and other Warsaw Pact forces continue their growth both in quality and in quantity, including new tanks, lift forces, and several new types of aircraft.

Q. What has been the extent of our slowdown in arms spending?

A. In total defense-budget terms, from fiscal year, 1969, to our proposed fiscal year, 1973, budget request, we have gone down from about 9 per cent to about 6.4 per cent of our gross national product for national-security outlays, and from about 45 per cent to 31 per cent of total federal-budget outlays. Those figures represent 20-year lows.

Much of that reduction, of course, is attributable to the winding down of the war in Vietnam and to implementation of our new strategy of realistic deterrence.

While it is difficult to draw exact comparisons, the Soviet Union continues to devote a greater share of its gross national product to national security than we do. In money terms, while they are operating from a GNP about half the size of ours, they are spending in U.S. dollar equivalents just about the same amount as we are on national security. And, of course, their commitment to North Vietnam has averaged somewhere between 500 million and 1 billion dollars annually since 1965, while the U.S. had to devote as much as 22 billion dollars in its peak spending year—1968—to the war in Vietnam. Furthermore, the Soviet Union puts from 30 to 35 per cent of its military budget into manpower-related costs. We spend from 52 to 56 per cent of our military budget for such costs.

So, even with the great burden of U.S. Vietnam costs steadily declining, the personnel-cost disparity in the two budgets leaves Soviet planners with approximately 65 to 70 per cent of their budget for modernization in such areas as strategic forces, shipbuilding, and other improvements in missiles and conventional forces against roughly 45 per cent available to our planners.

Now, if you project that ahead for five to seven years in terms of actual money available for modernization in U.S. nuclear and conventional forces, you can see that we could be in trouble in the last half of the 1970s if you assume that the Soviets are spending at about the same over-all rate in defense programs as we are.

Q. What's the answer?

A. A top priority, let me repeat, is to maintain technological superiority. We also must move ahead with the weapons-modernization programs for all our active-duty forces and with the increases I've asked for in the National Guard and Reserve programs.

We also must have a strong and effective security-assistance program to help our friends and allies under our new "total-force concept." In talking to students and other Americans, I stress the point that we intend to avoid future Vietnams—that we no longer intend to be the cop on every beat—but we don't intend to cop out on our world leadership role, either. To make that commitment work, we need a strong military-assistance program, and Congress has to support it.

The only other alternative is to cut back on our treaty commitments and accept a free-world security gap—but I don't see any bills being introduced in the Senate with any support to repeal any of those commitments that have been entered into under our constitutional processes, including Senate ratifications.

I think these measures, if we can go ahead with them, can and will meet the Soviet challenge, deter war and restore and preserve peace.

Q. Are you getting the support you need from Congress?

A. Not entirely. Last year, for example, Congress cut our requests by about 3 billion dollars.

BEYOND "MILITARY REALITIES"

Q. Is it true, as some Democratic politicians are saying, that we now accept the principle of armed parity with the Soviet Union instead of superiority?

A. Let me put it this way:

In my view, a vast majority of the American people may perhaps be willing to accept parity in the area of strategic nuclear weapons, but under no circumstances would they or should they accept inferiority. Certainly, as Secretary of Defense, I would never recommend or accept inferiority.

The sufficiency of our armed forces is a matter that cannot be judged strictly from the standpoint of military realities. Global political realities are also very much involved. I am concerned about what the political effect would be on our allies—or, for that matter, on the people of the United States—if the Soviet Union acquired a vastly superior nuclear force, whether on land, at sea or in the air.

In other words, it is crucial to the achievement of lasting peace that neither our own citizens nor our friends and allies ever have reason to question the adequacy of our strength or our resolve.

Q. Do you believe this year's political candidates understand this?

A. All presidential candidates should look at this matter very carefully, for I believe that a vastly superior strategic force in the hands of the Soviet Union is something that no President ever would want to face.

And, gentlemen, let me repeat that this fiscal year, 1973, defense budget that we are fighting for doesn't involve so much the strength Richard Nixon will have as Commander in Chief in his second term. It has much more to do with assuring the necessary strength for the Presidents who will succeed him in the post-1976 period. Our long-range planning takes into account the challenges and requirements that will face our future Presidents.

Q. If you get from Congress what you want for research and development, along with money for construction, what would the United States armed forces get out of it?

A. Let's use an example:

If we go ahead with the ULMS program which I mentioned earlier, the follow-on step from the Poseidon program, the first 10 of the new missile-firing submarines could be replacements for our 10 oldest Polaris-type submarines.

Adm. "Bud" [Elmo R.] Zumwalt, the Chief of Naval Operations, Adm. H. G. Rickover and others here assured me that if we can go forward by April 1 with the design contract for the new-type submarine, we will be able to get the first ULMS by 1978.

The ULMS involves a new system which, as presently planned, will carry 24 missiles and enable submarines to operate out of bases in the continental United States. This means—and it's very important—that it will have a beneficial impact on our crews. This is difficult duty, and as we worked toward the volunteer service and zero draft calls, the idea of nuclear submarines based in the United States is appealing.

Q. What are the Soviet capacities in this area?

A. They are turning out the Polaris-type or Y-class submarines at a current rate of about nine a year, and they could go even faster. These submarines are not as good as ours, because we have a technological lead. Our submarines are quieter and less susceptible to detection.

However, it takes a long time to develop new weapons and techniques, which limits our margin of safety.

Q. Mr. Secretary, do you foresee any immediate changes in the U.S. military position in Asia as a result of President Nixon's visit to Peking?

A. The military position and our military commitments there have not changed. Our treaty obligations have been ratified by the United States Senate. We will maintain those treaty obligations.

Of course, our posture will continue to change somewhat as we implement the Nixon Doctrine, which calls for building stronger partnerships with our allies and helping them to take some of the defense responsibility in their own areas, so the United States will not have to be the cop on every beat in the world.

The Nixon Doctrine also calls for a strong military position on the basis of total-force planning—taking into consideration, that is, the capabilities of our allies and using their available resources to the best advantage in the area that is involved.

All this has enabled us to withdraw a great many of our military forces from Asia—not only from Vietnam but also from other Asian countries. That, as you know, has been going on for some time now. We are in transition from war-fighting forces in Asia to peacetime Nixon Doctrine deterrent forces.

Q. Will there be withdrawals from Asia beyond those planned in Vietnam?

A. Yes, as partnerships with our allies are strengthened. They have to be willing to take over certain responsibilities. After all, these

are *mutual* defense treaties we have with them, and sometimes that mutuality gets overlooked.

Take, for instance, Japan. That's a mutual-defense treaty, and when I talk to my Japanese friends I certainly try to emphasize that fact. We are providing and will continue to provide the nuclear umbrella. I feel certain that our friends in Japan understand the mutuality of that defense arrangement, which requires from them an increased contribution to the security within their country and within their area, particularly in view of the Okinawa reversion.

Q. Is anybody out there listening to you?

A. I think they are. The proposed defense budget of Japan has been increased—not substantially, but an increase nonetheless.

I think the Cambodians have done very well and the Vietnamese have done well. So have the Koreans and our friends on Taiwan. The Thai, I think, are going better than they have in the past.

Q. What has this meant for the U.S.?

A. It means that we have been able to withdraw well over half a million people from that part of the world. I think the South Koreans are stronger today, militarily, than they were when this Administration took office. Yet we have 20,000 fewer Americans there.

Q. How soon are U.S. forces going to leave Taiwan?

A. I hope that Congress approves the increase over last year's program that we have asked for in our military-assistance program there. I will do the best job I can in defending that increase and, also, the sale of excess military equipment to Taiwan. We are, for example, going to continue our training programs.

Q. But how fast will you withrdaw U.S. forces?

A. As we apply the Nixon Doctrine and tensions ease, we will not maintain an American presence there longer than is needed. There are not as many American servicemen on Taiwan as there were when I became Secretary of Defense. We will continue to make withdrawals, based to some extent on our continuing progres in turning over military responsibilities in Vietnam to the South Vietnamese, because that is tied in with our presence on Taiwan.

Q. What about American withdrawal from Vietnam itself?

A. We completed Phase 1 of Vietnamization last year—turning over ground-combat responsibilities to the South Vietnamese. Phase 2, which deals with turnover of logistics, artillery and air support to the South Vietnamese, also is moving along very well. It will, of course, take longer because of the training that is required, but Phase 2 is on schedule or ahead of schedule in all areas.

For instance, the South Vietnamese have taken over responsibility for in-country naval operations and most in-country air-support requirements.

I might also point out that under the Vietnamization program we have withdrawn several million tons of U.S. material, a reduction of some 80 to 85 per cent of the material we had in Vietnam at the peak of U.S. involvement. I think that is quite an accomplishment and a tribute to the superb leadership of Gen. Creighton Abrams.

Phase 3 involves the phasing out of the military-advisory program, and we are into that, too.

Altogether, we will be down to 69,000 American servicemen in Vietnam by May 1, from the high point of the 549,500 authorization when the Nixon Administration assumed office.

The whole program of Vietnamization is going along well, and the South Vietnamese are in a position where they have the capability to handle their internal security—very adequately, I believe. That doesn't mean that they are going to win every time they meet the enemy. They are going to have some tough fights, because the enemy has substantial capabilties.

Q. When will Vietnamization be officially completed?

A. The third phase takes you down to a position where the total U.S. forces will be lower than at the start of President John F. Kennedy's Administration, when we had about 800 or 900 military advisers in Vietnam.

When Phase 3 is completed, American military presence in Vietnam will be terminated. But President Nixon has made it clear that this will not happen until the question of Americans held prisoners of war has been settled and the missing in action have been accounted for.

Q. Is there any prospect of hastening that?

A. The fastest way to terminate U.S. involvement in the war still is through negotiations. As to the prisoner-of-war issue, I believe that question will be solved when the enemy decides to abide by the Geneva Conventions which he signed and yet is violating in at least 16 different ways at the present time.

The Geneva Conventions are not subject to negotiation. I think the pressure of the Communist world, the nonaligned world and the free world will have to be brought to bear on the enemy to abide by these conventions.

As you know, the President has designated the week of March 26 through April 1 as a national week of concern for our prisoners of war and missing in action. I would also point out that the President, Secretary of State William P. Rogers, and I bring this humanitarian matter to the attention of every foreign leader we see, and I will be doing it again in Europe in May.

REAL IMPORTANCE OF VIETNAMIZATION

Q. Do you expect anything to come out of present negotiations with the North Vietnamese?

A. I have been more optimistic about the Vietnamization program, I think, than anybody else in Washington since it got started. Vietnamization—rather than negotiations—is proving to be the means by which we are terminating American involvement in Vietnam.

Q. But haven't U.S. bombings of North Vietnam been stepped up? Why is that?

A. What has increased recently is the number of enemy firings at our unarmed-reconnaissance flights. And I can assure you that, as long as I am Secretary of Defense and they fire at our reconnaissance aircraft, the escorting planes will retaliate. Our fliers have the authority to strike back when threatened; and they will continue to protect themselves.

SHARING THE BURDEN IN EUROPE

Q. Mr. Secretary, is the partnership idea that you feel is working so well in Asia getting results with our European allies, too?

A. Yes. We have had an improvement in what our partners in the North Atlantic Treaty Organization are doing.

They have moved forward with a billion-dollar European-defense-improvement program. They have also increased their military budgets. The Federal Republic of Germany this year has Cabinet approval for a 13 per cent increase in its defense budget.

Over all, the defense budgets of our European allies will be increased by about a billion dollars, or 6 per cent. In real-term purchasing power, this does not add up to the full 6 per cent because of inflation. Clearly, there is a growing awareness on the part of our NATO allies of the need to share the burden, and the things they have done in the last 18 months are all to the good.

Q. Are they still reducing the number of men they keep under arms?

A. The number of individual servicemen has remained fairly constant. One country, Denmark, may institute some reductions. We've had communications about this, and I hope they will not do it.

Q. Why does the Pentagon resist so strongly any suggestions of reducing American forces in Europe?

A. As we move from a period of arms competition to a period of arms limitation, this is not the time to take unilateral actions—either on the part of the United States or any of its allies. We feel in the Pentagon—more strongly, I think, than any other department of Government—that it is most important for us to arrive at arms-limitation agreements. Unilateral disarmament in any form, however, would be a dangerous mistake and would weaken the chances for such agreement.

Q. Do you think we can do business with the Russians in the fields of arms control and mutual reduction of forces?

A. It is not a question of doing business. It is a question of arriving at verifiable agreements that would put a downward pressure on the chances of conflict and an upward pressure on the prospects for lasting peace. I believe that we can arrive at agreements in these areas if the compliance is verifiable.

I would always stress the importance of just what means of verification are necessary and of making sure we have those means. In some cases this would require onsite inspection, but in many areas there are other means of verification which can be used.

Q. Turning to another subject, Mr. Secretary, what is the situation in the Mediterranean at the present time?

A. The importance of the Middle East in Soviet strategic planning has clearly increased. They are establishing bases in the Mediterranean area. Their warships have increased their steaming days in the Mediterranean to about 20,000 a year, from the approximately 750 steaming days they averaged in the early 1960s. They are operating there to a much greater extent than we are.

If you apply the total forces of the United States and our allies in that area, we have a realistic deterrent for the next few years. But as this Soviet momentum continues, we must watch the situation closely and, together with our allies, take offsetting actions when required.

Q. How concerned are you about the growth of Soviet activity in the Indian Ocean?

A. The Russians have a greater presence there than we do. It is of concern to us, of course. It should also be of interest to Japan, and I've told the Japanese that. They get a tremendous amount of their oil from that region, and there is a continual stream of ships moving through the Indian Ocean to and from Japan. Unquestionably, Japan must be concerned about insuring that those shipping lanes remain open.

Q. Would this call for a Japanese naval presence in the Indian Ocean?

A. It could.

Q. Will we also have to increase our activities there?

A. We might.

Q. Mr. Secretary, there is a lot of talk about problems of drugs, desertion and racial conflict among servicemen. What can you tell us about the morale situation?

A. We have those problems and we're doing something about them. In drugs, we have instituted a very satisfactory testing procedure to determine drug usage. We're looking to our whole system of military justice as it applies to whites and blacks, and we have set up an institute to help train officers and noncommissioned officers in the handling of racial problems.

Q. What are you doing about the advancement of black officers?

A. We have more black general officers and flag officers than at any time in history. We have carried out a promotion policy to the point where we have our first black admiral.

We are also recognizing women. We have our first women generals in the Air Force and Army, and we will have our first woman admiral in the Navy within six months.

Q. How confident are you that you have reliable and well-motivated people in the armed services—people you can depend on in any emergency?

A. I'm very confident that we have good people and that our "human-goals program" will assure even further progress. We have raised salaries of our lower-ranked enlisted personnel by 325 per cent since 1964. We have made Selective Service a lot fairer, and we are having to draft fewer and fewer men. When President Nixon took office, about 300,000 a year were being drafted. This year, we will draft fewer than 50,000—less than it has been in any year in the lifetime of our draft-age men and women.

Q. Do you think you can do away with the draft entirely and go to all-volunteer forces?

A. We have set a target date of July 1, 1973. This means we will have to recruit volunteers more intensively. To do that we must be able to compete for talent in our high schools and on college campuses.

Q. Are colleges a trouble spot for you?

A. I wouldn't say so. A few years ago college campuses were voting to discontinue Reserve Officers' Training Corps, for example. At some of those campuses now, we are being asked to reinstate it, and we have a waiting list of colleges for our ROTC program.

Q. If you're getting rid of the draft, do you believe that it's time to grant amnesty to those who fled to Canada and Sweden and other places to avoid the draft?

A. No, I do not. Today is not the time—not when we are continuing to use Selective Service and have men involved in Vietnam, held as prisoners or unaccounted for as missing in action. Whether you're talking about blanket amnesty or selective amnesty, it's just not the time to consider the question.

I would point out, however, that our country historically has always tempered justice with mercy.

Q. With the end of the draft in sight, is this going to place more emphasis on the National Guard and the Reserve forces for your manpower in emergency?

A. Yes. For too many years, they have been treated more or less as stepchildren. Their missions too often did not relate to national strategy. Their programs too often did not adequately challenge young men and women. Their equipment was not good enough.

That is why we've asked for an increase of 600 million dollars for the National Guard and Reserve program. That is why we're going to transfer a billion dollars' worth of equipment to the Reserve and National Guard in fiscal year 1973—the highest level of equipment ever transferred to them.

Along with that I have assured Congress and the Governors of our 50 States that we're going to give them increased responsibilities in our total-force planning. Guardsmen and Reservists understand that in case of another emergency, they will be called first. It won't be like Vietnam where we used draftees and shunned the trained men of the Reserve and the National Guard.

Q. Mr. Laird, moving over to domestic politics for a moment, what role do you expect to take in the 1972 presidential campaign?

A. I plan to discuss as much as I can with the American people the importance of effective national-security planning. I won't be making purely partisan political appearances, but I won't hesitate a moment to defend national-security programs which I believe are essential to the safety and security of our country.

I would welcome invitations from the Democratic and Republican platform committees to testify on the nonpartisan issue of national security.

Q. What are your plans if President Nixon is re-elected to a second term?

A. After the President's re-election, I plan to spend some time with my family. As to what I will do after that, it has been my policy as Secretary of Defense not to make unnecessary forecasts or predictions, and I'm not going to make a personal exception to that policy right now.

OLDER AMERICANS FOOD PROGRAM

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

Mr. PEPPER. Mr. Speaker, I am sure you know how deeply gratified that the Congress has now authorized the program of better nutrition for the elderly which I proposed in 1970. I am also very pleased by the favorable response this legislation has received throughout the country. An excellent example, I think, is the following editorial by Mrs. Virginia Weldon Kelly, which apeared February 22, 1972, in the Long Beach, Calif., Press-Telegram:

HOT MEALS FOR THE ELDERLY COMING UP

President Nixon has endorsed the legislative measure, passed by the House on Feb. 7, to provide a hot meal at least five days a week for the nation's elderly. There are 23 million 60-plus citizens.

Almost identical legislation was passed unanimously by the Senate in November.

The legislative authorizes $100 million for fiscal year 1973 and $150 million for fiscal year 1974.

Sponsors of the measure expect that President Nixon will sign the legislation about March 2 in a White House ceremony.

House sponsors were two Democrats, Claude Pepper, Florida, and John Brademas, Indiana. The bi-partisan Senate sponsors are Edward Kennedy, Massachusetts, and Charles Percy, Illinois.

Rep. Pepper has been a pioneer in working for hot meals for those 60 or more.

Pepper asserts that the longer older Americans can remain in their own homes, the better their physical and emotional health will be, and the less will be spent on nursing home care under Medicare and Medicaid. He points out that 25–30 per cent of the nation's elderly suffer from "tea and cast" malnutrition.

The program is general primarily towards the poor but meals and other nutrition services would be available to those better off on an ability to pay basis.

Under the two-year program, the federal government would finance up to 90 per cent of the cost of state-sponsored hot food programs for those 60 and older.

The programs would be operated for the states by public or private institutions or catering services, agencies, church groups, or political sub-divisions. It is expected that church homes, other benevolent groups, and retirement villages could participate.

Hot meal programs would be set up in church halls, schools, firehouses, senior citizen centers, service clubs, and other well located places.

Older citizens will be given preference in employment in the program, but there will be opportunities for teen-agers who need jobs. The Congress hopes that thousands of high school and college students will give their services along with more mature volunteers.

Each meal would be required to provide at least one third of the calories and balanced diet recommended by the Food and Nutrition Board of the National Academy of Sciences National Research Council.

It is also hoped that participants can take home a cold meal for supper.

Transportation to and from the meals would be taken to those who are temporarily or chronically ill.

A recent survey has revealed that only 12,000 shut-ins in the nation are now receiving meals-on-wheels operated by churches and other groups.

The special nutrition program was also suggested by the White House Conference on Food, Nutrition and Health in 1969.

The scope of the problem was outlined recently in the report of President Nixon's Task Force on Aging. It stated that insufficient income was only one of the causes of malnutrition. Other causes include: physical inability to shop or to cook, chronic disability, lack of knowledge on nutrition—and loneliness.

This week in a Connecticut Avenue chain supermarket, a 92-year-old woman, leaning on a cane, said she had walked three blocks in 23 degree weather. She bought a pint of milk but did not buy a loaf of bread for her supper. She could not carry it. A reporter took her home. On the way, she said she had never heard of the new nutrition legislation.

One of the biggest problems, congressional leaders say, will be informing the elderly.

Mrs. Richard M. Nixon's special interest is volunteerism. The Older Americans Food Program can be a worthwhile interest for everyone.

ADDRESS BY HON. WILBUR MILLS

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

Mr. PEPPER. Mr. Speaker, on March 3 at Atlanta, Ga., at the second National House Staff Conference Institute for the Study of Health and Society, the distinguished gentleman from Arkansas, chairman of the House Ways and Means Committee, Hon. WILBUR MILLS, delivered a very significant and able address setting forth a comprehensive program to provide for the health needs of the people of this country.

In view of the concern that all of the American people should have access to the best of medical and hospital care, it is a matter of special interest to observe the deep study and the broad understanding which Mr. MILLS exhibits in respect to this critical subject. Since legislation of this character would come from the Ways and Means Committee of the House, the thinking of Chairman MILLS is particularly meaningful to Members of the House and to the people of our country. Mr. MILLS is respected by all the Members of this House, as well as by the Members of the other body, as a man with an extraordinary grasp of the problem of adequate and proper medical care, as one possessing a great knowledge in this and related fields, and as a most important figure in the passage of such legislation.

Therefore, Mr. Speaker, so that my colleagues and fellow countrymen might profit by Mr. MILLS significant thinking in this most important field of health care, I ask that his address appear in the RECORD following my remarks:

REMARKS OF CONGRESSMAN WILBUR D. MILLS

Good morning, ladies and gentlemen. I very much appreciate the invitation to be the keynote speaker at this, the Second National House Staff Conference. And I want to thank Doctor Roy, the distinguished Representative from Kansas, for his introductory remarks. He has already established a well-deserved reputation in the House on health matters.

The wide ranging subject matter which will be taken up by your conference over this weekend illustrates once again the active period of ferment and change which permeates the health field today. This period of reexamination of priorities and methods in health is most obvious among physicians themselves. And this is a most encouraging sign. I have become convinced from my experience as a legislator over the last 30 years that legislation cannot by itself drastically modify an industry as large and as complex as our health industry. I must say, though, it appears that the threat of legislation has some influence on encouraging the health professions to recognize and seek solutions to serious problems in American health care. But whatever the motivation, I am greatly pleased to see the active consideration of these problems and the work toward finding solutions to them so clearly illustrated in this conference.

While the motivation for change must come largely from within the health professions, if we are to see real rather than merely paper progress, there is much that government can do to support that progress. I would like to take the major part of my time discussing in general terms what the government's role might be, but a word or two first about the present situation.

This audience is well aware that government already plays a very substantial role in health. And you know that the debate surrounding national health insurance is not whether the government should become involved in health but how much more and in what way. The magnitude of the present government role can be illustrated by two simple facts. The first fact—two government programs alone, medicare and medicaid, are paying out more money in this fiscal year for patient care than will all of the private health insurance organizations combined. The second fact—out of a total of $75 billion in fiscal year 1971 spent for health, government at all levels paid $28.5 billion, or 38 percent.

What additional activities are appropriate for government in meeting our present problems? Let me try to answer that in terms of what I see as possible major elements in any national health insurance legislation likely to be approved by the House of Representatives.

The first element will likely be a new program of health care for the poor. The present medicaid program, while it has done much to improve health care for the poor, needs to be replaced with a program which will make a uniform set of benefits, at least as comprehensive as those available to the middle income groups, available to all of the poor in all areas of the country. The Administration bill, as you know, meets none of these conditions.

The second element will be a program to improve the health insurance protection, both in quality and quantity, available to the great bulk of Americans in the middle income groups. I will not repeat for this audience the date which indicate the spotty coverage and irrational premium setting devices which characterize our present arrangements. Just as one example, a musician who supports his family by entertaining the patrons in a small restaurant more than likely has to pay twice as much for the same health insurance as his neighbor who works in a small factory. Why is this? Because private health is not very likely to underwrite a low-cost insurance policy in a small restaurant.

I believe government can help in this area by providing the mechanism under which virtually every American family, regardless of its situation, will have the same basic coverage at about the same price. And I believe that we can do it without having to place on the Federal bureaucracy the entirely impossible administrative task of managing our entire health complex.

For employed Americans and their families we can follow the general idea of our existing workmen's compensation programs by requiring that all employers provide a basic set of health benefits largely at employer cost. In this way we could avoid the serious problems inherent in the Administration bill where the employer merely has to offer the insurance. We could quite easily and appropriately extend the purposes of the unemployment compensation program to include maintenance of health insurance protection during periods of unemployment I would, however, have employers, employees and the government share equally in the cost—employers should not be asked to shoulder the entire burden.

We will also need a system to assure basic benefits to the self-employed and perhaps small employers. The Administration bill would attempt to rely upon risk pools to accomplish this objective but their spokesmen admit they have not been able to find a way to do it. It may be that we will have to develop two or more nationwide options under government auspices to provide health insurance coverage to these groups on at least as favorable terms as those for employees of large firms.

With these three major elements, mandated health coverage for the employed and self-employed and their families, continuation of the coverage during periods of unemployment, and the same benefits for the poor, we will have constructed a system which will provide the same basic benefits to virtually all Americans.

And as a supplement to all of these we will need a system for meeting catastrophic health costs. But I have become pretty well convinced that the catastrophic element of the bill must measure the catastrophe by comparing the amount of a family's medical expenses with its financial situation. That seems to me to be essential, since what is a catastrophe in one family would not be in another. The working family man with a wage of $9,000 a year can be bankrupted a lot easier than a man with an income of $100,000. An approach which would relate health costs to taxable income would seem to hold the most promise of assuring adequate protection for those who need help while avoiding spending public funds for those who do not need it.

While these are the major steps we might take to meet problems of inadequate insurance protection against health costs, there are problems related to health care delivery and costs which we will also need to consider. We cannot deal with the demand side of health care without looking into the supply side.

While there is not time for me to go into all of the things we might do to improve the delivery of health care I would like to mention a few possibilities. But before I do let me remind you that one common theme in the hearings last fall on health insurance was the need to use the payment system to encourage change in delivery. To apply an old adage, we are being asked to call the tune as the ones who pay the piper. I think we will call a few tunes, not to put the bureaucrats in charge of health, but to give support to positive forces for change in health care.

For example, we could require private insurers as well as government programs to use medical foundations, called a professional services review organization under the Senator Bennett amendment, to perform all utilization review functions. And we could add to that a provision setting up a medical group at the national level composed of representatives of the various medical specialties to advise local foundations about current changes in recommended diagnostic and therapeutic practices.

The Administration has recommended that third party payments not be made for health facilities which have been built or expanded without specific approval of a health facilities planning agency. We will give this proposal serious consideration. These are just two examples of the tunes we might call. Before we complete action on this bill there might be quite a medley of tunes.

Before I conclude my remarks this morning there is one other element of a national health bill which I personally believe is very important. Our present maternal and child health and crippled children's program—title V of the Social Security Act—needs to be substantially augmented. This program has demonstrated its capacity to markedly reduce infant mortality and to improve the health of children and their mothers wherever it is in operation. In fact, this program may very well account for most of our improvement in infant mortality rates in recent years. We can no longer tolerate an infant mortality rate in one census tract twice that of the next census tract which happens to have a maternal and child health project. We know we can reduce mortality so now we must.

This program has shown also that we must recognize a special need among at least some portion of the poor. It will not be enough to give a basic benefit package to those living in some of our ghettos if we do not accompany it with programs which will educate them in how to use health care and which will assure the availability of quality health services. I do not believe in a two-level health system—one for the poor and one for the rest of the population and we will do everything we can to avoid it.

In conclusion, I would like to repeat what I said at the outset. The impetus for real and lasting change in our health system to meet its problems must come largely from those working within the system. The problems of rising cost of disorganized and ineffective methods of providing health care, of increasing dependence on foreign medical graduates so desperately needed in their own countries, and other problems to be discussed in this conference cannot be solved by government alone. Legislation can effectively support forces for change, it cannot create them. We in Congress will continue to view carefully the steps you are taking to meet known problems. We will need your thoughtful advice on how legislation can best support emerging solutions to the problems. I hope you will give us your help freely and objectively, so that together we can work toward a health financing and delivery system which will be what all Americans deserve.

INCREASING SOCIAL SECURITY BENEFITS: CONTINUING STRUGGLE NEARS SUCCESS

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

Mr. BINGHAM. Mr. Speaker, it is with great pleasure that I have today joined with my good friend and colleague from California (Mr. BURTON) and other Members of the House, in writing to the distinguished chairman of the House Ways and Means Committee, WILBUR

MILLS, expressing our support for his recent announcement urging that social security benefits be increased 20 percent. As the sponsor of legislation proposing a 20-percent increase, I am particularly encouraged by Chairman MILLS' endorsement.

One of the major goals of my congressional career has been to help achieve a substantial increase in social security benefits. More than any other group in this Nation, senior citizens have been victimized by a ruthless inflation and many are unable to live in dignity for lack of adequate income despite a life of hard, dedicated work. It is my belief that the Federal Governmnet must make social security a genuine source of security for the elderly. Thus, shortly after joining the Congress in 1965, I introduced legislation in the House which would have increased social security benefits by 50 percent. This proposal was a companion measure to a bill introduced in the Senate by the late New York Senator, Robert F. Kennedy. Although at the time, both Senator Kennedy and I knew it would take a long, hard battle to place more money in the pockets of the elderly, we did not shrink from the challenge.

The years following the introduction of that proposal have shown the Congress unprepared to provide senior citizens with the income they need and deserve. In 1967, the Congress approved a 13.5 percent increase in benefits. While voting for the increase, I insisted that it was far from adequate. So, in 1968 and 1969, I urged adoption of an additional 35 percent increase. In the Tax Reform Act of 1969 and the Debt Ceiling Act of 1970, the Congress enacted increases totaling 25 percent. However, during those years, inflation was at its peak and the needs of our senior citizens far exceeded what the Federal Government provided. Thus, despite these increases, I remained convinced that the effect to secure adequate assistance for the elderly would have to continue. Therefore, last year, I introduced H.R. 9300, an omnibus social security proposal which is now pending before the Ways and Means Committee and which would provide, among other things, for a boost in benefits of 20 percent.

Last summer, the House adopted and sent to the Senate H.R. 1, a comprehensive bill which would enhance benefits—but only by 5 percent. While the Senate has been considering that bill for many months, support for raising this meager increase has mushroomed. With the backing now of Chairman Mills, the chances for a truly progressive and substantial increase in benefits look brighter than ever. It is my strong hope that the Members of the Senate will realize the urgency of providing genuine security for our senior citizens and speedily enact H.R. 1 with the 20 percent increase. However, if prospects for passage of the controversial H.R. 1 in the very near future are dim, I would urge separation of the increased social security benefits provision from the rest of the bill and prompt enactment of the greater benefits. With Chairman MILLS' leadership, I am sure that the overwhelming majority of Members of the House will vote to accept the 20-percent increase.

THE CREDIBILITY CRISIS

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

Mr. STAGGERS. Mr. Speaker, my attention has been called to an address by Mr. J. L. Robertson, Vice Chairman of the Board of Governors of the Federal Reserve System, given before the Independent Bankers Association of America on March 15, 1972. Mr. Robertson's topic is "The Credibility Crisis."

This is a problem that is spreading over wide areas of our society. As Mr. Robertson rightly points out, both the political and business worlds are feeling its effects and it has become a grave problem for our communications media. Our Investigations Subcommittee in particular has been the recipient of many complaints and allegations concerning the presentation of manufactured or staged events being presented to the public under the guise of bona fide television news stories and documentaries.

I think that Mr. Robertson's remarks effectively raise some very basic issues which are in need of increasing attention and analysis. I commend it to your reading:

THE CREDIBILITY CRISIS

In searching for a subject for my remarks here, it occurred to me that since, in the formulation of monetary policy, I have been in the front lines longer than anyone else—more than two decades—I should say something about the economy, perhaps pinpointing the mistakes of the past, explaining how we got to where we are, and indicating where we go from here. But the more I thought about it, the more certain I was that that objective was not a good one. At least with respect to where we go from here, the papers are full of prognostications—some by persons whose only qualification would seem to be an academic degree. I think all I need to say to you on that subject is that, at long last, the fallacious and enervating doctrines of "gradualism" and " benign neglect" have been discarded—unfortunately, at the cost of price and wage controls—and that we are now headed in the right direction. Given time, the psychological attitudes of businessmen and consumers will change for the better. The wisdom and steadfastness with which we formulate and adhere to sound monetary and fiscal policies, while awaiting those changes in attitude, will determine not only the extent to which we succeed in reducing both inflation and unemployment, but also the time when we can safely dispense with controls.

Having given up that objective, I turned to another. I thought perhaps the Hunt Commission Report would meet my needs. But the more I read that report, the more inappropriate it seemed, because the good and bad ideas are so intertwined and knotted together that it is almost impossible to unravel them. In this political year, I am sure Congress will not be able to do so. Why should I impose on your time to discuss them now? Besides, few of you have any doubts about my views on any portion of the report. And so, again, I changed objectives.

The other day a play opened in Philadelphia called "The Selling of the President," in which the candidate is portrayed as having been born and raised in Broken Bow, Nebraska, my home town—a town about which bankers have been hearing for as long as I have been making speeches. The play is based on the book, "The Selling of the President 1968," by Joe McGinniss. I read that book and Broken Bow was never mentioned. Why was it injected into the play? My guess is that the playwright is a banker on the side who is utilizing what he learned at your conventions to get to Broadway—or, perhaps, to enhance the credibility of his play.

Credibility is what I want to talk about today. We have heard a lot about credibility gaps in recent years. But I would put it more strongly. Our society is suffering from a credibility crisis. It affects the political world and the business world. It is a grave problem for our communications media. Our educational institutions and even our family life are touched by the growing lack of trust and confidence.

Some efforts have been made to augment credibility in the business world by enacting legislation. You in the banking business have been touched by this through the Truth in Lending Act, which has been under my wing from its inception. We are now seeing a major governmental effort to get a higher degree of truth in advertising. It must come as a great shock to many of the denizens of Madison Avenue to be confronted with demands that they both explain what they mean and provide proof when they claim that brand X is 20 per cent faster or brand Y lasts 10 per cent longer. Those percentages always remind me of Chinese economic statistics—they sound fine but you seldom know what the base is.

I do not know whether this drive for truth in advertising will ever get to the point where a certain newspaper is asked to prove that it really gives its readers "all the news that's fit to print," or whether a certain magazine will be asked to provide the statistics that will show that it really is "the world's most quoted news weekly." Probably not. One of the strange facets of the tell-the-truth campaign is that it has the enthusiastic support of most of the mass media, as long as it does not apply to them. The media agree that you bankers should be scrupulously honest in informing your customers about your interest charges. At the same time, some of them contend that "freedom of the press" gives anyone who has access to a printing press or a microphone the right to lie and deceive, even if those lies are part of an effort to incite people to perform illegal acts, such as blowing up banks.

Examples of this curious double standard are not hard to find. One government agency, the Food and Drug Administration, is willing to use the full force of the law to stop an advertiser from exaggerating the effectiveness of its mouthwash in combating cold germs. But another agency, the Federal Communications Commission, was apparently unwilling to even so much as slap the wrist of a powerful television network for showing its vast audience a baby that (according to the network) was dying of starvation, when the actual cause of death was premature birth and had nothing to do with malnutrition.

The protective mantle of the First Amendment to the Constitution has been draped around such varied activities as peddling pornography, pushing pot, and advocating arson, but it has not been extended to provide protection to those who would stretch the truth in their efforts to sell mouthwash or gasoline. Perhaps it is felt that the mendacity of Madison Avenue is a greater threat to our well being than the intellectual drivel of the pushers of drugs, debauchery, and destruction. But a consequence of our unprecedented tolerance of dissemination of destructive falsehood is the growth of the great credibility crisis that now confronts us.

We find the communications media being used to undermine the credibility of everyone who represents authority, whether it be the government official, the business leader,

the police, the school teacher, or the mere parent. In turn, the credibility of the media is called into question, and the public regards with increasing skepticism what they are told by the press and the broadcasters. An ace political correspondent of the *Washington Post* put it this way:

"The measure of the failure of the newspapers is the open skepticism and even derision with which they are viewed by their customers. The press has as big a credibility gap as any institution in this society."

A well known liberal academic, with extensive experience in high government positions, Daniel Patrick Moynihan, has voiced deep concern about the degree to which irresponsible behavor on the part of the news media is making it difficult for our government to perform its assigned tasks effectively. In an article published last year, Mr. Moynihan said:

"Hence the conditions are present for a protracted conflict in which the national government keeps losing. This might once have been a matter of little consequence or interest. It is, I believe, no longer such, for it now takes place within the context of what Nathan Glazer has described as an 'assault on the reputation of America . . . which has already succeeded in reducing this country, in the eyes of many American intellectuals, to outlaw status . . .' In other words, it is no longer a matter of this or that administration; it is becoming a matter of national morale, of a 'loss of confidence and nerve', some of whose possible consequences . . . are not pleasant to contemplate."

We can see those consequences emerging already. On the one hand, there is a growth in the number of cynics who believe nothing; on the other, we see an increase in the number of "true believers" who are guided by nothing but their own unshakable convictions. The cynics are bogged down in apathy and indecision. The true believers are fired with fanaticism, not tempered with knowledge. The ability of our people to cooperate to promote the general welfare is vastly diminished, as we find it increasingly difficult to reach agreement on what the general welfare is.

For example, virtually every country in the history of the world, including ours, has always placed high priority on maintaining its ability to defend itself against potential enemies. This priority was well stated by Adam Smith two hundred years ago when he wrote in The Wealth of Nations: "Defense is much more important than opulence."

When Smith wrote those words, no one enjoyed much opulence in terms of present day standards. It is shocking that in a society that has more motor cars, television sets, air conditioners, etc., etc. per capita than any country in the world, the cry is going up that we cannot afford to spend the money required to provide ourselves with an adequate defense against our potential enemies. We are told that we must reorder our priorities and that national defense must be shoved far down the list. This is not just the cry of some "lunatic fringe". It is a theme that is put forward by serious contenders for high political office. It is supported by influential newspapers and by some of the most influential voices heard on that powerful medium, network television.

I do not question their motives, but I do question their judgment, and I am shocked by some of the methods that they employ to influence public opinion. Let me cite a couple examples of the methodology.

A few months ago one of the best known TV commentators in the country told his vast audience that two-thirds of the regular tax income of this country was spent on the military. He compared this unfavorably with the old state of Prussia, which he said was criticized around the world for spending half of its income on the military. The implication was that the United States is more militaristic than Prussia was in its heyday.

The statistics used by this commentator were incorrect. In the last fiscal year, our expenditures on national defense amounted to a little over 40 per cent of the revenues of the federal government. This year it is estimated that defense expenditures will amount to less than 36 per cent of federal revenue—a far cry from the figure of two-thirds used by the television commentator. After his figures were challenged, the commentator attempted a lame justification which made little sense. He and his network refused to correct the misleading impression that was given to the estimated fifteen million people who heard the original broadcast. They refused to even acknowledge the fact that a far more valid measure of the relative defense burden carried by different countries is the ratio of defense expenditures to GNP. They have not informed their audience that in the last fiscal year the total defense expenditures of the United States amounted to just a little over 7 per cent of our GNP, the lowest this ratio has been for many years.

The commentator in question makes no bones about the fact that in his judgment the United States spends far too much on defense. He is one of those who wants to see our priorities drastically reordered. He appears to overlook the fact that it will not be Americans who reorder our priorities if we so weaken our defenses that we are unable to protect ourselves from an attack. However, he is entitled to his judgment. What he is not entitled to do, in my opinion, is to use his privileged position as a national television commentator to persuade others of the correctness of his judgment by feeding them false information.

The president of CBS News would appear to agree, because a few years ago he made this statement:

"Anybody in news who is unfair, biased or inaccurate—deliberately or negligently—despoils his journalistic heritage and demeans his profession."

That is a fine statement. Unfortunately, however, it would appear that it is not invariably heeded even in his own organization. You may recall that a year ago CBS broadcast a documentary called "The Selling of the Pentagon", which aroused great controversy. This CBS production has probably been charged with more inaccuracy and bias than any comparable television production to date. I will cite only one example, not the most important, but one which is indisputable because it involves the use of false statistics.

In introducing the theme of huge Defense Department expenditures on public affairs, CBS noted that about $30 million a year was budgeted for such expenditures. However, it pointed out that an "unpublished" study by the prestigious Twentieth Century Fund had estimated that such expenditures might be as high as $190 million. CBS displayed a graph showing that this was more than all three television networks combined spent on their news programs. However, investigation by the critics revealed that at the time the CBS program was aired, the study by the Twentieth Century Fund had been published and that it contained no such figure. On the contrary, it said that no accurate estimate of total Defense Department spending on public affairs could be made. Although one of the papers prepared for the study had included the $190 million estimate, the Twentieth Century Fund had not wished to lend its prestige to a figure that it did not consider to be reliable. The Twentieth Century Fund dropped it, but CBS did not. Whether this inaccuracy was deliberate or negligent I cannot say, but to borrow the words of the CBS official I just quoted, those responsible for it demean their profession. What is sadder still is that CBS has admitted the facts but has not to this day apologized for the inaccuracy or corrected the misinformation which it disseminated.

However, the most important criticism of this particular TV production centers on the basic veracity of the documentary.

There are those of us who think that if the taxpayer is to be asked to support a defense program that costs around $80 billion a year, the government has a responsibility to tell him why it is necessary and what is being done with his money. CBS rejected that viewpoint so completely that it made no mention of it whatsoever in its documentary. The basic issue at the heart of this program was never debated. CBS assumed that expenditures to inform the public about the need for national defense were unnecessary and then went on to show that they were being made, implying that it was showing the public examples of illegitimate and wasteful activities. It seems safe to infer that what the producers wanted to accomplish was not the trimming of a few million dollars from the Defense Department budget to save the taxpayers money. They were clearly after bigger game. If the government could be denied the right to finance an information program to maintain public support for national defense then those such as the commentator I discussed earlier would find it much easier to win public support for really huge cuts in our national defense. The documentary clearly implied that we no longer needed to be as concerned with national defense as we once were, since we had been living in an era of peaceful coexistence for over a decade. That decade, I might note, included such events as the building of the Berlin Wall, the Cuban missile crisis, the Vietnam War, and the Soviet invasion of Czechoslovakia.

I call these matters to your attention today, rather than discussing with you banking matters or the state of our economy, because I, too, have become impressed with the importance of assigning proper priorities to our national goals. I had the privilege recently of reading the manuscript of a forthcoming book by General Lewis W. Walt, who retired last year from his post as Deputy Commandant of the Marine Corps. General Walt is not only a great soldier, but he is a most articulate and perceptive observer of the current scene.

His book bears an omnious title: "America Faces Defeat". It begins with words that everyone concerned with reordering priorities ought to think about. He says:

"Most living Americans have grown up in the most powerful nation on earth. Under the cover of that strength we have enjoyed an affluence hardly equalled in the history of any nation. This era ended in 1971. Today, we are a second-class power and we will have to accept that role for at least four years. Perhaps longer, possibly, forever."

He goes on to say:

"The individual citizen has not yet felt the impact of this basic change from strength to weakness, from leadership to compromise. Each of us will feel it as the world market for our goods and services shrinks; as we find ourselves increasingly alone within the community of nations; as we are forced to abandon the noble projects we have devised for the health, education and welfare of every living American.

"Instead, we shall have to learn once again the harsh lessons of weakness, of being trampled upon, and how it is to tighten our belts in privation and gird ourselves for nearly hopeless conflicts. We face, today, either defeat or years of national tragedy."

Those are strong words—too strong, I am sure, for those TV commentators who juggle figures to persuade the public that America is already spending far more than necessary on national defense. I will be surprised if General Walt is invited to discuss his book

and its dire warning on the popular TV talk shows. I will be surprised if our leading newspapers and magazines give it any serious attention, but not because it would be disquieting to the American people to hear such warnings. The media spokesmen are constantly telling us that they should not be blamed for conveying so much bad news to the public. They explain that if the news is bad, they have a sacred obligation to report it, and we should not conclude that they like it any more than we do. On that basis, of course, the media would not shrink from alerting the American public to the bad news that General Walt is bringing out in his forthcoming book.

My guess is that General Walt's warning will be largely ignored for the same reason that similar warnings voiced by other distinguished Americans have been ignored in recent years. The explanation lies in these words penned by David Broder of the *Washington Post:*

"Selectivity is the essence of all contemporary journalism. And selectivity implies criteria. Criteria depend on value judgments, which is a fancy word for opinions, preconceptions and prejudices."

It would be naive to suppose that the criteria for news selection employed by a TV commentator or a newspaper editor who believes that we are already spending far too much on defense would lead him to give prominent attention to the warning of General Walt.

That is why those of us who by chance are aware of such things must avail ourselves of opportunities to discuss them and to inform others. We must not permit our country to be immobilized and rendered defenseless by media manipulation.

Because of the credibility crisis, the average citizen is hard-pressed to know who and what is to be believed. I am prepared to admit that I am no expert on military matters. Perhaps experts such as General Walt who voice these disturbing warnings are wrong. But if we follow their advice and keep our defenses stronger than might really be necessary, what have we lost? Nothing more than a slight retardation in the expansion of what is the highest level of living the world has ever known. If, on the other hand, we follow the advice of those who say that a strong defense is not necessary and it develops that they are wrong, what will we lose? Our lives, our freedom, our country. I have no difficulty in choosing the side on which I would rather err.

I make no apology for appearing before you today to talk about matters that are not related to banking. We are Americans first and bankers second. When our country is in danger, we ask our sons to interrupt their studies and careers, to shoulder arms and give their lives if necessary to defend us. It behooves all of us who have passed that age and who have risen to positions of leadership in our communities and our profession to take whatever steps we can to insure that our country remains strong: that we not slip into war or—worse—into surrender from weakness.

The likelihood that the national news media will continue to ignore the warnings of experts in this field may create the impression that what I have said to you today is a minority view of doubtful validity. In my view, that would be a false impression, flowing from what Theodore H. White has described as the increasing concentration in fewer hands of the cultural pattern of the United States. Mr. White has said: "You can take a compass with a one-mile radius and put it down at the corner of 5th Avenue and 51st Street in Manhattan and you have control of 95 per cent of the entire opinion-and-influence making in the United States."

That explains, perhaps, why we get the monotonous sameness of opinion from our national news media, much of it very much at odds with the deeply held views of what I believe to be the great majority of American people. There is no acceptance of the idea that those encompassed by Mr. White's circle ought to reflect the views of the people. One of the most prominent TV commentators reacted to such a notion by saying:

"More responsive to the public. What are they talking about? . . . I'm not about to adjust the work I do according to the waves of popular feeling that may come over the country. No responsible person can do that."

That surely means that the voices of the people must more frequently be heard in contradiction of the waves of feeling that emanate from that tiny group of men in Manhattan that make up, according to Mr. White, 95 percent of the opinion-and-influence making in the United States.

Let no man be deterred. It has been said that it is easier to find a score of men wise enough to discover the truth than to find one man intrepid enough, in the face of opposition, to stand up for it. Perhaps that one takes his counsel from Daniel De Foe, who said: "He that has truth on his side is a fool, as well as a coward, if he is afraid to own it because of other men's opinions."

DISASTER AT BUFFALO CREEK

(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 February 26, 1972, a coal refuse retaining "dam" located on the property of the Buffalo Mining Co. failed and released millions of gallons of water and tons of refuse, resulting in some 150 persons dead or missing, and extensive property damage, including loss of homes and family possessions.

The Interior Department recently reported that the dam in question was constructed by the coal company to retain mine waste waters—often referred to as "blackwater"—which result from the daily mine operations. The State of West Virginia would not allow the company to discharge the water into nearby Buffalo Creek, because the mine water was polluted.

Instead of developing an effective treatment system, the coal operator sought the cheapest means of meeting the State requirement. The operator constructed a dam to retain the polluted water. But, as Interior found, this dam was not constructed to retain safely "large volumes of water over any lengthy period of time. Dams of the type that failed helped meet State water pollution control requirements, but their structural stability in terms of holding impounded water was deficient in several respects. In short, dam construction standards and controls should have been taken into account more fully in the design of the dam to meet clean water requirements."

But the Interior Department's report misses one important point—dams, whether well-constructed or not, are not an adequate substitute for treating mine waste water.

Even water impounded behind a well-constructed dam must regularly be released to avoid overflow or another disaster. If the polluted water is released without treatment, it will degrade our waterways.

Today, there are many so-called retaining dams in West Virginia and in other States which are used by coal operators to trap mine waste water. In West Virginia, the Governor has ordered the water released in many of them. But in time, if this situation is allowed to continue, these impoundments will refill again.

We must avoid this. Such dams are a hazard from both a safety and pollution control standpoint.

In a few days, there will come to the House floor H.R. 11896, as reported by the House Public Works Committee on March 11, 1972—the Federal Water Pollution Control Act Amendments of 1972.

That bill contains several fine provisions relating to the construction of waste treatment systems and water pollution control research. But it also is, in many respects, far weaker than the bill (S. 2770) which passed the Senate last November by a vote of 86 to 0.

I have joined our colleagues, Representatives DINGELL and REUSS and over 30 other colleagues in cosponsoring the "Clean Water Package of Amendments" which will bring H.R. 11896 closer to the stronger Senate bill.

At that time, I will also offer an amendment to provide that the Administrator of the Environmental Protection Agency publish, within 6 months after enactment, regulations for the effective treatment of mine water wastes that result from underground mining operations. Thus, for example, where an underground mine uses an impoundment to treat mine water wastes and regularly or occasionally discharges the water behind the impoundment, these regulations would establish guidelines for the treatment of those wastes by means other than impoundments. Where impoundments are permitted, the regulations will establish requirements for their construction and operation.

I urge my colleagues to join me in support of my amendment to H.R. 11896.

We cannot afford, in West Virginia or elsewhere, another tragedy like that which occurred at Buffalo Creek last month. We should not let the coal operators of this Nation establish, under the guise of complying with antipollution laws, unsafe conditions that threaten lives. These operators should be required to install effective treatment systems that insure safety to people and prevent pollution of our waterways.

The text of my amendment to H.R. 11896 as follows:

AMENDMENT TO TITLE III OF H.R. 11896, AS REPORTED

(Proposed by Mr. HECHLER of West Virginia)

Page 291, between lines 11 and 12, insert the following:

"(b) The Administrator, after consultation with appropriate Federal and States agencies and other interested persons, shall publish within six months after the date of enactment of this title (and from time to time thereafer) regulations for the effective treatment, including, where appropriate, the safe storage for treatment purposes of mine water wastes resulting from new or currently operating undergound mines. Effluent limitations for point sources established by this title shall, where applicable, be in accord with such regulations. Upon promulgation such regula-

tions would be subject to the enforcement provisions of section 309(a) of this title."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. KYROS for Wednesday, March 23, 1972, on account of official business.

Mr. BARING (at the request of Mr. TIERNAN), for Thursday, March 23, through March 29, 1972, on account of official business.

Mr. HALPERN (at the request of Mr. GERALD R. FORD), for today, and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STEIGER of Wisconsin, for 60 minutes, on March 29, and to revise and extend his remarks and include extraneous matter.

Mr. SMITH of Iowa, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. ASPINALL, for 30 minutes, on March 28, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. LANDGREBE) to revise and extend their remarks and include extraneous material:)

Mr. HOGAN, for 5 minutes, today.

Mr. KEMP, for 15 minutes, today.

Mr. BLACKBURN, for 10 minutes, today.

Mr. BURKE of Florida, for 15 minutes, today.

Mr. CRANE, for 5 minutes, today.

Hr. HEINZ, for 15 minutes, today.

(The following Members (at the request of Mr. CLAY) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. REUSS, for 30 minutes, today.

Mr. DRINAN, for 10 minutes, today.

Mr. REUSS, for 60 minutes, on March 23.

Mr. FULTON, for 5 minutes, today.

Mr. GRIFFIN, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. EDMONDSON and to include extraneous matter in three instances.

Mr. ROONEY of New York, and to include extraneous material.

All Members to have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the special orders given by the gentleman from Florida, Mr. GIBBONS, and the gentleman from Iowa, Mr. SMITH.

(The following Members (at the request of Mr. LANDGREBE) and to include extraneous matter):

Mr. BELL in two instances.

Mr. SPRINGER in two instances.

Mr. KEMP.

Mr. WHALEN.

Mr. SHRIVER in two instances.

Mr. WYMAN in two instances.

Mr. DERWINSKI in three instances.

Mr. ARCHER.

Mr. ASHBROOK in three instances.

Mr. MCKINNEY.

Mr. MCCLURE.

Mr. FRENZEL.

Mr. THOMSON of Wisconsin.

Mr. BRAY in two instances.

Mr. SCHWENGEL.

Mr. GOLDWATER in two instances.

Mr. PRICE of Texas.

Mrs. DWYER in three instances.

Mr. BROWN of Michigan.

Mr. HOSMER in two instances.

Mr. MINSHALL in two instances.

Mr. KEITH.

Mr. TERRY.

(The following Members (at the request of Mr. CLAY) and to include extraneous matter:)

Mr. BADILLO in three instances.

Mr. GONZALEZ in three instances.

Mr. HAGAN in five instances.

Mr. BIAGGI in 10 instances.

Mr. CARNEY.

Mr. ASPIN in 10 instances.

Mr. WOLFF.

Mr. DIGGS.

Mr. PICKLE in six instances.

Mr. ADDABBO.

Mr. STEPHENS.

Mr. HANNA in two instances.

Mr. WILLIAM D. FORD in two instances.

Mr. RARICK in three instances.

Mr. ANDERSON of California in two instances.

Mr. PURCELL.

Mr. BEGICH.

Mr. BRASCO in two instances.

Mr. GRAY in two instances.

Mr. BINGHAM in two instances.

Mr. KLUCZYNSKI in two instances.

Mr. FOUNTAIN in two instances.

Mr. GREEN of Pennsylvania in two instances.

Mr. DRINAN in two instances.

Mrs. MINK in three instances.

Mr. SYMINGTON in two instances.

Mr. GRIFFIN.

Mr. MONAGAN.

Mr. FAUNTROY in five instances.

Mr. MILLER of California in five instances.

Mr. RYAN in three instances.

Mr. ROY in two instances.

Mr. SCHEUER in four instances.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 764. An act to authorize the disposal of lead from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

S. 773. An act to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

S. 1379. An act to authorize the Secretary of Agriculture to establish a volunteers in the national forests program and for other purposes; to the Committee on Agriculture.

S. 3086. An act to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

S. Con. Res. 55. Concurrent resolution providing for the recognition of Bangladesh; to the Committee on Foreign Affairs.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 904. An act to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases; and

S. 3160. An act to provide for a modification in the par value of the dollar, and for other purposes.

ADJOURNMENT

Mr. CLAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Thursday, March 23, 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:

1765. A letter from the Director, Office of Management and Budget Executive Office of the President, transmitting a report that various appropriations listed therein have been apportioned on a basis which indicates a necessity for supplemental estimates of appropriations, in order to permit payment of pay increases, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

1766. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report showing the total amount of assistance-related funds obligated in, for, or on behalf of Cambodia during the 6 months ended December 31, 1971, pursuant to section 655(f) of the Foreign Assistance Act of 1971; to the Committee on Foreign Affairs.

RECEIVED FROM THE COMPTROLLER GENERAL

1767. A letter from the Comptroller General of the United States, transmitting a report on improvement needed in manpower training at the Boston Skills Center under the program administered by the Department of Labor and the Department of Health, Education, and Welfare; to the Committee on Government Operations.

1768. A letter from the Comptroller General of the United States, transmitting a report on how the Department of Defense improved the use of cargo space on ammunition ships by better planning; to the Committee on Government Operations.

1769. A letter from the Comptroller General of the United States, transmitting a report that more effective use of program resources could be made by the Economic Development Administration of the Department of Commerce, to alleviate unemployment; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POAGE: Committee on Agriculture. H.R. 9676. A bill to authorize the conveyance of certain lands of the United States to the State of Tennessee for the use of the University of Tennessee; with an amendment (Rept. No. 92-939). Referred to the Committee of the Whole House on the State of Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 13591. A bill to

amend the Public Health Service Act to designate the National Institute of Arthritis and Metabolic Diseases as the National Institute of Arthritis, Metabolism, and Digestive Diseases, and for other purposes (Rept. No. 92-940). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDWARDS of California: Committee on the Judiciary. S. 2713. An act to amend title 18 of the United States Code to authorize the Attorney General to provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released (Rept. No. 92-941). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDWARDS of California: Committee on the Judiciary. H.R. 9135. A bill to amend the act of August 19, 1964, to remove the limitation on the maximum number of members of the board of trustees of the Pacific Tropical Botanical Garden (Rept. No. 92-942). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on the impact of Federal installations on Small Business (Rept. No. 92-943). 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. ARCHER (for himself, Mr. ABBITT, Mr. FISHER, Mr. GOODLING, Mr. STEIGER of Arizona, and Mr. WINN):

H.R. 13998. A bill to repeal the Davis-Bacon Act and the Contract Work Hours Standards Act, and related provisions of law; to the Committee on Education and Labor.

By Mr. ASPIN (for himself and Mr. MCKINNEY):

H.R. 13999. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize design standards for schoolbuses, to require certain standards be established for schoolbuses, to require the investigation of certain schoolbus accidents, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BADILLO (for himself, Mr. ADDABBO, Mr. BINGHAM, Mr. COLLINS of Illinois, Mr. CONYERS, Mr. CORMAN, Mr. DELLUMS, Mr. DOW, Mr. EDWARDS of California, Mr. HALPERN, Mr. HARRINGTON, Mr. HATHAWAY, Mrs. HICKS of Massachusetts, Mr. KASTENMEIER, Mr. KOCH, Mr. MIKVA, Mr. MOORHEAD, Mr. RANGEL, Mr. ROSENTHAL, Mr. RYAN, Mr. SEIBERLING, Mr. STOKES, and Mr. SYMINGTON):

H.R. 14000. A bill to establish comprehensive and developmental child care services in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

By Mr. BIAGGI (for himself and Mr. PEYSER):

H.R. 14001. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a system for the redress of law enforcement officers' grievances and to establish a law enforcement officers' bill of rights in each of the several States, and for other purposes; to the Committee on the Judiciary.

By Mr. BINGHAM (for himself and Mr. WALDIE):

H.R. 14002. A bill to authorize the Secretary of State to furnish assistance for the resettlement of Soviet Jewish refugees in Israel; to the Committee on Foreign Affairs.

By Mr. BINGHAM (for himself and Mr. ANDERSON of Tennessee):

H.R. 14003. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the registration and licensing of food manufacturers and processors, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM (for himself and Mr. KOCH):

H.R. 14004. A bill to provide Federal citizen anticrime patrol assistance grant to residents' organizations; to the Committee on the Judiciary.

By Mr. BRINKLEY:

H.R. 14005. A bill to authorize a Coast Guard appropriation for alteration of bridges over the navigable waters; to the Committee on Merchant Marine and Fisheries.

By Mr. CORMAN:

H.R. 14006. A bill to grant full credit for military service in the computation of railroad retirement annuites for disability in the case of persons also eligible for pension, compensation, or other benefits as a result of such service; to the Committee on Interstate and Foreign Commerce.

By Mr. CORMAN (for himself and Mr. GOLDWATER):

H.R. 14007. A bill to amend the Disaster Relief Act of 1970 to authorize cancellation of 25 percent of the principal of certain loans; to the Committee on Public Works.

By Mr. COUGHLIN:

H.R. 14008. 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.

By Mr. DENHOLM:

H.R. 14009. A bill to declare that certain federally owned land is held by the United States in trust for the Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Indian Reservation in North and South Dakota; to the Committee on Interior and Insular Affairs.

H.R. 14010. A bill to amend section 130 of title 23 of the United States Code to provide for the illumination of certain railway-highway crossings; to the Committee on Public Works.

By Mr. DUNCAN:

H.R. 14011. A bill to amend the Occupational Safety and Health Act of 1970, and for other purposes; to the Committee on Education and Labor.

H.R. 14012. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to revise the eligibility conditions for annuities, to change the railroad retirement tax rates, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 14013. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 14014. A bill to amend the Federal Aviation Act of 1958 to prohibit the expenditure of Federal funds for certain airport development projects unless the Secretary of Transportation certifies that there has been afforded the opportunity for public hearings to consider the economic, social, and environmental effects of such development and its consistency with local planning, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FOLEY (for himself, Mr. LEGGETT, Mr. MCFALL, Mr. JOHNSON of California, Mr. MCCORMACK, and Mr. Moss):

H.R. 14015. A bill to amend section 2(3), section 8c(2), section 8c(6)(I), and section 8c(7)(C) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

By Mr. GIAIMO (for himself and Mrs. GRASSO):

H.R. 14016. A bill to amend the public Health Service Act to provide for the prevention of Cooley's anemia; to the Committee on Interstate and Foreign Commerce.

By Mrs. GRASSO:

H.R. 14017. A bill to amend title 18 of the United States Code to permit the mailing of lottery tickets and related matter, the broadcasting or televising of lottery information, and the transportation and advertising of lottery tickets in interstate commerce, but only where the lottery is conducted by a State agency; to the Committee on the Judiciary.

H.R. 14018. A bill to amend title 39 of the United States Code to exempt certain newspaper advertisements of lotteries which are legal under applicable State law, or sponsored by a State, from the list of nonmailable matter; to the Committee on Post Office and Civil Service.

By Mr. GROVER:

H.R. 14019. A bill to establish a contiguous fishery zone (to the outer limits of the Continental Shelf) beyond the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. GUDE:

H.R. 14020. A bill to establish the Potomac National River in the States of Maryland, Virginia, West Virginia, and the District of Columbia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KASTENMEIER (for himself and Mr. RAILSBACK):

H.R. 14021. A bill to amend the Trademark Act to extend the time for filing oppositions, to eliminate the requirement for filing reasons of appeal in the Patent Office, and to provide for awarding attorney fees; to the Committee on the Judiciary.

By Mr. KOCH (for himself, Mr. ANDERSON of Tennessee, Mr. EILBERG, Mr. ASPIN, Mr. CÓRDOVA, Mr. DONOHUE, Mr. GALLAGHER, Mr. GREEN of Pennsylvania, Mr. HELSTOSKI, and Mr. RANGEL):

H.R. 14022. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for grants to cities for improved street lighting; to the Committee on the Judiciary.

By Mr. LENT:

H.R. 14023. A bill to amend the Social Security Act to provide for medical and hospital care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

By Mr. MCFALL (for himself, Mr. PERKINS, Mr. MCDADE, and Mr. ZABLOCKI):

H.R. 14024. A bill to amend the Public Works and Economic Development Act of 1965 in order to increase the authorization of appropriations for the fiscal year ending June 30, 1973, for public works and development facilities grants, and to require that a larger percentage of such appropriations be expended in certain redevelopment areas; to the Committee on Public Works.

By Mr. MOLLOHAN:

H.R. 14025. A bill to amend the Federal Coal Mine Health and Safety Act of 1969 to provide protection from impoundments of water used in connection with the operation of coal mines; to the Committee on Education and Labor.

By Mr. PIKE:

H.R. 14026. A bill to amend the act entitled "An act to establish a contiguous fishery zone beyond the territorial see of the United States," approved October 14, 1966; to the Committee on Merchant Marine and Fisheries.

By Mr. RODINO:

H.R. 14027. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. SHIPLEY:

H.R. 14028. A bill to support the price of milk at 90 percent of the parity price for the period beginning April 1, 1972, and ending March 31, 1973; to the Committee on Agriculture.

By Mr. SKUBITZ (for himself, Mr. SAYLOR, Mr. UDALL, Mr. STEIGER of Arizona, Mr. LLOYD, and Mr. MCKAY):

H.R. 14029. A bill to authorize the Secretary of the Interior to transfer franchise fees received from certain concession operations at Glen Canyon Recreation Area, Ariz., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.R. 14030. A bill to amend the Public Health Service Act to extend for 3 years the authorization for grants for communicable disease control and vaccination assistance; to the Committee on Interstate and Foreign Commerce.

H.R. 14031. A bill to provide increases in railroad retirement benefits comparable to those provided by the Social Security Amendments of 1972; to the Committee on Interstate and Foreign Commerce.

By Mr. THONE (for himself, Mr. CLEVELAND, Mr. COLLINS of Texas, Mr. DENNIS, Mr. GRIFFIN, Mr. MELCHER, and Mr. SCHMITZ):

H.R. 14032. A bill to amend the Occupational Safety and Health Act of 1970, and for other purposes; to the Committee on Education and Labor.

By Mr. VANIK:

H.R. 14033. A bill to amend the Civil Rights Act of 1964 in order to make discrimination because of physical or mental handicap in employment an unlawful employment practice, unless there is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise; to the Committee on Education and Labor.

By Mr. VANIK (for himself, Mr. ROSENTHAL, Mr. BADILLO, Mr. BIAGGI, Mr. CLARK, Mr. DELLUMS, Mr. EILBERG, Mr. FRASER, Mr. GIBBONS, Mr. HALPERN, Mr. HOSMER, Mr. KOCH, Mr. PODELL, Mr. RODINO, and Mr. CHARLES H. WILSON):

H.R. 14034. A bill to repeal the meat quota provisions of Public Law 88-482; to the Committee on Ways and Means.

By Mr. WHALEN (for himself, Mrs. DWYER, Mr. KYROS, Mr. KASTENMEIER, Mr. BURKE of Massachusetts, and Mr. HICKS of Washington):

H.R. 14035. A bill to authorize the President, through the temporary Vietnam Children's Care Agency, to enter into arrangements with the Government of South Vietnam to provide assistance in improving the welfare of children in South Vietnam and to facilitate the adoption of orphaned or abandoned Vietnamese children, particularly children of U.S. fathers; to the Committee on Foreign Affairs.

By Mr. BEGICH:

H.R. 14036. A bill to restore to Federal civilian employees their rights to participate, as private citizens, in the political life of the Nation, to protect Federal civilian employees from improper political solicitations, and for other purposes; to the Committee on House Administration.

By Mr. DORN:

H.R. 14037. A bill to amend the Tariff Schedules of the United States to provide for the duty-free entry of mica films; to the Committee on Ways and Means.

By Mr. GUDE (for himself, Mr. HOGAN, and Mr. BROYHILL of Virginia):

H.R. 14038. A bill to facilitate the resolution of medical malpractice suits in the District of Columbia; to the Committee on the District of Columbia.

By Mrs. HICKS of Massachusetts:

H.R. 14039. A bill to permit collective negotiation by professional retail pharmacists with third-party prepared prescription program administrators and sponsors; to the Committee on the Judiciary.

By Mr. RIEGLE (for himself, Mr. CEDERBERG, Mr. GERALD R. FORD, and Mr. PUPPE):

H.R. 14040. A bill to promote development and expansion of community schools throughout the United States; to the Committee on Education and Labor.

By Mr. SCOTT:

H.R. 14041. A bill to provide a startup tax adjustment program for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. MANN:

H.J. Res. 1126. Joint resolution to pay tribute to law enforcement officers of this country on Law Day, May 1, 1972; to the Committee on the Judiciary.

By Mr. McDADE:

H. Con. Res. 570. Concurrent resolution: The Northern Ireland Resolution; to the Committee on Foreign Affairs.

By Mr. PERKINS (for himself, Mrs. GREEN of Oregon, Mr. THOMPSON of New Jersey, Mr. DENT, Mr. PUCINSKI, Mr. DANIELS of New Jersey, Mr. BRADEMAS, Mr. O'HARA, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mrs. MINK, Mr. SCHEUER, Mr. MEEDS, Mr. GAYDOS, Mr. CLAY, Mrs. CHISHOLM, Mr. BIAGGI, Mrs. GRASSO, Mrs. HICKS of Massachusetts, Mr. MAZZOLI, Mr. BADILLO, and Mr. REID):

H. Res. 905. Resolution urging supplemental appropriations to implement the President's message of March 17, 1972, calling for equal educational opportunities; to the Committee on Education and Labor.

By Mr. BADILLO:

H. Res. 906. Resolution calling for an increase in appropriations for title I of the Elementary and Secondary Education Act; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey:

H. Res. 907. Resolution providing funds for the expenses of the investigations and studies authorized by House Resolution 819; to the Committee on House Administration.

H. Res. 908. Resolution providing expenses for the Committee on Interstate and Foreign Commerce; to the Committee on House Administration.

H. Res. 909. Resolution to provide funds for the further expenses of the investigation and study authorized by House Resolution 20; to the Committee on House Administration.

H. Res. 910. Resolution providing for the expenses of the House Select Committee on Crime; to the Committee on House Administration.

H. Res. 911. Resolution to provide funds for the expenses of the investigations and studies authorized by rule XI(8) and House Resolution 304; to the Committee on House Administration.

H. Res. 912. Resolution to provide for the further expenses of the investigation and study authorized by House Resolution 201 for the Committee on Armed Services; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

342. The SPEAKER presented a memorial of the Senate of the State of Hawaii, relative to the recent report of the Commission on Population Growth and the American Future, which was referred to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON:

H.R. 14042. A bill for the relief of Jose Carlos Recalde Martorella; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 14043. A bill for the relief of Lt. Col. Horace Hill, U.S. Air Force Reserve (retired); to the Committee on the Judiciary.

By Mr. KEMP:

H.R. 14044. A bill for the relief of Richard Burton, SFC, U.S. Army (retired); to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 14045. A bill for the relief of Tino Cattabiani, his wife, Caterina Cattabiani, and their minor son, Pier Maria Cattabiani; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

203. The SPEAKER presented a petition of the City Council, Alexandria, Va., relative to placing the Liberty Bell on tour of the 50 States, which was referred to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

THE NEW OCCUPATIONAL SAFETY AND HEALTH ACT

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 1972

Mr. HUNGATE. Mr. Speaker, there is considerable interest in possible revision of the Occupational Safety and Health Act of 1970, and I thought this recent analysis in the "American Bar Association Journal" of March 1972 should be helpful:

THE NEW OCCUPATIONAL SAFETY AND HEALTH ACT

(By William B. Spann, Jr.)

After extensive committee hearings and floor debate, the Occupational Safety and Health Act of 1970 was passed by Congress in December of 1970 and signed into law by the President as Public Law 91-596. The effective date of the act was April 28, 1971. Standards were promulgated on May 29, effective August 27; thus, aggressive enforcement of the act began on that date. With several exceptions, the act applies to all employment throughout the states and possessions. It is expected that it will apply to more than 4.1 million businesses and 57 million employees.

Legislation of the application of this breadth deserves, indeed demands, the study and attention of lawyers, for there are few practitioners who will not have occasion to give advice that should take this act into account. Ignorance of the application and provisions of the act could be disastrous. The act has teeth; its penalties are severe; criminal sanctions are provided, including imprisonment if a death occurs; and no one