may have the benefit of the views of this important Kansas organization:

FORGOTTEN AMERICAN COMMITTEE
OF KANSAS, INC.,
Wichita, Kans., May 17, 1973.

DEAR CONGRESSMAN SHRIVER: As a POW/MIA organization and a MIA family member, we have been sincerely upset by the recent floor debates and voting to stop funds and totally sever all contact with the conflict in Laos and Cambodia. Dr. Roger Shields, of the Department of Defense POW/MIA Task Force, has told us that both the House and Senate have been informed that a Prisoner of War and Missing in Action situation still exist in Laos and Cambodia, and that pulling out now would mean the end of any chances to get back our American POW's and get an accounting of the Missing in these countries.

Immediately after the January '73 Cease-fire, the DOD listed 7 civilians and 6 military Prisoners in Laos, 311 military Missing in Laos, 5 journalists and 28 military Prisoners in Cambodia, 25 military Missing in Cambodia, and 81 *known* Prisoners still unaccounted for in Vietnam. Four of the Laos military POW's were released, 2 military men have been added to the MIA/Cambodia count since the Cease-fire, and some of the 81 unaccounted-for POW's have been reclassified to KIA as a result of POW debriefings.

However, in Laos and Cambodia, we are still talking about 4 civilian and 20 to 70 military American Prisoners in Laos, 311 military Missing in Laos, 5 journalist POW's in Cambodia, 25 military Missing there, and the very real probability of more than 60 prisoners from Vietnam having been moved into Laos or Cambodia. Gentlemen, we are talking about the lives and accounting of almost 500 Americans . . . These includes 12 Kansans and friend—2 Kansans are Prisoners in Laos, 8 are Missing there, 1 is a Prisoner in Cambodia, and 1 is Missing in Cambodia. Positive information has recently indicated that 2 of the 3 Kansas POW's are alive. We're certain that each of you could confer with the National League of Families representative from your state and find that you, too, have constituents who must *not* be forgotten . . .

Our POW/MIA negotiators for the ICCS and the JCRC supposedly have the support of a signed Cease-fire in Vietnam, yet they are having problems getting any cooperation from the Vietnamese concerning an accounting of the missing Prisoners and clarification on the MIAs. If you, as legislators, force a stoppage of all involvement in Lao and Cambodia, the Pathet Lao and Khemer Rouge will NOT be grateful—they will be powerful! Instead of daily negotiations for our POW/MIAs with their representatives in North Vietnam, they will be in a position to charge us more than a mere bombing halt for the most meager information about our men. Who will be paying the price? You? Our government? Or the Prisoners not returned, the Missing not found, and their families?

We recently received a letter from the mother of a Kansas journalist who is *known* to be alive and POW in Cambodia as recently as April 1973—almost a year after capture. She voiced the fears that so many family members feel, so we quote—"We appreciate, so much, your concern. I'm beginning to feel like a few people in Washington don't think it is worth the effort and expense to get the rest of the men out of there. I can't help boiling inside when I hear one of them come up with such a statement."

We want her to be wrong, but only you can prove her wrong by your actions. Dr. Shields and Frank Seiverts assured us there would be no rug-sweeping of our men. We fear your solution will result in the sacrifice of our Prisoners, our Missing, and the right of their families to ever know the fate of their loved ones.

Sincerely,

ANN HOWES,
President.
MAUREEN SMITH,
Vice President.

HOUSE OF REPRESENTATIVES—*Thursday, May 24, 1973*

The House met at 11 o'clock a.m.

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

Watch ye, stand fast in the faith, quit ye like men, be strong.—I Corinthians 16: 13.

Almighty God, who guided our fathers to build on these shores a country of free people and who didst put into their minds a dream that this land may become one nation with liberty and justice for all, move Thou within our hearts that we may continue to fulfill this goal in our day.

We come again to our national day of remembrance when we call to mind those who have given their lives for our country. Inspired by their devotion and challenged by their dedication may we give ourselves afresh to the cause for which they gave the last full measure of devotion that a government of the people, by the people, and for the people may not perish from the earth.

Bless the family of our beloved colleague, WILLIAM O. MILLS, who so suddenly has left us. Comfort them with Thy spirit and strengthen them for the days that lie ahead.

In Thy holy name we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks.

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

S. 251. An act for the relief of Frank P. Muto, Alphonso A. Muto, Arthur E. Scott, and F. Clyde Wilkinson;

S. 1384. An act to authorize the Secretary of the Interior to transfer franchise fees received from certain concession operations at Glen Canyon National Recreation Area, in the States of Arizona and Utah, and for other purposes;

S. 1808. An act to apportion funds for the National System of Interstate and Defense Highways and to authorize funds in accordance with title 23, United States Code, for fiscal year 1974, and for other purposes; and

S.J. Res. 25. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September of each year as "National Next Door Neighbor Day."

AUTHORIZING CLERK TO RECEIVE MESSAGES FROM SENATE AND SPEAKER TO SIGN BILLS AND JOINT RESOLUTIONS DULY PASSED, NOTWITHSTANDING ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Tuesday, May 29, 1973, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

AUTHORIZING SPEAKER TO ACCEPT RESIGNATIONS AND APPOINT COMMISSIONS, BOARDS, AND COMMITTEES, NOTWITHSTANDING ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until May 29, 1973, the Speaker be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY OF NEXT WEEK

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday, May 30, 1973.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for next week.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I am happy to yield to the gentleman from Massachusetts.

Mr. O'NEILL. I am happy to respond to the minority leader.

The program for the House of Representatives for the week of May 28, 1973, is as follows:

Monday is Memorial Day, and we will not be in session.

Tuesday there is scheduled for consideration H.R. 6912, Par Value Modification Act, under an open rule with 1 hour of debate.

Wednesday there are scheduled:

H.R. 5857, National Visitors Center Amendment, under an open rule with 1 hour of debate;

H.R. 5858, John F. Kennedy Center maintenance funds, under an open rule with 1 hour of debate; and

H.R. 6830, International Center for Foreign Chanceries, under an open rule with 1 hour of debate.

For Thursday and the balance of the week there are scheduled:

H. Res. 382, disapproving Reorganization Plan No. 2;

H.R. 77, jointly administered trust funds for legal services, subject to a rule being granted;

H.R. 6458, Emergency Medical Services Act, subject to a rule being granted;

H.R. 7724. biomedical research, subject to a rule being granted;

H.R. 7357, Railroad Retirement Act Technical Amendment, subject to a rule being granted; and

H.R. 7806, health programs extension, subject to a rule being granted.

This announcement is made with the usual reservation that conference reports may be brought up at any time and any further program will be announced later.

FIGHT TO CONTROL CRIME IS A MATTER OF CONCERN

(Ms. HOLTZMAN asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Ms. HOLTZMAN. Mr. Speaker, this week I introduced H.R. 8021, a bill substantially revising the way in which the Federal Government supports State and local law enforcement efforts. The fight to control crime is a matter of concern to everyone in this country and I therefore respectfully draw the attention of my colleagues to this legislation.

My bill, the Crime Control Revenue Sharing Act of 1973, offers a fresh approach to the use of Federal crime fighting funds. First, it gets these Federal funds quickly to States and localities. By adopting a Federal revenue sharing approach for States and a limited revenue sharing approach between States and high crime localites, the bill eliminates the present bureaucratic log jam. Second, it encourages States and localities to plan, set priorities and develop effective means of controlling crime—from the apprehension of the suspect to the rehabilitation of the criminal. Third, it requires local and public participation in the development of crime control plans and insures careful evaluation of all plans and programs funded. Fourth, it targets Federal funding to the areas—whether urban, suburban or rural—that need it most. And, finally, it insures that in our effort to control crime we do not abridge the fundamental rights of American citizens to privacy.

In 1968 the Federal Government made a major commitment to help finance improvements in local law enforcement and criminal justice. This legislation, title I of the Safe Streets Act, will expire on June 30, 1973. Although its intentions were commendable, the 1968 legislation and its subsequent modifications have proved in practice to be an administrative fiasco.

Federal funds are simply not being forwarded to the State and local governments quickly enough to be effective in the fight against crime. Tieups in funding are caused by the unwieldly administrative structures both at the Federal and State level. One large city has complained that it must go through at least 190 administrative steps for each of the 100 grants a year it receives from its State government. Most jurisdictions have complained that such redtape means that even the most deserving projects take from 6 to 12 months to be funded. As a result, in New York State alone, only 15 percent of the funds made available for fiscal year 1972 and only 56 percent of the funds for 1971 had been spent by the middle of 1972.

To cope with the redtape, States and localities are forced to invest 50 percent to 100 percent of the grants received to obtain and administer grant awards. The Office of Management and Budget has indicated that 5 percent to 10 percent investment is an appropriate figure.

Surely any legislation revising Federal support for State and local law enforcement efforts must attack this critical problem of administrative mire and delay.

Another difficulty with the existing legislation is that it fails to target crime fighting funds to high crime areas across the country. Instead, money is to be spent in the same proportion on areas without crime problems as those with such problems.

The Law Enforcement Assistance Administration—LEAA—the agency commissioned by the existing legislation to administer the disbursement of Federal law enforcement funds, has been subject to continuous and widespread criticism for its failure to monitor and evaluate law enforcement programs, Federal funds have been wasted by certain jurisdictions on needless "hardware" expenditures. The House Government Operations Committee has reported:

> Tens of millions of block grant dollars have been spent on helicopters, airplanes, automobiles, firearms, ammunition, computer information systems, communication control centers, police radio equipment and a range of other hardware items, often without competitive bidding or prior evaluation.

This problem is aggravated by the procedural delays. It is much easier for a request for a tank, for example, to be processed through the administrative mire than a sophisticated proposal for court reform. Hence, there is an incentive to apply for the former rather than the latter.

Another major shortcoming of the existing legislation is that it has failed to provide sufficient safeguards for individual privacy. Thus, arrest records, surveillance reports, and other intelligence data have been collected, stored and disseminated by State and local law enforcement agencies with the help of Federal funds.

I would like to outline for the benefit of my colleagues the provisions of my legislation:

First. A State is automatically entitled to Federal funds if it files a comprehensive plan for the improvement of law enforcement and criminal justice.

Second. To qualify the plan must meet certain procedural requirements designed to: First, encourage the participation of local governments and the public in the formulation of the plan; second, insure monitoring and evaluation of program effectiveness; and third, prevent waste and mismanagement through public accountability and tight fiscal controls.

Third. Localities—counties, villages, towns and cities—apply for funding of crime control projects from the State. The State must act on all such applications within 60 days.

Fourth. High crime areas—rural, suburban or urban—are automatically entitled to yearly grants from the State if such areas prepare a comprehensive plan to control crime and meet procedural requirements similar to those applicable to the State.

Fifth. Funds are distributed under this act by the Federal Government to the States on a formula based one part on population and two parts on crime rates. High crime areas would also receive a larger share of State funds since States must distribute its funds to them on a similar formula.

This is a major advancement over existing legislation. Most of the money to fight crime should be spent where most of the crime occurs—whether it be in cities, rural areas, or suburbia.

Sixth. Fifteen percent of the funds allocated as special revenue-sharing payments may be spent by the Federal Government on a discretionary basis. Special preference, however, must be given to high crime areas that are in need of additional Federal money and have proven that they can implement effective law enforcement programs.

Seventh. The existing law enforcement education program is maintained in H.R. 8021 since this has been widely acclaimed as one of the most successful efforts developed under the Safe Streets Act legislation.

Eighth. Excessive expenditures on "hardware" are discouraged by limiting the amount of Federal funds to be expended on such purchases to 25 percent of their value unless the locality can demonstrate to the Federal Government that more money is justified. Competitive bidding is also mandated under my proposal.

Ninth. Finally, all levels of Government would be compelled to monitor and evaluate their programs carefully in order to continue to receive Federal moneys.

Tenth. A civil liberties provision is included that would prevent the use of Federal funds for the collection and dissemination of surveillance data that is

not already a matter of public record by law enforcement agencies. Violation of this section would subject the offending party to a civil penalty of up to $20,000 payable to the individual whose right to privacy had been violated.

Eleventh. The Executive is specifically precluded from impounding law enforcement funds granted under this legislation.

RETIREMENT OF NEWSMAN DILLON GRAHAM

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

Mr. FLYNT. Mr. Speaker, on the 31st of May next, Mr. Dillon Graham, a reporter for the Associated Press, will retire after 25 years of service as a Capitol correspondent for the Associated Press and after 44 years of continuous service with AP. Dillon Graham has, during this time of his 44 years' service, worked in the Atlanta, New York, Charlotte, and Washington bureaus. He has covered Congress since 1948, and his presence has been a pleasant and an effective one in and around the House of Representatives and in the other body.

Mr. Speaker, in pursuing his reportorial duties and activities, he has always been comparatively quiet and unassuming. At the same time he has always been extremely effective, courteous, and accurate as he has performed the duties to which he has been assigned in covering the legislative branch of the U.S. Government.

Mr. Graham and his wife, Gigi, plan to retire and make their home at Myrtle Beach, S.C.

It is my pleasure, Mr. Speaker, to congratulate my friend, Dillon Graham, on his earned and well-deserved retirement. For 25 years he has been an outstanding member of the Fourth Estate in covering the House of Representatives and the entire Capitol. He has served his profession well; he has served the Congress well. We wish him good luck and Godspeed.

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

Mr. FLYNT. I am glad to yield to the gentleman from Iowa (Mr. GROSS).

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, I wish to commend the gentleman from Georgia (Mr. FLYNT) for taking this time to pay a deserved tribute to Dillon Graham, one of the veterans of the Washington Bureau of the Associated Press, as he prepares to go into retirement.

I first met Dillon shortly after I came to Washington in 1949. He is an outstanding news reporter and a real credit to his profession.

I am sure I speak for many others when I say that he will be missed as a member of the Capitol Press Corps, and we all wish him many years of pleasant living in his retirement.

Mr. BUCHANAN. Mr. Speaker, it is with a very real feeling of mixed emotions that I join my colleagues in paying tribute to an outstanding newsman, Dillon Graham. While I certainly wish him the best in his retirement, his excellent coverage of this body will be greatly missed.

Dillon Graham represents the highest standards of journalism—standing in vivid contrast to the journalistic practices which Vice President AGNEW and others have condemned.

Like so many men and women of the working press, he has rendered a service to truth and to the people which it is very difficult to measure.

I do not know whether the rewards for such accomplishments on Earth and in Heaven are very great, but his retirement years should be enriched by the knowledge of a difficult job well done through the years of reporting.

It seems to me that there ought to be some special corner of Heaven set aside for such good guys of the press as Dillon Graham.

I wish him well in his retirement, but he will certainly be missed in the House of Representatives.

GENERAL LEAVE

Mr. FLYNT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the retirement of Mr. Dillon Graham.

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

There was no objection.

ARNOLD MILLER'S STATE OF THE UNION MESSAGE

(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, it is with a great deal of pride that I present Arnold Miller's accounting of his stewardship of the United Mine Workers Union of America during his first 5 months as President of that great union:

STATEMENT OF UMWA PRESIDENT ARNOLD MILLER, NATIONAL PRESS CLUB, MAY 4, 1973

A little over four months ago, an iron gate barred the main stairway in the UMW's Washington headquarters. Today, that gate is gone. It is only one of many recent changes at the UMW. But it symbolizes them all.

The obstacles that barred coal miners from their union have been removed. The United Mine Workers, today, belongs to the rank-and-file.

Probably the most far-reaching reform is the establishment of democracy in the union's districts. For the past 30 years, all but four of the UMW's 24 districts were kept under trusteeships by the International Union, and rank-and-file mineworkers were denied the right to elect their district officials. The UMW during this period was like a government of the United States in which the President appointed both Houses of Congress, the Governors of every state, and the officials who counted the ballots in Presidential elections. It was, in short, a dictatorship.

On our first day in office, Vice President Trbovich, Secretary-Treasurer Patrick and I submitted a resolution to the union's International Executive Board calling for democratic elections in every UMW district. The resolution was approved unanimously.

Today, elections for the offices of District President, Secretary-Treasurer, and International Executive Board Member are being held under independent supervision in 12 UMW districts. The remaining districts are either going to be merged to save operating expenses or are under court jurisdiction. Elections in these districts will probably take place by the end of the year. Following its election, each district will hold a convention to draft a district constitution and make plans to hold elections for the posts of district representatives.

After years of struggle by rank-and-file miners, the district elections are a great victory for trade union democracy. More than any other reform, democracy represents the hope for revitalizing the United Mine Workers as a militant trade union and as a progressive political force.

For the district officers who will be chosen by the rank-and-file determine union policy in the coalfields.

District representatives provide help to rank-and-file miners who feel their contract rights to seniority, wages, job posting, and the like have been abridged and who file a grievance against the company involved. In the past, district representatives were largely appointments designed to buy off influential rank-and-filers or potential rebels. They owed nothing to the rank-and-file and rarely fought to protect its interests in grievance cases. As their contract rights were slowly whittled away coal miners resorted to the wildcat strikes as their only protection.

The need to stand for election will force district representatives to be accountable to the miners they are supposed to represent or risk being voted out of office. In the future, at every step of the grievance process, coal operators can expect to face rank-and-file miners supported by district representatives who fight for the man, not give in to the management.

District presidents are the union's leaders in the coalfields. But under previous administrations, appointed district presidents viewed independent political activity by coal miners as a threat to their control and used the union's resources to suppress it.

In 1969, West Virginia coal miners organized the Black Lung Association to educate their union brothers about the ravages of miners' lung diseases. Eventually, about 40,000 coal miners went on strike for three weeks to gain recognition of black lung as a compensable disease under state workmen's compensation. As a founder of the Black Lung Association, I was shocked when West Virginia's UMW district presidents denounced our group as a dual union and tried to prevent any UMW local union from donating to our cause.

The Black Lung movement succeeded despite the opposition of the former United Mine Workers leadership. But it will never be known how many other efforts by rank-and-filers to improve their living and working conditions died a-borning because of the hostility of UMW officials. I am confident that once the leadership in the districts is elected by the rank-and-file there will be a resurgence of grass roots efforts by coal miners not only to improve their working conditions, but to elect progressive, pro-labor candidates to political office, and to win legislative improvements in workmen's compensation, minimum wage, and mine health and safety. This time the UMW will be 100% behind them.

The International Executive Board (IEB) members who will be elected in each district are the chief governing body of the union according to the UMW constitution. But under my predecessor, the appointed IEB members were little more than a rubber stamp in the hands of the officers. They approved the expenditure of millions of dollars in union dues money that was illegally used to finance the 1969 Boyle re-election effort and presided over a decade's misuse of funds so

flagrant it makes the Committee for the Reelection of the President look like a nickle-dime operation.

Few coal miners knew, for instance, that $68,894 of their dues money paid for a two-room suite in the Sheraton-Carlton Hotel occupied by former Secretary-Treasurer John Owens between 1963 and 1968. But the former members of the IEB knew and okayed the expenditure.

Shortly after I took my oath of office, I pledged that "The days when UMW officers lived like kings at the expense of the membership are over." A democratically-elected International Executive Board, exercising its full constitutional authority to oversee the union's affairs, will be the surest guarantee against their return.

But no matter how democratic the union's governing body and how well-intentioned its officers, the danger persists that here in Washington the new administration will become isolated from the men who don their hard-hats and lamps every day and labor in the nation's coal mines to earn a living.

That is why it's so vital to strip away the special privileges, inflated salaries, and extra benefits that separated the former officers from the rank-and-file miner. Since taking office, we have slashed salaries of the International officers and staff by 20 percent and have eliminated special per diems, medical privileges, and full-salary pensions for the top three officers.

In the past, staff and officers enjoyed a minimum of four weeks vacation while working coal miners got only two weeks under the 1971 National Coal Wage Agreement. Under the new vacation plan recently adopted by the Executive Board, those who work at the International, including the International officers, will receive the same vacation benefits as the contract provides for our members. Finally, in a much publicized sale, the UMW disposed of the three Cadillac limousines used by its former officers and leased two Chevrolets instead.

These reforms save the union considerable sums of money. But, what's more important, they affirm that Mike Trbovich, Harry Patrick, and I are coal miners and union men who don't need the trappings of corporate executives to win respect for the offices we hold.

Secretary-Treasurer Patrick recently summed up the change at the UMW this way. "The UMW used to have Cadillacs driven by chauffeurs," he said. "Now we have Chevrolets and the rank-and-file is in the driver's seat."

One further democratic safeguard has been the creation of an independent UMW Journal open to all views and expressions of opinion. In the past, a change in UMW leadership was most apparent in the Journal's letters to the editor section. Letters that used to read, "God Bless John L. Lewis" were replaced by letters that read "God Bless Tony Boyle."

The new administration intends to go one step further. Whether a coal miner wants to write a letter to the editor that says "God Bless Arnold Miller" or a letter that says "God Save Us From Arnold Miller", the UMW Journal will provide him the space to print it.

We had hoped to give every candidate in the district elections space in the Journal to present his platform to the membership. Unfortunately, the Department of Labor was unable to supervise the allocation of Journal space to the candidates, as it did in the International election, and we could not risk the possibility of charges of partisanship and court challenges to the elections if we supervised it ourselves. At the upcoming union convention, I plan to ask the delegates to approve a constitutional amendment that will guarantee Journal space to candidates in future elections.

A free and independent UMW Journal, as recent events in Washington have demonstrated, will be an effective counter to the isolation any administration can fall victim to. And it will save my press secretary the difficult task of trying to explain the meaning of "inoperative" to a skeptical coal miner.

Here in Washington, we have taken steps to revitalize the UMW-owned National Bank of Washington. Seven new board members were elected to the NBW Board of Directors in March from the ranks of Washington's business community and labor movement. As Washington's third largest banking facility, we are confident that the NBW will take an increasingly active role in the Washington community with particular emphasis on increasing its program of loans to minority business enterprises.

The UMW Welfare and Retirement Fund is also located in Washington. Though legally, it is a separate entity from the United Mine Workers, the union appoints one of its three governing trustees. When I came into office, the union-appointed trustee was Edward Carey, UMW General Counsel under Tony Boyle. I removed Carey from that position, an action he challenged in court, but which was subsequently upheld by a U.S. District Judge. I am presently serving as union trustee.

The problems facing the Fund are very great. A recent court ruling added approximately 17,000 additional miners and widows to the pension fund rolls. The ruling was a tremendous victory for thousands of mining families who had been illegally denied the pension benefits for which they worked all their lives. But it placed an additional burden on the Fund's assets, depleted by years of misuse. Last year, the Fund paid out $34 million more than it took in. Yet, despite its financial problems, the Fund's present benefit program will have to be increased for it consigns coal miners to a future of pension poverty, rather than pension security. Soft coal miners, who are fortunate enough to qualify, retire on $150 a month after 20 years work. Anthracite miners receive $30 a month pensions. If a man is killed in the mines, his widow receives no pension benefits. A disabled miner loses his medical protection four years after he is injured.

Two things are predictable in the negotiations for the 1974 contract.

The coal industry will be asked to contribute more for the welfare of its employees. And the coal industry will claim it can't afford to. I was raised in the coalfields and have been a coal miner all my working life. But I have never heard a coal operator say he was making any money. To hear the operators tell it, the coal industry is the longest-running nonprofit organization in the nation, devoted solely to providing employment for miners.

Profit figures tell another story. The profits of Old Ben Coal Company, a subsidiary of Standard Oil, rose 137 percent between 1968 and 1972 according to reports filed with the Security Exchange Commission. Peabody Coal, a subsidiary of Kennecott Copper Company, boasted an 84 percent rise in profits last year according to the same sources. Consolidation Coal Company, owned by Continental Oil, experienced a rise of 118 percent.

From 1969 to 1972, the combined profits of the following eight coal companies showed a net gain of 69.5 percent—North American Coal, Westmoreland Coal, Rochester and Pittsburgh Coal, Valley Camp Coal, Eastern Associated Coal, Zeigler Coal, Baukol-Noonan, and the Pittston Company's coal divisions.

The United Mine Workers will be responsible in its bargaining position. But the industry must recognize that coal miners are no longer willing to risk their lives and choke on coal dust eight hours a day, yet receive no pay when they are sick and retire after a lifetime of work on less than $40 a week.

The pick and shovel days are over. Coal miners, today, are skilled industrial workers. Increasingly, they are younger men, many of them Vietnam veterans. All of them are unwilling to repeat the history of their fathers who worked their lives and health away and have nothing to show for it.

The energy industry has reaped tremendous profits and the nation's industrial expansion has been fueled by the labor of coal miners. Now miners are asking for a just return. The new leadership of the United Mine Workers is determined that they receive it.

Sick pay, aid to disabled miners and widows, and increased pensions can only be won in future contract negotiations. But there is one goal that coal miners are unwilling to postpone—safety in the mines.

Over 100,000 coal miners have been killed in the nation's coal mines in this century alone. Think about that for a moment. We're not talking about statistics, but men. Men like Roger Argabrite, a 26-year-old coal miner from Lynco, West Virginia, and father of two children, crushed by a roof fall April 26th in an Eastern Associated Coal Corporation mine. Or Kenneth Holland, a 21 year-old coal miner from Browder, Kentucky caught in a conveyor belt in a Peabody Coal Company mine on April 9th and run through its rollers. He left a wife and child.

The nation's coalfields are littered with the human debris of the mining industry—men with one arm, or two fingers on a hand, men whose backs were broken by tons of mine roof that fell silently, without warning. Widows who never had the comfort of growing old with their husbands and children who grew up with a memory instead of a father. And the walking dead—the victims of black lung—whose every step is a reminder that their lungs are little more than masses of black coal dust.

My friends, coal miners have had enough of dying. Coal miners' wives have had enough of widowhood. Coal miners' children have been dressed in mourning too long.

For years we've heard that miners die because coal mining is inherently dangerous. It's a myth. Last July, nine coal miners died in a fire at Consolidation Coal's Blacksville No. 1 mine near Fairmont, West Virginia. They didn't die because coal mining is dangerous work. They died because Consolidation Coal Company violated the law.

When a piece of mine machinery is moved in the narrow confines of an underground coal mine, there is always the possibility it will come in contact with overhead electrical cables and cause a fire. West Virginia mining law requires the removal of any miner who is working beyond the piece of machinery before it is moved. Then, if a fire breaks out, no one will be trapped within the mine cut off from the circulating air.

Consol simply ignored this law when moving a huge continuous mining machine on July 20 even though there were only inches of clearance between the mine roof and the machine and an energized trolley wire overhead. Nine men were kept working beyond the machinery while it was moved. A fire broke out. The men were trapped and suffocated within an hour.

In the seven months preceding the fire, Blacksville No. 1 mine had been cited for 485 violations of the federal coal mine health and safety act and 465 violations of state mining laws. Sections of the mine had been shut down on 19 separate occasions for conditions of imminent danger and the mine had been cited 24 times for accumulation of flammable materials. Two days before the fire, Bureau of Mines inspectors had issued a violation notice for "excessive accumulations of loose coarse coal, oil, and grease on and round" the machine which caused the fire.

It wasn't fate that killed nine men in Blacksville, but corporate irresponsibility and greed. Production time would have been

lost if the nine men had been removed from the mine. And time, we are told, is money.

The argument that coal mining is unavoidably dangerous work fails to explain why other nations boast safety records vastly superior to the United States or why some American companies have made real progress in reducing fatalities and injuries.

American coal mines kill six times as many miners per million man shifts as West German mines, four times as many as British mines, and three times as many as coal mines in Russia. For *every* million tons of coal mined by the Pittston Company in 1970, at least one coal miner was killed and more than 35 suffered serious injuries. At U.S. Steel, on the other hand, with a total production of 18.7 million tons of coal in 1970 only one miner was killed in all of the company's mines and a total of 35 injured.

During my campaign, I pledged to the membership that coal will be mined safely or not at all. It is a pledge I intend to keep. The UMW safety division is assembling a team made up of veteran coal miners skilled in all areas of mine safety, attorneys trained in mine safety legislation, and physicians knowledgeable about miners' health problems. This team will be equipped to make on-site inspections of coal mines and provide immediate support in local safety disputes.

Since we have been in office, the new UMW safety division has provided assistance to two coal miners fired for refusing to operate unsafe equipment in a U.S. Pipe and Foundry mine in Alabama; members of a local union who refused to drink water from unsanitary, rat-infested containers at an Island Creek Coal Company mine in West Virginia; and rank-and-filers demanding the removal of a new foreman who had ordered them to work in hazardous methane gas at a U.S. Steel mine in Pennsylvania.

With the safety division's support, the Alabama miners were re-hired, the West Virginia miners filed a grievance against their company, and U.S. Steel agreed to put the foreman challenged by Pennsylvania miners into a safety training program.

The primary union responsibility for enforcing mine safety rests with local UMW safety committees. Under the 1971 contract, committees elected from each local union have the power to inspect coal mines and shut down any section in which they find an imminent danger.

In the past, safety committeemen who pursued their responsibility vigorously were often transferred by management to a workplace filled with water, forced to work in low coal, or fired. The companies felt free to take such action because they knew the United Mine Workers leadership would not intervene. That situation has changed.

Any safety committee which shuts down a section or mine which in its judgment poses a threat to the lives or health of coal miners will get the complete support of the UMW today. Perhaps when certain coal operators discover that it is more costly to run their mines unsafely than to run them safely, they will also discover that coal mining is not inherently dangerous.

The failure of former UMW leaders to support local safety committees parallels the present problem with the safety effort at the U.S. Bureau of Mines. Officials at top levels of the Bureau are so industry-oriented that they continually undercut the efforts of mine safety inspectors in the field. Instead of a department staffed with experienced personnel, trained in mine safety, the upper reaches of the Bureau have become an oasis for political job seekers and public relations specialists.

In January 1971, the White House hired Edward Failor as a $100 a day consultant at the Bureau of Mines. Failor's experience included political suport for Barry Goldwater in 1964, work as a paid lobbyist for the Iowa Association of Coin Operated Laundries, and service in the 1970 campaign of then-Republican Congressman Clark MacGregor against Senator Hubert Humphrey.

Mr. Failor had never been inside a coal mine, talked to a federal mine inspector, or read a copy of the coal mine health and safety act when he was hired by the Bureau. Nevertheless, a few weeks later, he was named by the White House as a $35,000-a-year assistant to Bureau of Mines Director Elburt Orborn and asked to establish a Bureau procedure for assessing penalties for violations of the 1969 Coal Mine Health and Safety Act.

A federal judge threw out Failor's first collection scheme in March of 1970 because it did not comply with the law's requirements. Undaunted, Failord drew upon his experience as a municipal judge in Dubuque, Iowa, and prepared a new procedure. In April 1970 and again in February 1971, West Virginia Congressman Ken Hechler warned the Bureau that the new assessment procedure again failed to comply with the law. The Government Accounting Office and the Comptroller General sounded similar warnings. The warnings went unheeded.

On March 9, 1973 U.S. District Court Judge Aubrey E. Robinson ruled in response to a suit by the Independent Coal Operators that the Bureau's assessment procedure was unlawful. The ruling virtually invalidated $24 million in penalties which had been assessed, but never collected, against coal companies.

There was no reaction from Ed Failor at the Bureau of Mines, however. He had already moved on to a job with the Committee for the Re-Election of the President. In late March, Failor was named to a high post in the Commerce Department.

Ed Failor's brief, inept reign at the Bureau of Mines might sound like the stuff of comedy. It isn't. During Failor's 18 months as head of the Bureau's assessment office, 271 men died violently in mine accidents, 40,000 miners were injured, and about 2,000 more were disabled for the rest of their lives.

Donald Schlick is Deputy Director for Health and Safety at the Bureau.

Last year, he amazed just about everyone by declaring that as a result of the Bureau's enforcement of dust control standards, black lung is a disease of the past. Not a single medical authority could be found to support this claim, nor had any independent study been made to verify that the sampling devices used by the Bureau accurately measure coal dust in a mine. Privately, Bureau officials concede that the sampling technique probably couldn't withstand a court challenge by coal operators. Coal miners, who continue to spit up mouthfuls of black coal dust after each shift, found Schlick's statement strangely reminiscent of the claims, made up until several years ago, that black lung does not exist.

Two months ago, Donald Schlick informed the world that, due to the Bureau's efforts, it is now safer to work in a coal mine than to drive a car on the nation's highway, a statement which prompted one coal miner to vow never to take a ride with Mr. Schlick at the wheel. Bureau Director Osborn was moved to point out that there had, in fact, been an increase in the over-all injury rate during 1972. And a dedicated information officer at the Bureau was courageous enough to say in response to reporters' inquiries, that "For anyone to make this kind of comparison would indicate he had no clear concept of the Bureau's mission."

More disturbing than Mr. Schlick's public relations gimmickry is his cozy relationship with the industry he is mandated to regulate. The Louisville Courier-Journal recently revealed that Schlick and two of his aides had accepted free transportation on a Food Machinery Corporation plane from Los Angeles to a company mine in Wyoming which the Bureau inspects. FMC has 5.9 million dollars in research contracts with the Bureau, and Department of Interior regulations prohibit acceptance of gifts or favors from companies doing business with it.

In an interview with the UMW Journal, Schlick acknowledged that he had also accepted free transportation on a plane owned by Mine Safety Appliances, another company doing business with the Bureau. And the Courier-Journal discovered that Mr. Schlick had apparently violated departmental ethics once again. Last fall the Courier said, Schlick had accepted five free football tickets and a weekend holiday provided by the Virginia Polytechnic Institute, which has had over $250,000 in research contracts with the Bureau over the past five years.

The day before he and his family left for their football weekend, Schlick sent a strongly worded memo to the Bureau's deputy director for mineral resources stating he was "quite chagrined" to learn that a proposed $585,000 contract between the Bureau and VPI had been disapproved. Schlick wrote that "I strongly suggest that you reconsider this project" and fund it in total. The next day he was off to the ballgame.

On April 1, Schlick received a reprimand from Acting Secretary of Interior John Whitaker for accepting the free transportation on the FMC plane. According to Whitaker any repetition of such conduct would result in Schlick's immediate suspension and possible dismissal.

Yet the letter made no mention at all of the other instance of travel on a company plane or the acceptance of gifs from VPI. A month has gone by and the Department has not commented on the incidents.

How can the nation's coal miners have any confidence in an official who continually violates regulations against acceptance of favors from companies he is supposed to regulate? In the face of the Department's silence on two apparent violations of its ethics, can the public be confident that there will be "no whitewash" at the Bureau of Mines?

If Mr. Schlick's actions were isolated indiscretions, they might be overlooked. Unfortunately, they are consistent with the Bureau's history of coziness with the coal industry. Too many fines have gone uncollected. Too many warnings that collection procedures will not withstand a court challenge have gone unheeded.

Until the Bureau of Mines cleans its house of self-serving political appointees and public relations artists; until the Bureau recognizes that its mission is to clean up the mines, not strike a balance between productivity and saving men's lives; and until the Bureau understands that its constituents are American coal miners, not coal company executives, it will remain an agency with little credibility in the nation's coalfields or at the United Mine Workers of America.

Before closing, I want to touch briefly on the UMW's role in the labor movement and our recent legislative efforts.

The United Mine Workers was once a leader in the labor movement and every coal miner can take pride that his union helped build the United Steelworkers of America, the United Auto Workers of America, and the CIO. The UMW, allied with other progressive trade unions, intends to be a vital force in the labor movement once again.

In the four months the new administration has been in office, the UMW has supported a successful strike by members of the National Union of Drug and Hospital Employees in Richlands, Virginia; a successful organizing effort by reporters and editors in Morgantown, West Virginia; a recognition strike by members of the Communication Workers of America at a Pikeville, Kentucky hospital; and the candidacy of James Morrissey, a rank-and-file reformer seeking the presidency of the National Maritime Union.

On the home front, we are getting ready to launch a major UMW organizing drive—the first in over a decade—aimed at the large surface mines opening up out west and

the hundreds of smaller non-union mines throughout the eastern coalfields. Close to 50,000 non-union coal miners in the United States produce over one hundred million tons of coal a year. Our organizing drive will end when every one of them is a United Mine Worker and a royalty is paid into the UMW Welfare and Retirement Fund on every ton of coal they mine.

On the legislative front, UMW representatives testified recently on pension reform before the Special Pension Task Force of the House Committee on Education and Labor. In its testimony, the UMW supported the strongest possible provisions for early vesting, portability, standards for trustees, widows' benefits, and easy eligibility.

Our major legislative effort is to find congressional relief for the threat posed to coal miners because of industry's failure to develop sulphur control technology. As I pointed out in my recent statement on the energy crisis, present state regulations under the 1970 Clean Air Act will eliminate the jobs of 26,000 coal miners who mine coal too high in sulphur to burn under present pollution standards.

Coal miners remember when the mines automated in the 50's and hundreds of thousands of miners were thrown out of work. Automation of the mines was called progress, but its costs were borne only by the miners, not the industry or the public. Pollution control is also progress, but this time coal miners expect the nation and the industry to help bear its burdens as well as its rewards.

Despite threats of blackouts and brownouts and the nation's increasing need for electrical power, the administration has cut by $8 million funds mandated in the 1974 budget for sulphur control. We have asked the Congress to restore those funds and to institute a crash program to develop sulphur controls.

We had hoped that President Nixon's long-awaited energy message would commit the nation to development of its huge coal reserves as its most stable, long-term source of energy. Common sense and history both dictate such an approach. Coal represents 80 percent of our domestic energy supply. And in every political and economic crisis in recent times, the nation has turned to coal as the most reliable, abundant fuel here at home.

I could not help but note the irony when less than 24 hours after President Nixon announced elimination of oil import quotas, Saudi Arabia announced it would not expand its oil production unless the United States alters its political stance in the Middle East. It seems we cannot learn from the past. The President's new energy policy is based on the same heavy reliance on foreign supplies of energy that created the crisis we face today.

While we discuss band-aid solutions to the present fuel shortages such as recommendations that we tape our doors to prevent winter heat loss, over a trillion tons of coal lie untapped beneath our feet. Coal can guarantee the nation's energy needs for hundreds of years to come if we unchain our vast reserves. The alternative is political blackmail for decades to come. The key to self-sufficiency is coal.

Less than a year has passed since 400 rank-and-file coal miners braved threats of reprisals, blackball, and even murder to gather in Wheeling, West Virginia, to nominate their candidates for leadership of the United Mine Workers and to adopt a platform of goals for the future.

Many of the goals in that platform—sick pay, credit unions, a union headquarters in the coalfields, and safety in the mines—have not yet been fulfilled.

But rather than be discouraged, I am reminded of what a coal miner said at the Wheeling convention. This miner has been beaten bloody on the floor of the 1964 UMW convention for trying to say what he believed.

In Wheeling, in 1972, at the Miners for Democracy convention, that same miner was chairing part of the proceedings. Several delegates from the floor complained to him that the convention was moving too slowly, and the miner acknowledged that it was true. But he didn't mind, he said, and gave the reason why.

"Democracy," the miner said, "always take a little longer."

GENERAL LEAVE

Mr. O'NEILL. Mr. Speaker, without creating a precedent, I ask unanimous consent that all Members may have permission to revise and extend their remarks in the RECORD today.

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

There was no objection.

I AM WHAT I AM

(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, there are those who have doubts about the present generation of young people, particularly the students in the schools. I believe that the present young generation is, on the whole, notwithstanding some who have fallen into drug use and into other grave abuses, the finest young generation we have ever had. They are generally stronger physically. They are generally keener intellectually, and, in general, I think they are more idealistic than their predecessor generation. A beautiful example of the finest qualities in a young student has been brought to my attention by my sister, Mrs. Sarah Pepper Willis, who teaches in the Fort Lauderdale Sunrise Junior High School, who has given me a poem entitled, "I Am What I Am," by a young English student in one of her classes, Jill Parker, age 13. I think this beautiful poem by this spiritual-minded and talented young lady will be of interest to my colleagues and our fellow countrymen and I include it in the RECORD immediately following these remarks:

I AM WHAT I AM

(By Jill Parker)

Moses fell to his knees in the dirt and the dust,
"I must get my people from Egypt, I must!"
The flaming bush burned fiery red.
"Pharaoh shall know that my God is not dead."
"Moses go forth, be free of Pharoah's hand,
"Follow your God to the Promised Land."
"But who shall I say is their Master on High?"
And God sat back and gave a small sigh,
"I am what I am. That is my Name."
And the bush burned brighter, extending its flame.
Moses led his people to the Promised Land,
And all was accomplished by God's mighty hand.

THREATENED PETROLEUM SHORTAGE

(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, we all know about the threatened petroleum shortage in this country. We are told that there is a possibility that gasoline rationing may be required. Such action would be a shock to the people of this country and would impose upon them immeasurable burden and inconvenience. The Florida Petroleum Marketers Association, with its principal office in Tallahassee, has submitted to me a series of resolutions which this knowledgeable group of independent distributors believe will relieve or do much to relieve the threatened shortage. Mr. Speaker, I include these resolutions in the RECORD immediately following these remarks:

RESOLUTION

Whereas increased exploration, production, and refining capacity must be forthcoming at the earliest possible date if our nation is to avert a continuing energy crisis, and

Whereas incentives must be increased to encourage expenditure of capital to produce the petroleum energy to meet the increased consumer demand,

Now, therefore, be it resolved that the Florida Petroleum Marketers Association does hereby endorse and encourage Congress to restore the percentage depletion allowance to 27½% and provide additional investment credits for the increased refinery capacity necessary to avert a continuing energy crisis and provide the necessary petroleum products for the consuming public, and

Be it further resolved that copies of this Resolution be supplied to the Florida Legislature and interested State Agencies of Florida.

Adopted this day, May 4, 1973, at the general meeting session of the Association at Tampa, Florida.

RESOLUTION

Whereas the world shortage of crude and refined products has caused the price of foreign products to be in excess of domestic crude and refined products, and

Whereas the Cost of Living Council has restricted the price increases of the 23 major petroleum supplying companies that can be passed on to no more than 1½%, and

Whereas the importation of foreign petroleum products would not be economically feasible under the Cost of Living guidelines, since such increased price could not be passed on,

Now, therefore, be it resolved that the Florida Petroleum Marketers Association does hereby endorse and encourage that the President of the United States immediately lift such Cost of Living restrictions on these 23 major supplying companies as a positive step towards increasing the supply of petroleum products in the United States, and

Be it further resolved that copies of this Resolution be supplied to the Florida Legislature and interested State Agencies of Florida.

Adopted this day, May 4, 1973, at the general meeting session of the Association at Tampa, Florida.

RESOLUTION

Whereas the completion of the Alaskan Pipeline from Prudhoe Bay would do much towards eliminating the current energy crisis, and

Whereas the President has recommended that Congress pass the necessary legislation to increase the right-of-way through the Federally owned lands in Alaska that the oil companies need to construct the pipeline.

Therefore, be it resolved that the Florida Petroleum Marketers Association does hereby endorse and encourage Congress to pass this

legislation as early as possible as a priority matter, and

Be it further resolved that copies of this Resolution be supplied to the Florida Legislature and interested State Agencies of Florida.

Adopted this day, May 4, 1973, at the general meeting session of the Association at Tampa, Florida.

RESOLUTION

Whereas much of the energy shortage has been brought about through restrictive E.P.A. Regulations in the use of certain petroleum products and coal, in the generation of electricity, and

Whereas much of the energy shortage is contributable to the restrictive standards placed upon automobile gasoline and emissions, and

Whereas the generation of electricity through the use of No. 2 heating oil has proven to be an uneconomical use of No. 2 heating oil, taking four gallons of oil to produce the equivalent amount of energy as one gallon of oil, and

Whereas the use of such No. 2 heating oil in generating electricity has severely increased the demand of such product and whereas utility companies are willing to pay excessive prices for such fuel oil products and thus further increase the shortage of heating oil for home and industrial consumption.

Now, therefore, be it resolved that the Florida Petroleum Marketers Association does hereby endorse and encourage Congress to pass such legislation that would increase the well head price of natural gas, and the temporary suspension of current restrictive E.P.A. Regulations on the use of petroleum products, and

Be it further resolved that copies of this Resolution be supplied to the Florida Legislature and interested State Agencies of Florida.

Adopted this day, May 4, 1973, at the general meeting session of the Association at Tampa, Florida.

RESOLUTION

Whereas the independent branded jobber has traditionally paid a premium for his branded product because of brand identification, credit cards, national advertising and has, through the years represented his supplier's brand and image throughout his territory, and

Whereas the margins of profit of the independent branded jobbers have traditionally been based upon corresponding increases in the tankwagon price of petroleum products, when wholesale prices were increased, and

Whereas the independent jobber has traditionally received cash discounts upon payment of his product accounts within 10 days, and

Whereas the independent jobber has traditionally received hauling allowances based upon the published rates of the Public Service Commission, and

Whereas the independent jobbers have been placed upon product allocations that are based upon his 1972 sales due to the overall product shortage.

Therefore, be it resolved that the members of the Florida Petroleum Marketers Association do hereby urge that their respective supplying companies adhere to these long established policies of accompanying wholesale price increases with tankwagon price increases, the normal cash discounts and hauling allowances and just and equitable product allowances and just and equitable product allocation between jobber and direct company operations.

Adopted this day, May 4, 1973, at the general meeting session of the Association at Tampa, Florida.

REPRESENTATIVE PEPPER URGES RENT CONTROL FOR GREATER MIAMI AREA

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

Mr. PEPPER. Mr. Speaker, I am advised that under the legislation we recently extended the President has authority to impose rent controls where he feels the situation justifies it. In my district there is a severe need for such controls to be imposed. Ours is an area where there is less than 1-percent vacancy in available rental space. In my county of Dade, I am advised that 41 percent of the population overpays for rent. In some areas, particularly Miami Beach, it is my understanding that the ratio is even higher with over 50 percent of the population over 60 years of age overpaying for their housing as much as two-thirds of their income. I have written a letter to the President respectfully urging that he consider the problems in the Greater Miami area and take such action as will be necessary and effective to protect the people of that area, particularly people of low income, from paying excessive rent. My letter to the President follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 24, 1973.

Hon. RICHARD M. NIXON,
President,
United States of America.

MY DEAR MR. PRESIDENT: You will please allow me to bring to your attention the fact that excessive increases in rent are plaguing many communities in our nation and victimizing, among others, thousands of elderly Americans who retired to live in these communities on fixed incomes.

South Florida leads the country in new housing construction, I understand. However, both Federal and state programs have failed to alleviate the less than 1% vacancy rate for available housing including substandard dwellings. I am informed the highest rents in the country are those in Broward County, Florida. In Dade County, 41% of the population overpays for rent (over-payment being defined as more than 25% of income for rent). In some areas in Dade County, including parts of Miami Beach, I am informed the figure is even higher, with more than 50% of the population over 60 years of age over-paying for their housing as much as two-thirds of their income. I am confident similar conditions prevail in other states, most particularly New York, California, Illinois and others that have a large concentration of elderly Americans. During Phase II, many on the front lines in the battle against inflation thought the rent stabilization guidelines to be a meager governmental effort, hardly meaningful. But with the coming of Phase III every tenant was to learn just how bad housing facilities could be. In Dade County, there has been a continuing rash of rent increases averaging over 30% for all types of accommodations. This has burdened low-income elderly, and even middle and upper income elderly!

Mr. President, I respectfully submit that you have the mandate from the Congress under the Economic Stabilization Act, to stop this tragic exploitation of our nation's elderly, and to authorize and direct the stabilization of rents at levels prevailing on January 10, 1973, in communities where a less than 1% vacancy rate is indicated.

I am hopeful that you will consider favorably my request and that we may recognize and assume Federal responsibility for the elderly as a target group under the Economic Stabilization Act.

Believe me.

Very sincerely,

CLAUDE PEPPER,
Member of Congress.

A SUMMARY—FOR NOW—OF THE QUESTION OF AMNESTY

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 15 minutes.

Mr. ROBISON of New York. Mr. Speaker, if Congress were to discuss amnesty as objectively as some of my constituents, this country could quickly find its direction on the issue and move to a new reconciliation—what I would like to think of as a "new patriotism"—and build again on the social bonds which have united this country in the past.

Since I began speaking to the House on the subject of amnesty, in what has now stretched to a series of six weekly statements, I have received 31 constituent letters which directly comment on my remarks. Nineteen of those letters are in varying degrees complimentary to my comments, and 12 vary in the degree of their disapproval. I have included a few examples of these remarks in previous statements, and today I will insert a few more which indicate the kind of response I am getting.

A Broome County New Yorker writes:

As you have asked for peoples' views on amnesty, these are our personal feelings.

Think of the boys who went because of pride and courage and love of their country. Some of whom lost their lives, their limbs, their minds. In fact gave their all. Now some people want to let the cowards and conscientious objectors come crawling back to this country they wouldn't fight for.

We think this is a good way to promote a country of weaklings.

Why should anyone fight for their country if they know they will be protected and can come back when the war is over?

From the same county in New York:

Today's paper says you have received 20 letters on this subject [of amnesty].

To me, it is no less than shocking that you would espouse a cause of those who are devoid of any sense of national patriotism.

Although you have been honored by elevation to the 33° in Scottish Rite Masonry, it is obvious you have not learned (nor agreed with) the teaching that our nation is not to be betrayed nor deserted, as portrayed in the 20°.

Many of us subscribe to the form of patriotism that makes a man's decision to walk out on his country an act that deprives him of his citizenship, his pride in the honor this flag—and makes him a man without a country.

What meaning can an oath of citizenship have to those adopting this great nation as theirs—if our natural born are allowed to desecrate our flag by deserting it?

Do you hear us?

That message I "heard," Mr. Speaker, but there were other voices as still another Broome County constituent writes to say:

I have been planning to write to you about the amnesty issue long before it was announced that you were placing the matter solidly before the U.S. Congress.

I have heartily agreed with our respected President as to the priority of returning our servicemen and prisoners of war before the amnesty question could be justly considered.

We solid supporters of President Nixon have always felt that the "planetary poker" game, in which he is engaged, has required tremendous courage as a necessity to project a firm and tough image to the world. We have always been warned by the occasions when he comes across the television media as a very sincere, God-fearing man who will eventually "bring us together."

When he reiterates his "no amnesty" position, we of the silent majority have been telling ourselves that it is just a matter of time until he reveals his true feelings.

Those young resisters who felt no more or less bitter about the previous Administration's involvement in this obviously useless war than he did, expressed themselves in the loudest and only effective way open to them. They couldn't even vote.

Didn't we parents cast the votes to give Mr. Nixon the authority to fulfill his promise to end our participation?

Now that he has done a superb job of getting our men out of Viet Nam, it seems unthinkable that he could turn his back on the resisters. They helped to awaken the nation to the true state of affairs, and no doubt had a great influence on the Presidential vote in his favor.

I believe that you share with us the strong conviction that the time for amnesty is now.

We can not judge those who would not violate their consciences, nor can we assess the guilt or honor of those who fought the fight willingly or unwillingly. Only God can preside over that "court."

But this Easter Day one might come closer to the right answer through the message that rings louder than ever. "Father forgive them."

This letter would be sent directly to President Nixon if I thought it possible to reach him with such a simple message. I am grateful to be able to write to you in confidence that you're still concerned, and will keep this matter before Congress until the less courageous Members express themselves in favor of this worthy cause.

And, from Tompkins County:

Our Ithaca news is to the effect that you have attempted to stimulate some thinking among your colleagues on the matter of draft dodgers and deserters. The report is that Congress is not much interested at this time. But you have the initiative and I say good for you.

From meager details I infer your point is that draft dodgers and deserters should not be welcomed back as heroes of free thinking and conscience, neither forever banished. DD and D's may be dishonored, disgraced and deplored, but not despised, detested, and disenfranchised. When they pay their reasonable debt, as law breakers must, in recognition of those who gave time, life, and limb in patriotic service, we can then accept them again into our society as we do others who decide in some incident to live outside the mores of our people.

I interpret the news as saying your position is for justice but not revenge. I applaud your stand.

It has not been exactly by choice that I have emerged as a Congressional "litmus test"—as some Members of Congress and others watch for any form of reaction to my speeches—yet, so be it. For those who may be interested in more closely defining the parameters of the test, it may be appropriate to mention that the above letters came from a Congressional District in which 53 percent of the population is classified as urban, 2.6 percent as rural farm residents and the remaining 44.4 percent as rural nonfarm residents. The median age is 28.1, and the per capita income $3,026. During the last congressional election, I received approximately 62 percent of the vote and my Democratic opponent drew 29 percent, with two other candidates splitting the remainder.

With no recent registration figures available, I would characterize party affiliation in my district as a mix between an active liberal Democratic minority, approximating 30–33 percent of registered voters, with the majority, about 60–63 percent being moderate to conservative Republicans. The remaining voters are registered as conservatives, liberals and independents.

Out of that group comes a small but lively, and often profound, discussion of amnesty, generated by the weekly news reports of the statements I have made here. It may be presumptuous to suggest that any of my colleagues could expect the same, yet I wonder if many of those who have been reluctant to speak up this far are not misguessing the reaction their statements will receive at home. I would ask those of my colleagues who can make a singular contribution to the future concord and vitality of America to look more closely at my own experience, if they wish; or, at least, to look a little more closely to their own area. They may well find what I have: That most of their constituents have not made up their minds about amnesty, that these people are looking for some direction from the Congress, and that they will receive, in a mature manner, an objective and responsible discussion of amnesty from their Congressman.

Congress may not find a neat legislative solution to so complex a question, but individual Members of Congress can plumb the best thinking and the best instincts of their constituents in a way that could set the early foundations for a new unity in America. As my past statements have suggested, one way to do this is to review the history of amnesty in this country. Such hindsight is immensely instructive both for the examples it offers, and for those insights it suggests when one asks why Congress or the President have initiated clemencies in the past and, in some instances, why they have not. The most recent, and probably the most pertinent, of these examples, that of President Truman, elicits several necessary questions about the advisability of amnesty for the post-Vietnam period.

Mr. Speaker, during his administration, President Truman issued four amnesties—known as the Christmas amnesties. In his first clemency, announced on the morning of December 24, 1945, Mr. Truman granted full pardon for all nonmilitary crimes to those convicted men who had served during World War II and had received honorable discharges. This amnesty was President Truman's gesture of gratitude to those released convicts who had performed faithful military service during World War II.

At the time of his first proclamation, the President let it be known that he was considering a general amnesty for draft resisters and deserters. Shortly thereafter, a "Committee for Amnesty" was formed to consider the possibility and to make recommendations to the President. The committee's membership, which joined some of the most prominent and respected personalities of the day, included Henry Luce, Pearl Buck, Thomas Mann, A. J. Muste, Dorothy Canfield Fisher, Thorton Wilder, Harry Emerson Fosdick, Thurgood Marshall, and Frank Graham. The Amnesty Committee's preparatory work culminated in recommendations which became the substance of President Truman's Executive Order 9814 of December 23, 1946, which established the President's Amnesty Board. This three man body, headed by former Supreme Court Justice Owen J. Roberts, was empowered to "examine and consider the cases of all persons convicted of violation of the Selective Training and Service Act of 1940." Together with Roberts, the Board included Mr. Willis Smith, former President of the American Bar Association, and Mr. James F. O'Neill, former police chief of Manchester, N.H.

The Amnesty Board was a new approach to the granting of clemency in the United States. Recognizing the diversity of the individuals involved, and the variety of the emotional and rational commitment which led them to resist the draft or desert the armed forces, this Presidential act provided for a case-by-case deliberation by the Board. There were 15,805 individual cases referred to the Board, and each was treated as a separate problem.

It is noted in one commentary on the Board's activity that the members had considered the grant of a general amnesty at the outset, but they subsequently decided not to make such a recommendation, because their Presidential mandate strongly inferred that cases be dealt with individually.

To provide such attention to each case, the Board had the assistance of 16 attorneys who gathered data on the family history, school and work records, criminal records, and selective service history of each violator. In accordance with the Executive order, the Amnesty Board could, when it chose, "make a report to the Attorney General which shall include its findings and its recommendations as to whether Executive clemency should be granted or denied, and in any case in which it recommends clemency, its recommendations with respect to the form that such clemency should take."

Using the data available to it, the Board took all mitigating circumstances into consideration, including ill health in the family, other family problems, illiteracy, or lack of understanding of obligations under the Selective Service Act. Each individual considered by the Board had the opportunity to file a brief or appear at a hearing to state his case. In addition, testimony was heard from rep-

resentatives of various religious organizations, citizen groups, veterans organizations, and from officials of the U.S. Army, Navy, and National Selective Headquarters.

During 1972 hearings before the Senate Subcommittee on Administrative Practice and Procedure, Mr. James F. O'Neill, the only surviving member of the Truman Amnesty Review Board described the operation of the Board and included in the record of the hearings the "Report of the President's Amnesty Board." Since that report provides a succinct description of the operation and the conclusions of the Amnesty Board, I will insert it in the RECORD at this point:

REPORT OF THE PRESIDENT'S AMNESTY BOARD

The President's Amnesty Board, established by Executive Order of December 23, 1946, to review convictions under the Selective Training and Service Act of 1920, has completed its task and submits this, its first and final report.

Before adopting any general policies, the Board heard representatives of interested parties and groups. It heard representatives of historic peace churches, of the Federal Council of Churches of Christ in America, leaders of the Watchtower Bible and Tract Society (whose followers are known as Jehovah's Witnesses), officials of the U.S. Army and Navy, and the National Headquarters of Selective Service, representatives of citizen's groups, veterans' organizations and pacifist organizations, some of the violators themselves, formerly inmates of penal institutions, appeared, either in person or by representatives and were heard.

In perhaps one half of the cases considered, the files reflected a prior record of one or more serious criminal offenses. The Board would have failed in its duty to society and to the memory of the men who fought and died to protect it, had amnesty been recommended in these cases. Nor could the Board have justified its existence, had a policy been adopted of refusing pardon to all.

In establishing policies, therefore, we were called upon to reconcile divergencies, and to adopt a course which would, on the one hand, be humane and in accordance with the tradition of the United States, and yet, on the other hand, would uphold the spirit of the law.

Examination of the large number of cases at the outset convinced us that to do justice to each individual as well as to the nation, it would be necessary to review each case upon its merit with the view of recommending individual pardons, and that no group would be granted amnesty as such.

Adequate review of the 15,805 cases brought to our attention would have been impossible had it not been for the cooperation of government departments and agencies, such as the Office of the Attorney General, the Federal Bureau of Investigation, the Bureau of Prisons, the Criminal Division of the Department of Justice, the U.S. Probation Officers, the Administrative Office of the U.S. Courts, U.S. Attorneys throughout the country, the Armed Forces of the U.S., and the Headquarters of Selective Service. The records of these offices were made available, and those in charge furnished requested information.

The information derived from all sources was briefed by a corps of trained reviewers. It included such essential data as family history, school and work records, prior criminal record, if any, religious affiliations and practices, Selective Service history, nature and circumstances of offenses, punishment imposed, time actually served in confinement, custodial records, probation reports, and conduct in society after release. In addition, the Board heard in most instances psychiatric reports for one or more voluntary statements by the offender concerning the circumstances of the offense.

When the Board organized in January 1946, about 1,200 of 15,805 violators of Selective Service were in penal institutions, the number diminished daily. At the present time there are 626 in custody; 550 of these have been committed since the constitution of this Board. The work of the Board was directed chiefly to examining the propriety of recommending restoration of civil rights to those who have been returned to their homes.

In analyzing the cases we found that they fell into classes, but that in each class there were exceptional cases which took the offender out of the class and entitled him to special consideration. The main divisions into which the cases fell were : (1) those in violation due to a wilful intent to evade service; and (2) those resulting from beliefs derived from religious training or other convictions.

At least two thirds of the cases considered were those of wilful violations, not based on religious scruples. These varied greatly in the light of all the relevant facts disclosed in each case. It became necessary to consider not only the circumstances leading to the offense, but the subject's background, education and environment. In some instances what appeared a wilful violation was in fact due to ignorance, illiteracy, honest misunderstanding or carelessness not rising to the level of criminal negligence. In other cases the record showed a desire to remedy the fault by enlistment in the Armed Forces.

Many of the wilful violators were men with criminal records; many whose record included murder, rape, burglary, larceny, robbery, larceny of Government property, fraudulent enlistment, conspiracy to rob, arson, violations of the narcotics law, violations of the immigration laws, counterfeiting, desertion from the U.S. Armed Forces, embezzlement, breaking and entering, bigamy, drinking benzedrine to deceive medical examiners, felonious assault, violations of National Motor Vehicle Theft Act, extortion, blackmail, impersonation, insurance frauds, bribery, black market operations and other offenses of equally serious nature; men who were seeking to escape detection for crimes committed; fugitives from justice; wife deserters; and others who had ulterior motives for escaping the draft. Those who for these or similar reasons exhibited a deliberate evasion of the law, indicating no respect for the law or the civil rights to which they might have been restored, are not, in our judgment, deserving of a restoration of their civil rights, and we have not recommended them for pardon.

Among the violators, quite a number are now mental cases. We have made no attempt to deal with them, since most of them remain in mental institutions with little or no chance of recovery. Until they recover mental health, their loss of civil rights imposes no undue burden.

The Board has made no recommendation respecting another class of violators. These are the men who qualify for automatic pardon pursuant to Presidential Proclamation No. 2676, dated December 24, 1946. They are the violators who, after conviction, volunteered for service in the Armed Forces prior to December 24, 1945, have received honorable discharges following one year or more of duty. Most of those who, prior to the last-mentioned date and subsequent to that date, entered the Army and received honorable discharges with less than a year of service have been recommended for pardon. These men have brought themselves within the equity of Presidential Proclamation No. 2676.

The second class of violators consists of those who refused to comply with the law because of their religious training, or their religious, political or sociological beliefs. We have classified them, generally, as conscientious objectors. It is of interest that less than six percent of those convicted of violating the act asserted conscientious conviction as the basis of their action. This percentage excludes Jehovah's Witnesses, whose cases were dealt with hereafter. Although the percentage was small, these cases presented difficult problems.

The Selective Service Boards faced a very difficult task in administering the provisions concerning religious conscientious objection. Generally speaking, they construed the exemption liberally. Naturally, however, Boards in different localities differed somewhat in their application of the exemption. In recommending pardons, we have been conscious of hardships resulting from the factor of error.

Many of the Selective Service Boards did not consider membership in an historic peace church as a condition to exemption to those asserting religious conscientious objection to military service. Nor have our recommendations as to those who were members of no sect or religious group, if the subject's record and all the circumstances indicated that he was motivated by a sincere religious belief. We have found some violators who acted upon an essentially religious belief, but were unable properly to present their claims for exemption. We have recommended them for pardon.

We found that some who sought exemption as conscientious objectors were not such within the purview of the Act. These are men who asserted no religious training or belief but founded their objections on intellectual political or sociological convictions resulting from the individual's reasoning and personal economic or political philosophy. We have not felt justified in recommending those who thus have set themselves up as wise and more competent than society to determine their duty to come to the defense of the nation.

Some of those who asserted conscientious objection were found to have been moved in fact by fear, the desire to evade military service, or the wish to remain as long as possible in highly paid employment.

Under the law, the man who received a IV–E classification as a conscientious objector, instead of being inducted into the Armed Forces, was assigned to a Civilian Public Service Camp. The National Headquarters of Selective Service estimates that about 12,000 men received this classification, entered camps and performed the duties assigned them. Certain conscientious objectors refused to go to such camps, refused to comply with regulations and violated the rules of the camps in various ways as a protest against what they thought unconstitutional or unfair administration of the camps. Some deserted the camps for similar reasons. We may concede their good faith. But they refused to submit to the provisions of the Selective Service Act, and were convicted for their intentional violation of the law. There was a method to test the legality of their detention in the courts. A few of them resorted to that method. Where other circumstances warranted we have recommended them for pardon. But most of them simply asserted their superiority to the law and determined to follow their own wish and defy the law. We think that this attitude should not be condoned, and we have refrained from recommending such persons for favorable consideration, unless there were extenuating circumstances.

Closely analogous to conscientious objectors, and yet not within the fair interpretation of the phrase, were a smaller, though not inconsequential number of American citizens of Japanese ancestry who were removed in the early stages of the war, under military authority, from their homes in definite coastal areas and placed in war relocation centers. Although we recognize the urgent necessities of military defense, we fully appreciate the nature of their feelings and their reactions to orders from local Selec-

tive Service Boards. Prior to their removal from their homes, they had been law-abiding and loyal citizens. They deeply resented classification as undesirables. Most of them remained loyal to the U.S. and indicated a desire to remain in this country and to fight in its defense, provided their rights of citizenship were recognized. For these we have recommended pardon, in the belief that they will justify our confidence in their loyalty.

Some 4,300 cases were those of Jehovah's Witnesses, whose difficulties arose over their insistence that each of them should be accorded a ministerial status and consequent complete exemption from military service, or Civilian Public Service Camp duty. The organization of the sect is dissimilar to that of the ordinary denomination. It is difficult to find a standard by which to classify a member of the sect as a minister in the usual meaning of that term. It is interesting to note that no representations were made to Congress when the Selective Service Act was under consideration with respect to the ministerial status of the members of this group. Some time after the Selective Service Act became law, and after many had been accorded the conscientious objector status, the leaders of the sect asserted that all of its members were ministers. Many Selective Service Boards classified Jehovah's Witnesses as conscientious objectors, and consequently assigned them to Civilian Public Service Camps. A few at first accepted this classification, but after the policy of claiming ministerial status had been adopted, they changed their claims and they and other members of the sect insisted upon complete exemption as ministers. The Headquarters of the Selective Service, after some consideration, ruled that those who devoted practically their entire time to "witnessing," should be classified as ministers. The Watchtower Society made lists available to Selective Service. It is claimed that these lists were incomplete. The Selective Service Boards' problem was a difficult one. We have found that the action of the Boards was not wholly consistent in attributing ministerial status to Jehovah's Witnesses, and we have endeavored to correct any discrepancy by recommending pardon to those we think should have been classified.

The sect has many classes of persons who appear to be awarded their official titles by its headquarters, such as company servants, company publishers, advertising servants, etc. In the cases of almost all these persons, the member is employed full time in a gainful occupation in the secular world. He "witnesses," as it is said, by distributing leaflets, playing phonographs, calling at homes, selling literature, conducting meetings, etc. in his spare time, and on Sundays and holidays. He may devote a number of hours per month to these activities, but he is in no sense a "minister" as the phrase is commonly understood. We have not recommended for pardon any of these secular workers who have witnessed in their spare or non-working time. Many of them perhaps would have been granted classifications other than I–A had they applied for them. They persistently refused to accept any classification except that of IV–D, representing ministerial, and therefore, complete exemption. Most of their offenses embraced refusal to register, refusal to submit to physical examination, and refusal to report for induction. They went to jail because of these refusals. Many, however, were awarded a IV–E classification as conscientious objectors, notwithstanding their protestation that they did not want it. These, when ordered to report to Civilian Public Service Camp, refused to do so and suffered conviction and imprisonment rather than comply. While few of these offenders had theretofore been violators of the law, we cannot condone their selective service offenses, nor recommend them for pardons. To do so would be to sanction an assertion by a citizen that he is above the law; that he makes his own law; and that he refused to yield his opinion to that of organized society on the question of his country's need for service.

In summary we may state that there were 15,805 Selective Service violation cases inducted. In this total there were approximately 10,000 willful violators, 4,300 Jehovah's witnesses, 1,000 religious conscientious objectors and 500 other types. Of this total 612 were granted Presidential pardons because of a year or more service with honorable discharges from the Armed Forces. An additional approximate 900 entered the Armed Forces and may become eligible for pardon upon the completion of their service. When the Board was created, there were 1,200 offenders in custody. Since that date an additional 550 have been institutionalized. At the present time, there are 626 in confinement, only 76 of whom were in custody in January 6, 1947.

Tabulation

Convictions under Selective Service Act considered	15,805
Willful violators (nonconscientious objectors) (approximately)	10,000
Jehovah's Witnesses (approximately)	4,300
Conscientious objectors (approximately)	1,000
Other types of violators	500
Those who have received Presidential pardons under Presidential Proclamation 2676, dated Dec. 24, 1945 (approximately)	618
Those who entered the Armed Forces and may be receiving pardon (approximately)	900
Total	1,518
Recommended by this Board	1,523
Total recommended for pardon and who may earn pardon through service in the Armed Forces	3,041

The Board recommends that Executive Clemency be extended to the 1,523 individuals whose names appear on the attached list, attested as to its correctness by the Executive Secretary of the Board, and that each person named receive a pardon for his violation of the Selective Training and Service Act of 1940 as amended.

Almost a year after its inception, on December 23, 1947, the Amnesty Board's recommendations to the President were finalized in a grant of amnesty to 1,523 individuals—about 1 in 10 of the 15,805 considered.

Several newspapers of the day editorialized for amnesty after the final decision of the Amnesty Board. One, the Washington Post, stated in its Christmas issue:

Such persons broke the law not for personal gain, not because they sought some special advantage over their fellow citizens, but because, however mistakenly, they believed they could not in good conscience obey the law. Some of these, to whom pardons were denied, were described by the board as persons whose objections to military service were based on "intellectual, political or sociological convictions resulting from the individual's reasoning and personal economic and political philosophy." These men have been punished—severely punished. They have served terms in prison. Amnesty would operate only to restore their civil rights. Now that the war is over, we cannot see that the security of the Nation, or even the welfare of society would be endangered by generosity in dealing with their offense, essentially political in character. Certainly in time of peace these men cannot be deemed antisocial. The United States can afford the luxury of treating them magnanimously.

President Truman chose to refrain from further discussions on amnesty until the latter days of his final administration. This was despite the efforts of several private organizations working for further clemency. On December 24, 1952, Mr. Truman issued two proclamations regarding clemency. The first, Proclamation 300, pardoned all former convicts who had served in the Armed Forces for at least 1 year after June 25, 1950, and Proclamation 3001 pardoned all deserters after World War II and before the Korean war—August 15, 1945, through June 25, 1950—and restored all their rights. Unlike the final gestures following the Whisky Rebellion and the Civil War, there was no Presidential action for an unqualified clemency to draft resisters and the deserters of the Armed Forces after World War II.

Mr. Speaker, my six statements to the House do not exhaust the topic of amnesty, but they have provided a generous opportunity to get my point across. I had intended at the outset of these presentations that there should be a limit to them and, though I was not sure of the response, I had hopes of sparking some form of expanded discussion on the possibilities for at least a limited amnesty. Following the divisiveness which the Indochinese war has brought to this country, it seemed that a resolve of Congress to bring us together again might be one redeeming outcome of so many disturbing years.

I began these statements with the contention that I was uncertain about the President's true position on amnesty. Much like the third constituent quoted above, I have been waiting for Mr. Nixon to speak his true feelings—the kind he indicated to TV interviewer Dan Rather several months ago. I also said then that, if the President's more recent statements mean that he is against blanket amnesty, then our viewpoints are joined. But, if he meant, on the other hand, that he is forever opposed to considering each individual case for amnesty on its own merits—on some sort of conditional basis yet to be worked out—then there are differences between us.

Time has not changed my view, nor has it clarified the President's. In Congress, discussion of the issue has not commenced to the degree necessary to affect large numbers of citizens; and I must accept that silence as the only available and practical course this Congress, in its collective judgment is willing to take at this point in time regarding such a highly-charged public issue.

If my speeches have produced any happy result, it is the hard soul-searching and wisdom which has come from some of my own constituents, as they have considered and responded to my remarks. In concluding these statements today, I cannot be gratified by the response in Congress, but I am immensely proud to represent the citizens of the 27th District of New York.

I have not stirred many of them—only a handful, really—sufficiently to lead them to sit down and write me their thoughts for or against amnesty which,

coming as it does from the Greek word for a "forgetting," does not imply the condoning of an act but simply the desire to allow for a fresh start by wiping error from the record. But I suspect—indeed, I hope, Mr. Speaker—that I have gotten a goodly number of those others who have not written to me to think about the issues involved in a broader way than might otherwise have been the case had I not spoken out; to think about what the term "peace with honor" means in its own broader contexts, to consider the historical record of past amnesties in this Nation, to consider the related implications of our own Government's willingness to consider at some future time some form of reconstruction aid to our former enemies in North Vietnam, and to appreciate the fact that some of our young people who were not draft-dodgers had college deferments from which safe distance they condemned possibly better men than they who were dying to give them that privilege.

To my constituents who have thought about these things—even to those who blasted me in no uncertain terms for suggesting them—my thanks.

To my colleagues who, in moderate voices, might also wish to speak out along the same lines—my hopes that they eventually will, reassured by my own example that one can do so and come out of the experience more or less whole, politically speaking.

And now, I confess, Mr. Speaker, I am no surer of the right and wrong side of the amnesty issue than when I began this effort. But that I am more confident than before that a nation which is as big as ours in so many ways—big enough, indeed, to rebuild enemy lands and to restore comforts to a people once alienated as we have done in the past and probably will do again—is also big enough to embrace its own children with forgiveness and write a better page in history than the last decade would indicate it might.

HON. JEANNETTE RANKIN

The SPEAKER. Under a previous order of the House, the gentlewoman from Massachusetts (Mrs. HECKLER) is recognized for 5 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is with deep sadness mixed with profound appreciation for a life well lived that I take note of the passing of the first woman elected to this House—the Honorable Jeannette Rankin, of Montana.

Representative Rankin followed her convictions to the fullest each day.

She opposed war. She did not equivocate on that score. She always voted her conscience even though it meant taking a stand all alone.

In addition, as one of the earliest leaders of the women's suffrage movement, she succeeded in pushing for passage in her home State of Montana the women's right to vote 6 years before the ratification of the 19th amendment to the U.S. Constitution. In Congress, she authored the first bill seeking Government-sponsored hygiene programs for maternity and infancy. Throughout her long and active life, she worked tirelessly for causes in the field of women's rights, election reform, and peace.

The example she set for women legislators—and for all legislators—in fighting for and sticking to firmly held moral and humane beliefs will live as a continuing memorial to this outstanding American.

FUEL SHORTAGE

The SPEAKER. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, demands for crude oil in America are outstripping the supply and, as a result, we are beginning to feel the first effects of the warnings given many months ago of the oncoming energy crisis in this country.

The current shortage of fuel throughout the Nation can be traced in part to the heavy demand earlier this year which prevented the oil industry from building inventories for the coming heavy summer months.

The nationwide demand for gasoline this summer is expected to increase by 7 percent over last year.

The fact is that domestic crude supplies are short and they are growing shorter. Foreign crude availability is becoming more expensive and less dependable.

And so, some American oil companies have started to place a check on the amount of fuel allocated to their distributors and stations.

Economists are saying that the energy crisis is due to an unchecked rise in consumption of not only gas and oil, but electricity and coal and other forms of energy. Sociologists, however, put the blame on too many people using too much electricity and driving too many automobiles.

Businessmen blame the ecologists whom they accuse of wanting to turn their backs on technology. Conservationists, on the other hand, believe the cause is rooted in business irresponsibilities like major oil spills, placing sulfur in the cities' air, and the mass misuse of the countryside.

The truth, I believe, is that the rising energy problem in the United States has been brought on by all of these things coming together at the same time.

I believe the shortage in supply we are now experiencing emphasizes that fact that we are going to have to face the question of offshore oil drilling, and Congress is going to have to act on the Alaskan pipeline question.

Some critics have complained that there is energy waste at present, because there is no energy policy, no single Federal agency riding herd on energy supply, demand, use, and consumption.

I dislike Federal controls as much as anybody, but I think this avenue should be investigated. Numerous Federal agencies already have piecemeal control. I have introduced a bill that would bring together all the Federal activities concerning energy under one Energy Policy Council so that a better watch can be maintained on the entire picture.

President Nixon has outlined a detailed program to Congress which he feels will provide long-range solutions.

Government and industry are taking steps to help lessen the immediate problem and they need help, the help of each individual citizen.

By cutting down on our consumption, we can all help the overall situation tremendously. Actually, we are told that if every driver in America used one less gallon of gasoline per week, there would be no shortage.

We can keep our cars tuned and well serviced. We can slow down. We can be conservative in our use of electricity and other energy sources. We have a lot to gain by doing so.

PRICE FIXING IN THE STOCK MARKET

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. Moss) is recognized for 5 minutes.

Mr. MOSS. Mr. Speaker, there is a curious contradiction that exists in one of our great industries—the securities industry—an industry that has done an outstanding job of raising capital for American businesses throughout the country. This industry, which contributes so greatly to the capitalist system in our country, is itself afraid to be a part of that system. Rather, the securities industry exists in the world of the cartel, a world consisting of, among other things, the fixing of prices.

When a customer goes into a stockbroker's office to buy or sell stock, his broker is required by rules of the New York Stock Exchange to charge him no less than a certain price, which the broker calls a commission, for handling the transaction.

This system, which is known as the fixed minimum commission rate system, is nothing more or less than price fixing. Stockbrokers attempt to justify this practice on the grounds that it is necessary to maintain the stock market as we know it today. But the Subcommittee on Commerce and Finance, which I have the privilege to chair, conducted an in-depth study of this price-fixing mechanism during the 92d Congress, and unanimously concluded that fixed commissions in the securities industry were not in the public interest and should be abolished. Legislation to accomplish this has been introduced.

As might be expected, the stockbrokers are vigorously opposing this legislation. One of their arguments has been that under a system where rates were set by the forces of competition, rather than fixed by the New York Stock Exchange, many brokers would, in fact, raise them. Fixed rates, the stockbrokers argued, were therefore to the public's advantage.

Recently, however, the brokers dramatically switched their position, and asked the Securities and Exchange Commission to approve a 10- to 15-percent increase in the fixed fees they charge their customers.

Mr. Speaker, I am strongly opposed to this request. While it may be necessary for some stockbrokers to raise their prices to meet the rising costs that all businesses are now experiencing, that decision should be made by each individual broker, based on his individual cost and competitive situation. That decision should not be made by the New York Stock Exchange, or by the SEC, to be imposed upon all stockbrokers.

If the decision were left to each individual broker, as it would be if fixed commissions were eliminated, efficient brokers might choose not to raise their charges at all, or to raise them less than other, inefficient brokers. Under the fixed rate system, however, all brokers must charge the higher rate. Thus, it is the inefficient broker that determines the fixed rate which, of course, increases the cost of the investment to the customer.

Moreover, if brokers were allowed to set their own prices, they might offer different packages of services to their customers, at different price levels. Customers would be able to purchase and pay for only those services they desired. Under the inflexible fixed rate system, however, customers are denied this right.

Mr. Speaker, the SEC has stated that it will hold public hearings on this request for a 10- to 15-percent increase in the fixed fees now charged by stockbrokers. I hope that the public will make itself heard, and that the agency will listen. I am convinced of the correctness of the unanimous conclusion of the Subcommittee on Commerce and Finance that fixed fees charged by stockbrokers are not in the public interest. I trust that the SEC will not lend its support to this practice by approving an increase in these fixed prices.

THE WHOLE TRUTH IS YET TO COME

The SPEAKER. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 15 minutes.

Ms. ABZUG. Mr. Speaker, President Nixon's extraordinary 4,000-word statement May 22 presenting still another version of his role in the Watergate scandal provides us with a tantalizing glimpse into the secret police state operating out of the White House.

By the President's own admission, he sanctioned plans for such illegal actions as "surreptitious entry"—breaking and entering, in effect—"on specified categories of targets in specified situations relating to national security." The plan involved the FBI, CIA, Defense Intelligence Agency, and the National Security Agency.

According to Mr. Nixon, approval of that particular plan was rescinded—he does not say by whom—after FBI Director J. Edgar Hoover refused to go along with it for reasons that he does not explain. This secret, expanded lawbreaking "intelligence" operation was under active consideration in the White House in June and July 1970.

In December 1970, the President tells us, he proceeded to create an Intelligence Evaluation Committee, including representatives of the White House, CIA, FBI, National Security Agency, the Departments of Justice, Treasury, and Defense, and the Secret Service.

The President indicates that he created this overall agency to oversee "domestic intelligence," because of his concern over FBI Director Hoover's severing of liaison with the CIA and all other agencies except the White House. Here, too, we are offered just a glimpse into the rivalry among the various intelligence groups and the special status enjoyed by Mr. Hoover, who felt free to act as he pleased regardless of the President's wishes.

As a longtime critic of the FBI who never shared in the adulation of the late Mr. Hoover, I would say at this point that the unusual power held by Mr. Hoover rested in his control of secret files his agency gathered containing information on hundreds of thousands of Americans, including Government officials, and Members of Congress and many prominent leaders.

According to former FBI Assistant Director William C. Sullivan, as quoted in the New York Post May 15, 1973, Mr. Hoover "was a master blackmailer and he did it with considerable finesse despite the deterioration of his mind."

Mr. Sullivan reported that secret wiretap FBI files, including wiretap records relating to the case of Daniel Ellsberg, were turned over by him to Assistant Attorney General Robert Mardian. They eventually wound up in a White House safe. According to the New York Post story, the secret files were moved to the White House because it was feared that Hoover might use them "in some manner" against President Nixon and Attorney General John Mitchell.

In his belated report on the superspy Intelligence Evaluation Committee which he created, Mr. Nixon again strains credulity by saying that if this committee "went beyond its charter and did engage in any illegal activities, it was totally without my knowledge or authority." In view of the fact that Mr. Nixon earlier in 1970 had authorized illegal activities, including "breaking and entering," by these same espionage agencies, why should they have suddenly expected him to have any qualms about breaking the law?

In his May 23 statement the President also admits that in June 1971, a week after publication of the Pentagon papers, he approved the creation of the White House special investigations unit, the group that later became known as "the plumbers," to stop so called national security leaks. This is the group, led by Watergate Conspirators Howard Hunt and G. Gordon Liddy, that burglarized the office of Daniel Ellsberg's psychiatrist.

Mr. Nixon also belatedly confesses that he did attempt to restrict the FBI's investigation of Watergate, allegedly because he felt it would expose CIA and other national security operations which he thought were involved in the case. Here, too, Mr. Nixon would have us think that he was trying to keep the CIA out of the Watergate scandal at the very time that his closest associates in the White House were trying to make the CIA take the rap for it, according to evidence presented to the Senate investigating committee. If Mr. Nixon was worried that the CIA was involved, why did he not just call in CIA Director Richard Helms to find out. Mr. Helms says the President never asked him about this.

By May 22, Mr. Nixon is admitting that he left vital information about his Watergate role out of his April 30 nationwide television address in which he assured us that there would be no "whitewash" and that the integrity of the White House "must be real, not transparent." He simply neglected to inform the American people in a speech which was widely portrayed as the definitive story that he had indeed attempted to cover up some aspects of Watergate. Presidential Counsel Leonard Garment on May 22 attempted to reconcile the differences between the President's latest Watergate statements and his earlier ones by saying that Mr. Nixon now has a clearer recollection of the events surrounding the burglary. Are we expected to believe that the President simply forgot that he had told the FBI to limit its investigation?

Mr. Nixon's rationale for the covert operations that led to the commission of felonies against private citizens and one of our two major political parties is his concern for national security. And once again, as he did in his April 30 speech, he invokes allusions to national security and patriotism in an effort to cut off any further investigation of his role in Watergate and associated illegal activities.

Like King Louis XIV, who said "L'etat c'est moi," Mr. Nixon equates national security with his own preservation and his own policies. This President, who rode to national prominence as one of the chief witch-hunters during the McCarthy period of the 1950's, conjures up a hysterical vision of the summer of 1969 and 1970, referring to a wave of bombings and explosions on college campuses, guerrilla-style warfare, and demonstrations. He even hints darkly that "some of the disruptive activities were receiving foreign support."

What actually was happening at that time? Mr. Nixon was concerned with "security leaks" which revealed that the United States was conducting illegal bombing operations and "incursions" of American ground troops in Cambodia. The Cambodians knew they were being bombed. The North Vietnamese and South Vietnamese Governments knew

Cambodia was being bombed. The only ones who were not supposed to know, under Mr. Nixon's definition of national security, were the American people.

In response to Nixon's invasion of Cambodia, thousands of Americans, not only on campuses but in cities all over the Nation, joined in demonstrations to protest the widening of the war which the President had said he would stop when elected. That controversy and debate extended into the Congress and indeed, there was a conflict involving national security. Opponents of the war, whose patriotism I will match with the President's any day, maintained that the administration's continuation of the war in Southeast Asia was directly contrary to the best interests of the American people.

Yet, Mr. Nixon admittedly used these legitimate protests and demonstrations which are protected by the first amendment to the Constitution as an excuse to set up his clandestine Intelligence Evaluation Committee to spy on antiwar groups, minority, and radical groups. The New York Times reported May 21 that the unit is now clandestinely operated out of the Justice Department's Internal Security Division. According to the Times, Government investigators are "now attempting to determine whether some of the intelligence committee's highly classified reports may have been used by other Justice Department agencies and the White House to justify undercover and double agent activities against suspected opposition groups, including Democrats opposed to the Nixon administration."

Mr. Speaker, two recent cases—the Berrigan trial in Harrisburg, Pa., and the Camden trial—have presented shocking evidence of how FBI provocateurs were used to entrap antiwar groups and attempt to lead them into illegal actions. In the Camden case, 17 of the so-called "Camden 28" were acquitted several days ago by a jury which was appalled at disclosures that a paid informer for the FBI had in fact provided the tools and the training for the defendants who broke into a Federal building to destroy draft records. The evidence revealed that the informer actually reactivated the illegal foray after the protestors had all but abandoned it.

As the New York Times noted editorially May 23:

> The government's game plan could only be interpreted as a deliberate political maneuver to use the protesters as dupes in the Administration's design to discredit foes of its Vietnam policy.

We have also heard reports of espionage and double agent provocations in legitimate political activities by American citizens; we have heard of fake prowar advertisements and inspired telegrams campaigns; we have heard of agents being flown to Washington to disrupt demonstrations; we have even heard of Government provocateurs who were used in an attempt to attack Daniel Ellsberg physically as he addressed a peace rally in the Capital.

These are activities that one associates with a police state, and these are the kinds of illegal activities inspired and condoned by the President of the United States. We saw the culmination of lawlessness and disorder on the part of the Nixon administration in the illegal dragnet arrests of thousands of peace demonstrators ordered by Attorney General Mitchell in Washington over a period of several days in May 1971.

In his most recent statement in which he attempts to bring down a "national security" curtain to conceal his illegal activities, the President refers to "the tragedies at Kent State and Jackson State" universities. Shortly before these young students were massacred, the President had referred to student peace demonstrators as "bums." Yet despite an FBI report confirming that the National Guardsmen's shooting down of four students at Kent State on May 4, 1970, was "unnecessary, unwarranted, and inexcusable," Attorney General Mitchell refused to submit the issue to a Federal grand jury. The killers of four innocent young boys and girls remain at large, despite a petition addressed to the Justice Department by 50,000 Americans asking for a Federal review of the case and due process of law. This is the tragedy.

Mr. Mitchell, apparently viewed his accession to control of the Justice Department as a blank check for illegal activities, whether in behalf of Mr. Nixon as President or as a political candidate for reelection. According to testimony by James McCord before the Senate investigating committee, Mr. Mitchell authorized G. Gordon Liddy, counsel for CREEP and also one of the so-called "plumbers," to break into the offices of the Las Vegas Sun last summer to steal "blackmail type information involving a Democratic candidate for President." Hank Greenspun, editor and publisher of the newspaper, is quoted in the New York Times May 23 as charging that the real purpose of the burglary attempt was to acquire signed memoranda by Howard Hughes, the industrialist, a major contributor to Mr. Nixon's reelection campaign.

Perhaps the most curious aspect of Mr. Nixon's April 30 and May 22 statements lies in what he has not said.

He has not yet commented on the fact that while he was at his home in San Clemente he met with the judge in the Ellsberg case who was reportedly offered the FBI directorship by Presidential Assistant John Ehrlichman.

He has not commented on the extraordinary financial arrangements of CREEP under the direction of Mitchell and Maurice Stans, in which corporations and wealthy businessmen virtually stood in line to stuff millions of dollars, reported and unreported, into CREEP's floating treasury and safes as a quid pro quo for administration favors.

He has not commented on the unsavory GOP convention arrangements with ITT, on the Vesco deal, the wheat deal, the milk price deal.

He has not explained satisfactorily how he could have been so oblivious to and unknowing of activities pursued by his closest appointed advisers and friends.

He has not explained how he can accept responsibility for some of these "excesses," as he calls them, while at the same time seeking to avoid any of the consequences of these illegal acts.

In his April 30 TV address, Mr. Nixon said he found it necessary in order to restore confidence to remove from office Attorney General Kleindienst, although he had "no personal involvement whatever in this matter," because he "has been a close personal and professional associate of some of those who are involved in this case."

Exactly the same words could be applied to the President himself. He was not only the personal and professional associate of Messrs. Haldeman, Ehrlichman, Dean, Mitchell, Stans, Magruder, et cetera, he was their employer.

As Prof. Arthur Bestor has said in an open letter addressed to the President calling on him to resign—the New Republic, May 26, 1973:

> The various activities that are now becoming known—ranging from the forgery of documents of "sensitive" files, from the "washing" of money (thieves' argot) to the rifling of a psychiatrist's office—were carried out for your benefit, by persons well known to you, working in White House offices over which no one but you could or did exercise supervision and control.
>
> It is exceedingly difficult to believe that all this was done, over periods measured in months and even years, without the slightest inkling reaching you. It is exceedingly difficult to believe that the whole tone of the administration was set by subordinates, acting directly contrary to your wishes. It is exceedingly difficult to believe that the readiness of your henchmen to violate the law time after time was the result of their own innate criminal propensities, and not the result of an understanding or belief on their part that you, as the ultimate beneficiary, would approve, albeit in silence and secrecy.

Mr. Speaker, it would be a serious miscarriage of justice to assume that the question of Mr. Nixon's innocence of any wrongdoing hinges on whether he had prior knowledge of the Watergate burglary of the Democratic National Committee headquarters or the subsequent coverup. At question is his entire conduct in office, his entire reelection campaign, his invasion of the constitutional rights of American citizens, the violation of his oath of office "to preserve, protect, and defend the Constitution," his attempt to undermine the separation of powers among the executive, legislative, and judicial branches, and his continuing unconstitutional actions in Cambodia.

This is the larger context in which the President's conduct must be examined.

We are all aware of rising demands that the President resign from office to save the country from months of agonizing investigation of all the facets of this disgraceful and unprecedented situation in the history of our Nation.

I believe, however, that it is important for the American people to learn the whole truth about how this administration has operated and to learn how close they came to living in a police state. Whether James McCord or any of the other Watergate participants go to jail

is not the major issue. Whether Haldeman, Ehrlichman, Dean, Mitchell, Stans, and the others are found guilty of breaking the law and are punished is not the major issue, either, though I believe they must pay the penalty if they are convicted of wrongdoing. The issue is the role of the President himself in all these matters. Under our Constitution it is the function of the House of Representatives to determine whether the President's conduct has been such as to warrant his impeachment.

I believe this is a duty the House owes to the Constitution and to the American people.

Following is a commentary by Nicholas von Hoffman with some pungent reflections on the process of impeachment:

A SELF-IMPEACHMENT LESSON

(By Nicholas von Hoffman)

On March 3, 1868, the House of Representatives voted articles of impeachment against President Andrew Johnson. Most of us have been taught that this first and only trial of a President was the work of a House of Representatives controlled by a mad-dog majority who come down to us through history under the name of Radical Republicans.

A second look shows that was not the case. The House was not the property of the Radicals who were a decided numerical minority. That the 17th President of the United States came within one vote of the two-thirds needed in the Senate to throw him out was owing to the conservatives who turned against him.

They did so very reluctantly, with the same misgivings that conservative members of Congress a century later have about convicting Richard Nixon. Thus we find Sen. James W. Grimes of Iowa writing in March, 1867, that, ". . . we had better submit to two years of misrule . . . than to subject the country, its institutions and its credit, to the shock of an impeachment. I have always thought so, and everybody is now apparently coming to my conclusion." (This quote is filched from a nifty, new book titled "The Impeachment and Trial of Andrew Johnson," by Michael Lee Benedict, W. W. Norton, New York, 1973, $6.95.)

What happened in the time between Grimes' letter and a year later when opinion had completely reversed itself and the House voted to put the President on trial? The answer is that in the intervening time Johnson drove Congress to do what it never wanted to do. He impeached himself. Again and again, he refused to carry out the laws Congress passed for the reconstruction of the South.

Each time he evaded congressional intent and new laws were passed to hem him in tighter, he would burst through them. At the same time he began making moves that suggested to some people in Congress he was also preparing a military coup. That he actually was is extremely doubtful; and even if he had such an act against the Republic in mind, it could never have been brought off. Our two greatest generals, Grant and Sherman, knew they served under an oath of allegiance, not to the President but to the Constitution.

What is important to understand about the impeachment proceedings against Johnson was that Congress never wanted it and sought every way over a period of three years to avoid it. It did so not only because of the conservative sentiments of men like Grimes, but also because, then like now, our Congresses are amorphous, criss-crossed bodies which cannot strongly coalesce on a single, uncompromised position without enormous outside pressure. Johnson applied that pressure. He pushed them to it by repeated and dangerous violations of the laws they passed.

Yet none of his conduct was criminal. The crimes his enemies accused him of were not indictable offenses. He was charged with using the constitutional power of his office against the constitutionally passed laws of the nation. These are not crimes in the ordinary sense of the word. They may be the gravest kind of political or even constitutional offenses but they are in no way akin to mugging.

This brings us to Richard Nixon. He is most widely suspected in the Watergate disgrace of having committed ordinary, indictable offenses. Presumably, if a prima facie case can be made, and a grand jury with the guts to do it could be assembled, he would be indicted in the same fashion that two of his former Cabinet members already have. You don't have to impeach him for that.

Richard Nixon will have to make Congress impeach him. He may do it. If it should come to that, impeachment won't be detonated by strong indications that he had prior knowledge of Watergate, but by the lengths he had gone to conceal and protect his agents. That's what's getting him in trouble, and there is no sign even now that he and his people have stopped manufacturing false trails, prejuries, lies and evasions.

His prideful going on and on and on has converted what might have been but another sordid episode in a not so elevated career into such a defiance of Congress that it may be forced to take up the challenge against the will of even the Democrats who certainly don't want this man tossed out now, thereby giving Agnew time to build an election in his own right.

Yet Richard Nixon is encouraged to make his own disaster by the loyalty and obedience of his subordinates, both in the White House and the upper echelons of career government service, military and civilian. They're smitten with a kind of a Kiserism, an unthinking worshipful subservience to the man and the office, which compels them to carry out every command.

When President Andrew Johnson tried to use William Tecumseh Sherman in this way by promoting him to the rank of full general, that conservative military man urged the Senate to vote against his own promotion. Gen. Alexander Haig, whose chief accomplishment, it now appears, is the ability to order phones tapped in 10 languages, plays the good servant and accepts all his master hands him.

Given his inflexibility of purpose born of pride, conviction, fear and guilt, surrounded by Hunish subordinates who respond "jawohl" to every order, this man could drive Congress to do it. The issue may be the concealments of Watergate or even Cambodia, but if it comes to the sticking point it will be Richard Nixon who will have forced his own impeachment.

BOARD FOR INTERNATIONAL BROADCASTING ACT OF 1973

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. MORGAN) is recognized for 5 minutes.

Mr. MORGAN. Mr. Speaker, I am today introducing a bill, by request, to provide for the establishment of the Board for International Broadcasting, to authorize the continuation of assistance to Radio Free Europe and Radio Liberty, and for other purposes.

The draft legislation was received by the House from the Department of State on May 21, 1973, and referred to the Committee on Foreign Affairs.

Under leave to extend my remarks, I wish to place at this point in the RECORD the letter from the Department of State:

DEPARTMENT OF STATE,
Washington, D.C., May 18, 1973.

Hon. CARL ALBERT,
Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: There is enclosed for the consideration of the Congress draft legislation to provide for establishment of a Board for International Broadcasting and to authorize the continuation of assistance to Radio Free Europe (RFE) and Radio Liberty (RL).

On May 7, 1973, the President made public the report of the Presidential Study Commission on International Radio Broadcasting and announced his intention to submit legislation to the Congress in accordance with its recommendations. These are reflected in the enclosed bill. It would declare that open communication of information and ideas among people, particularly as transmitted by RFE and RL to the peoples of Eastern Europe and the USSR, contributes to international peace and serves the interest of the United States. It would authorize the President to appoint, by and with the advice and consent of the Senate, a Board for International Broadcasting to make grants in support of broadcasting by RFE and RL. In addition to assuming financial accountability for grant funds, the Board would review and evaluate the mission and operations of the stations, assess the quality, effectiveness and professional integrity of their broadcasts within the context of the broad foreign policy objectives of the United States, and foster efficiency and economy in station operations.

The Department has been informed by the Office of Management and Budget that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely,

MARSHALL WRIGHT,
Acting Assistant Secretary, for Congressional Relations.

DRAFT BILL

To provide for the establishment of the Board for International Broadcasting, to authorize the continuation of assistance to Radio Free Europe and Radio Liberty, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Board for International Broadcasting Act of 1973".

DECLARATION OF PURPOSES

SEC. 2. The Congress hereby finds and declares:

(1) That it is the policy of the United States to promote the right of freedom of opinion and expression, including the freedom "to seek, receive, and impart information and ideas through any media and regardless of frontiers," in accordance with Article 19 of the Universal Declaration of Human Rights;

(2) That open communication of information and ideas among the peoples of the world contributes to international peace and stability, and that the promotion of such communication is in the interests of the United States;

(3) That Free Europe, Inc., and the Radio Liberty Committee, Inc. (hereinafter referred to as Radio Free Europe and Radio Liberty), have demonstrated their effectiveness in furthering the open communication of information and ideas in Eastern Europe and the Union of Soviet Socialist Republics;

(4) That the continuation of Radio Free Europe and Radio Liberty as independent broadcast media, operating in a manner not inconsistent with the broad foreign policy objectives of the United States and in accordance with high professional standards, is in the national interest; and

(5) That in order to provide an effective instrumentality for the continuation of assistance to Radio Free Europe and Radio Liberty and to encourage a constructive dialog with the peoples of the Union of Soviet Socialist Republics and Eastern Europe, it is desirable to establish a Board for International Broadcasting.

ESTABLISHMENT AND ORGANIZATION

SEC. 3. (a) There is established a Board for International Broadcasting (hereinafter referred to as the "Board").

(b) (1) COMPOSITION OF BOARD.—The Board shall consist of seven members, two of whom shall be ex officio members. The President shall appoint, by and with the advice and consent of the Senate, five voting members, one of whom he shall designate as Chairman. Not more than three of the members of the Board appointed by the President shall be of the same political party. The chief operating executive of Radio Free Europe and the chief operating executive of Radio Liberty shall be ex officio members of the Board and shall participate in the activities of the Board, but shall not vote in the determinations of the Board.

(2) Selection—Members of the Board appointed by the President shall be citizens of the United States who are not concurrently regular fulltime employees of the United States Government. Such members shall be selected by the President from among Americans distinguished in the fields of foreign policy or mass communications.

(3) Term of Office of Presidentially-appointed Members—In appointing the initial voting members of the Board, the President shall designate three of the members appointed by him to serve for a term of three years and two members to serve for a term of two years. Thereafter, the term of office of each member of the Board so appointed shall be three years. The President shall appoint, by and with the advice and consent of the Senate, members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term. Any member whose term has expired may serve until his successor has been appointed and qualified.

(4) Term of Office of *Ex Officio* Members—*Ex Officio* members of the Board shall serve on the Board during their terms of service as chief operating executives of Radio Free Europe or Radio Liberty.

(5) Compensation—Members of the Board appointed by the President shall, while attending meetings of the Board or while engaged in duties relating to such meetings or in other activities of the Board pursuant to this section, including travel time, be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level V of the Executive Schedule under Section 5316 of Title 5, United States Code. While away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. *Ex Officio* members of the Board shall not be entitled to any compensation under this act, but may be allowed travel expenses as provided in the preceding sentence.

FUNCTIONS

SEC. 4. (a) The Board is authorized:

(1) To make grants to Radio Free Europe and to Radio Liberty in order to carry out the purposes set forth in Section 2 of this Act;

(2) To review and evaluate the mission and operation of Radio Free Europe and Radio Liberty, and to assess the quality, effectiveness and professional integrity of their broadcasting within the context of the broad foreign policy objectives of the United States;

(3) To encourage the most efficient utilization of available resources by Radio Free Europe and Radio Liberty and to undertake, or request that Radio Free Europe or Radio Liberty undertake, such studies as may be necessary to identify areas in which the operations of Radio Free Europe and Radio Liberty may be made more efficient and economical;

(4) To develop and apply such financial procedures, and to make such audits of Radio Free Europe and Radio Liberty as the Board may determine are necessary, to assure that grants are applied in accordance with the purposes for which such grants are made;

(5) To develop and apply such evaluative procedures as the Board may determine are necessary to assure that grants are applied in a manner not inconsistent with the broad foreign policy objectives of the United States Government;

(6) To appoint such staff personnel as may be necessary, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and to fix their compensation in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

(7) A. To procure temporary and intermittent personal services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for GS–18; and

B. To allow those providing such services, while away from their homes or their regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by Section 5703 of title 5, United States Code, for persons in the Government service employed intermittently, while so employed;

(8) To report annually to the President and the Congress on or before the 30th day of October, summarizing the activities of the Board during the year ending the preceding June 30, and reviewing and evaluating the operation of Radio Free Europe and Radio Liberty during such year; and

(9) To prescribe such regulations as the Board deems necessary to govern the manner in which its functions shall be carried out.

(b) In carrying out the foregoing functions, the Board shall bear in mind the necessity of maintaining the professional independence and integrity of Radio Free Europe and Radio Liberty.

RECORDS AND AUDIT

SEC. 5. (a) The Board shall require that Radio Free Europe and Radio Liberty keep records which fully disclose the amount and disposition of assistance provided under this Act, the total cost of the undertakings or programs in connection with which such assistance is given or used, that portion of the cost of the undertakings or programs supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Board and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of Radio Free Europe and Radio Liberty which in the opinion of the Board or the Comptroller General may be related or pertinent to the assistance provided under this Act.

ROLE OF THE SECRETARY OF STATE

SEC. 6. To assist the Board in carrying out its functions, the Secretary of State shall provide the Board with such information regarding the foreign policy of the United States as the Secretary may deem appropriate.

PUBLIC SUPPORT

SEC. 7. The Board is authorized to receive donations, bequests, devices, gifts and other forms of contributions of cash, services, and other property, from persons, corporations, foundations, and all other groups and entities, both within the United States and abroad, and, pursuant to the Federal Property Administrative Services Act of 1949, as amended, to use, sell, or otherwise dispose of such property for the carrying out of its functions. For the purposes of sections 170, 2055, and 2522 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 170, 2025, or 2522), the Board shall be deemed to be a corporation described in section 170 (c) (2), 2055(a) (2), or 2522(a) (2) of the code, as the case may be.

FINANCING

SEC. 8. (a) There are authorized to be appropriated, to remain available until expended, $50,300,000 for fiscal year 1975 to carry out the purposes of this Act. There are authorized to be appropriated for fiscal years 1974 and 1975 such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law and for other nondiscretionary costs.

IMPLEMENTATION

(b) To allow for the orderly implementation of this Act, the Secretary of State is authorized to make grants to Radio Free Europe and to Radio Liberty under such terms and conditions as he deems appropriate for their continued operation until a majority of the voting members of the Board have been appointed and qualified, and until funds authorized to be appropriated under this Act are available to the Board.

THE LATE HONORABLE WILLIAM O. MILLS

Mr. GUDE. Mr. Speaker, it is my sad duty to announce to the House the passing of our colleague, WILLIAM MILLS of the First District of Maryland. At a later date I will request that a date be set for a eulogy in his memory.

Mr. Speaker, I now move that the House stand in recess until 12:30 in honor of and respect to the memory of BILL MILLS.

The motion was agreed to.

RECESS

Accordingly (at 11 o'clock and 12 minutes a.m.), the House stood in recess until 12 o'clock and 30 minutes p.m.

AFTER RECESS

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

PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE REPORT ON HOUSE RESOLUTION 382 UNTIL MIDNIGHT TOMORROW

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations have permission to file a report on House Resolution 382 until midnight tomorrow night.

The SPEAKER. Is there objection to

the request of the gentleman from Massachusetts?

There was no objection.

CONFERENCE REPORT ON S. 38, AIRPORT DEVELOPMENT ACCELERATION ACT OF 1973

Mr. STAGGERS submitted the following conference report and statement on the bill (S. 38) to amend the Airport and Airway Development Act of 1970, as amended, to increase the U.S. share of allowable project costs under such act, to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 93-225)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 38) to amend the Airport and Airway Development Act of 1970, as amended, to increase the U.S. share of allowable project costs under such Act, to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Airport Development Acceleration Act of 1973".

SEC. 2. Section 11(2) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1711) is amended by inserting immediately after "Federal Aviation Act of 1958," the following: "and security equipment required of the sponsor by the Secretary by rule or regulation for the safety and security of persons and property on the airport.".

SEC. 3. (a) Section 14(a) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1714(a)), is amended—

(1) by striking out "1975" in paragraph (1) and inserting in lieu thereof "1973, and $275,000,000 for each of the fiscal years 1974 and 1975"; and

(2) by striking out "1975" in paragraph (2) and inserting in lieu thereof "1973, and $35,000,000 for each of the fiscal years 1974 and 1975".

(b) Section 14(b) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1714(b)) is amended—

(1) by striking out "$840,000,000" in the first sentence thereof and inserting in lieu thereof "$1,460,000,000";

(2) by striking out "extend beyond" in the second sentence thereof and by inserting in lieu thereof "be incurred after"; and

(3) by striking out "and" in the last sentence thereof and inserting immediately before the period ", an aggregate amount exceeding $1,150,000,000 prior to June 30, 1974, and an aggregate amount exceeding $1,460,000,000 prior to June 30, 1975".

SEC. 4. Section 16(c)(1) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1716(c)) is amended by inserting in the last sentence thereof "or the United States or an agency thereof" after "public agency".

SEC. 5. Section 17 of the Airport and Airway Development Act of 1970 (49 U.S.C. 1717) relating to United States share of project costs, is amended—

(1) by striking out subsection (a) of such section and inserting in lieu thereof the following:

"(a) GENERAL PROVISION.—Except as otherwise provided in this section, the United States share of allowable project costs payable on account of any approved airport development project submitted under section 16 of this part may not exceed—

"(1) 50 per centum for sponsors whose airports enplane not less than 1 per centum of the total annual passengers enplaned by air carriers certificated by the Civil Aeronautics Board; and

"(2) 75 per centum for sponsors whose airports enplane less than 1 per centum of the total annual passengers enplaned by air carriers certificated by the Civil Aeronautics Board and for sponsors of general aviation or reliever airports."; and

(2) by adding at the end thereof the following new subsection:

"(e) SAFETY CERTIFICATION AND SECURITY EQUIPMENT.—

"(1) To the extent that the project cost of an approved project for airport development represents the cost of safety equipment required by rule or regulation for certification of an airport under section 612 of the Federal Aviation Act of 1958 the United States share may not exceed 82 per centum of the allowable cost thereof with respect to airport development project grant agreements entered into after May 10, 1971.

"(2) To the extent that the project cost of an approved project for airport development represents the cost of security equipment required by the Secretary by rule or regulation, the United States share may not exceed 82 per centum of the allowable cost thereof with respect to airport development project grant agreements entered into after September 28, 1971.".

SEC. 6. The first sentence of section 12(a) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1712(a)) is amended by striking out "two years" and inserting in lieu thereof "three years".

SEC. 7. (a) Title XI of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"STATE TAXATION OF AIR COMMERCE

"SEC. 1113. (a) No State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) shall levy or collect a tax, fee, head charge, or other charge, directly or indirectly, on persons traveling in air commerce or on the carriage of persons traveling in air commerce or on the sale of air transportation or on the gross receipts derived therefrom; except that any State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) which levied a tax, fee, head charge, or other charge, directly or indirectly, on persons traveling in air commerce or on the carriage of persons traveling in air commerce or on the sale of air transportation or on the gross receipts derived therefrom prior to May 21, 1970, shall be exempt from the provisions of this subsection until December 31, 1973.

"(b) Nothing in this section shall prohibit a State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) from the levy or collection of taxes other than those enumerated in subsection (a) of this section, including property taxes, net income taxes, franchise taxes, and sales or use taxes on the sale of goods or services; and nothing in this section shall prohibit a State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) owning or operating an airport from levying or collecting reasonable rental charges, landing fees, and other service charges from aircraft operators for the use of airport facilities.

"(c) In the case of any airport operating authority which—

"(1) has an outstanding obligation to repay a loan or loans of amounts borrowed and expended for airport improvements;

"(2) is collecting without air carrier assistance, a head tax on passengers in air transportation for the use of its facilities; and

"(3) has no authority to collect any other type of tax to repay such loan or loans,

the provisions of subsection (a) shall not apply to such authority until December 31, 1973."

(b) That portion of the table of contents contained in the first section of such Act which appears under the center heading

"TITLE XI—MISCELLANEOUS"

is amended by adding at the end thereof the following:

"Sec. 1113. State taxation of air commerce.".

And the House agree to the same.

HARLEY O. STAGGERS,
JOHN JARMAN,
BROCK ADAMS,
DAN KUYKENDALL,
DICK SHOUP,
Managers on the Part of the House.

WARREN G. MAGNUSON,
HOWARD W. CANNON,
PHILIP A. HART,
NORRIS COTTON,
JAMES B. PEARSON,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 38 to amend the Airport and Airway Development Act of 1970, as amended, to increase the United States share of allowable project costs under such Act, to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text and the Senate disagreed to the House amendment.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment.

The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below.

Unless otherwise indicated, references to provisions of "existing law" contained in this joint statement refer to provisions of the Airport and Airway Development Act of 1970.

STATE TAXATION OF AIR COMMERCE

Senate Bill

Section 7 of the Senate bill provided for a permanent prohibition against the levy or collection of a tax or other charge on persons traveling in air commerce, or on the carriage of persons so traveling, or on the sale of air transportation or on the gross receipts derived therefrom, by any State or political subdivision thereof (including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States, or political

agencies of two or more States). There were two exemptions from this prohibition.

First, any State which levied such charges before May 21, 1970, would be exempt from the prohibition until *July 1, 1973*.

Second, any airport operating authority which (1) has an outstanding obligation to repay money borrowed and expended for airport improvements, (2) has collected a head tax on air passengers, without carrier assistance, for the use of its facilities, and (3) has no authority to collect any other type of tax to repay the loan, would be exempt from the prohibition until *July 1, 1973*.

The Senate bill also provided that the prohibition would not extend to the levy or collection of other taxes, such as property taxes, net income taxes, franchise taxes, and sales or use taxes, nor to the levy or collection of other charges such as reasonable rental charges, landing fees, and other service charges from aircraft operators for the use of airport facilities.

House Amendment

The House amendment was substantially the same as the Senate bill, except that the exemptions from the prohibition against the levy and collection of the so-called airline passenger head taxes was extended from July 1, 1973, to December 31, 1973, and the exemption with respect to jurisdictions which impose such charges before May 21, 1970, was limited to those which *levied and collected* such charges rather than those which merely *levied* such charges.

Conference Substitute

The conference substitute follows the House amendment in extending to December 31, 1973, the exemptions from the prohibition against the levy and collection of the so-called airline passenger head taxes, and follows the Senate bill in extending the exemptions to jurisdictions which *levied* such taxes before May 21, 1970, rather than limiting the exemptions to those which *levied and collected* such taxes before such date.

AIRPORT AND AIRWAY DEVELOPMENT PROGRAM

Annual authorizations for airport development grants

Senate Bill

Section 3(a) of the Senate bill amended section 14(a) of existing law—

(1) to increase the minimum annual authorization for airport development grants to air carrier and reliever airports from $250 million per year to $375 million per year for each of the fiscal years 1974 and 1975; and

(2) to increase the minimum annual authorization for airport development grants to general aviation airports from $30 million per year to $45 million per year for each of the fiscal years 1974 and 1975.

House Amendment

No provision. Existing law contains minimum annual authorizations for each fiscal year 1974 and 1975 of $250 million per year for air carrier and reliever airports and $30 million per year for general aviation airports.

Conference Substitute

The conference substitute follows the Senate bill except that—

(1) the minimum annual authorization for airport development grants to air carrier and reliever airports is increased from $250 million per year to $275 million per year for each of the fiscal years 1974 and 1975; and

(2) the minimum annual authorization for airport development grants to general aviation airports is increased from $30 million per year to $35 million per year for each of the fiscal years 1974 and 1975.

Obligational authority for airport development grants

Senate Bill

Section 3(b) of the Senate bill amended section 14(b) of existing law—

(1) to increase from $840 million to $1.68 billion the authority of the Secretary of Transportation to incur obligations to make airport development grants:

(2) to provide a corresponding increase from $840 million to $1.68 billion in the authority of the Secretary to liquidate such obligations and provide that not more than $1.26 billion in such obligations could be liquidated before June 30, 1974, and not more than $1.68 billion in such obligations could be liquidated before June 30, 1975; and

(3) to extend from June 30, 1975, to June 30, 1978, the authority of the Secretary to liquidate obligations incurred before July 1, 1975.

House Amendment

The House amendment was substantially the same as the Senate bill, except that—

(1) the authority of the Secretary to incur obligations was increased from $840 million to $1.4 billion;

(2) the authority to liquidate obligations was increased by a similar amount, from $840 million to $1.4 billion, with the limitation that not more than $1.12 billion in such obligations could be liquidated before June 30, 1974, and not more than $1.4 billion in such obligations could be liquidated before June 30, 1975; and

(3) there was no extension of authority to liquidate obligations after June 30, 1975.

Conference Substitute

The conference substitute amends section 14(b) of existing law—

(1) to increase from $840 million to $1.46 billion the authority of the Secretary of Transportation to incur obligations to make airport development grants;

(2) to provide a corresponding increase from $840 million to $1.46 billion in the authority of the Secretary to liquidate such obligations and provide that not more than $1.15 billion in such obligations can be liquidated before June 30, 1974, and not more than $1.46 billion in such obligations can be liquidated before June 30, 1975; and

(3) to extend from June 30, 1975, to June 30, 1978, the authority of the Secretary to liquidate obligations incurred before July 1, 1975.

UNITED STATES SHARE OF PROJECT COSTS

In general

Senate Bill

Paragraph (1) of section 5 of the Senate bill amended section 17(a) of existing law to provide that the United States share of allowable project costs of any approved project *shall be*—

(1) 50 percent for sponsors whose airports enplane not less than one percent of the annual total of passengers enplaned by all certificated air carriers (large hubs); and

(2) 75 percent for sponsors whose airports enplane less than one percent of the annual total of passengers enplaned by all certificated air carriers (medium hubs, small hubs, non-hubs, and general aviation airports).

Under existing law, the United States share *may not exceed* 50 percent, regardless of the passenger enplanements.

House Amendment

Section 5 of the House amendment was substantially the same as the Senate bill except that—

(1) the Federal share *may not exceed* 50 percent with respect to airports classified as large hubs and *may not exceed* 75 percent for smaller airports, and

(2) the language relating to the Federal share allowable on account of any approved airport development project was modified to make it clear that the amount allowable for a project would be determined by the number of passengers enplaned at the airport with respect to which the grant is made.

Under the Senate bill, the Federal share would be determined by the total number of passengers enplaned for all airports operated by the same sponsor.

Conference Substitute

The conference substitute follows the House amendment in providing that the Federal share of allowable project costs *may not exceed* 50 or 75 percent, as the case may be with respect to any given airport development grant.

The conference substitute follows the Senate bill in providing that the Federal share will be determined by the total number of passengers enplaned for all airports operated by the same sponsor, except that the language of the Senate bill was modified to make it clear that the Federal share allowable for a project would be determined by the total number of passengers enplaned for all *air carrier* airports operated by the same sponsor and that sponsors of general aviation or reliever airports (which have no passenger enplanements by certificated air carriers) will be eligible to receive a Federal share of 75 percent without regard to the number of such passenger enplanements at *air carrier* airports operated by the same sponsor.

EQUIPMENT FOR SAFETY CERTIFICATION AND SECURITY EQUIPMENT

Senate Bill

Paragraph (2) of section 5 of the Senate bill added a new subsection (e) to section 17 of existing law to provide that the United States share of allowable project costs of an approved project *shall be*—

(1) 82 percent of that portion which represents the cost of safety equipment required for airport certification under section 612 of the Federal Aviation Act of 1958 and incurred under a grant agreement entered into after May 10, 1971; and

(2) 82 percent of that portion which represents the cost of security equipment required by rule or regulation of the Secretary of Transportation and incurred under a grant agreement entered into after September 28, 1971.

Under existing law, such costs would be governed by the general provision that the United States share *may not exceed* 50 percent.

Section 2 of the Senate bill also amended section 11(2) of existing law, relating to the definition of "airport development", to specify that required security equipment is a part of airport development.

House Amendment

The House amendment was the same as the Senate bill except that it provided that the Federal share *may not exceed* 82 percent of the allowable costs of safety equipment required for airport certification and 82 percent of the costs of security equipment.

Conference Substitute

The conference substitute is the same as the House amendment.

TERMINAL FACILITIES

Senate Bill

The Senate bill contained three provisions designed to make airport terminal facilities eligible for Federal financial assistance. These provisions amended section 11(2) of existing law (relating to the definition of "airport development"), section 17 (relating to United States share of project costs), and section 20(b) (relating to costs not allowed).

Under these provisions, airport development would include the construction, alteration, repair, or acquisition of airport passenger terminal buildings or facilities directly related to the handling of passengers or their baggage at the airport and the United States share would be 50 percent of the allowable cost thereof.

Under existing law such facilities are not eligible for Federal financial assistance.

House Amendment

No provision.

Conference Substitute

The provisions of the Senate bill relating to terminal facilities are omitted from the conference substitute.

AIRPORT DEVELOPMENT

Senate Bill

Section 2 of the Senate bill amended the definition of the term "airport development" contained in section 11(2) of existing law to include language relating to the construction of terminal facilities and to security equipment required by rule or regulation for the safety and security of persons and property on the airport, discussed above in this joint statement.

It also added language providing that the acquisition, removal, improvement, or repair of navigation facilities at airports would be a part of "airport development" and thus eligible for Federal aid.

In addition, this section revised the language of the definition to make several technical changes designed to clarify existing law consistent with current practices under the airport development program. In doing so, however, the Senate bill inadvertently omitted language contained in existing law under which the United States could furnish financial assistance for the acquisition of land for future airport development.

House Amendment

The only change in the definition of "airport development" contained in existing law made by the House amendment was to add language relating to security equipment required by rule or regulation for the safety and security of persons and property on the airport.

Conference Substitute

The conference substitute is the same as the House amendment.

IMPOUNDMENT OF FUNDS

Senate Bill

Section 9 of the Senate bill stated the sense of the Congress that no funds authorized to be appropriated for expenditure under this legislation should be subject to impoundment by any officer or employee in the executive branch of the Government. This section further provided that, for purposes of this legislation, impoundment included withholding or delaying the expenditure or obligation of funds and any type of executive action which would preclude the obligation or expenditure of funds.

House Amendment

No provision.

Conference Substitute

The provisions of the Senate bill relating to the impoundment of funds are omitted from the conference substitute.

HARLEY O. STAGGERS,
JOHN JARMAN,
BROCK ADAMS,
DAN KUYKENDALL,
DICK SHOUP,
Managers on the Part of the House.

WARREN G. MAGNUSON,
HOWARD W. CANNON,
PHILIP A. HART,
NORRIS COTTON,
JAMES B. PEARSON,
Managers of the Part of the Senate.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO FILE REPORT ON H.R. 7806 UNTIL MIDNIGHT SATURDAY

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce have until midnight Saturday to file a report on H.R. 7806.

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

There was no objection.

RECESS

The SPEAKER. Pursuant to the authority granted the Speaker on Wednesday, March 7, 1973, the Chair declares a recess subject to the call of the Chair to receive the former Members of the House of Representatives.

Accordingly (at 12 o'clock and 34 minutes p.m.), the House stood in recess subject to the call of the Chair.

RECEPTION OF FORMER MEMBERS OF CONGRESS

The SPEAKER of the House presided.

The SPEAKER. On behalf of the Chair and the Chamber, I consider it a high honor and a distinct personal privilege to have the opportunity of welcoming so many of our former Members and colleagues as may be present here for this occasion. We all pause to welcome them.

This is a bipartisan affair, and in that spirit the Chair is going to recognize the floor leaders of both parties.

The Chair now recognizes the distinguished gentleman from Massachusetts, the majority leader, Mr. O'NEILL.

Mr. O'NEILL. Mr. Speaker, may I say to our former colleagues how pleased we all are to see you back here in Washington.

I know, that for all of you who have served as a Member of Congress this is truly your first love, because having served in this great body, you know there is no other body in the world like it, where there is open and free debate under the parliamentary system that we use. It is just a delight to see you back here.

I recall last year so many came to the microphone and so many spoke that it was really a thing of joy to those of us who have served around here for the last 20 years. What a joy it is to talk to those of you who have left through the years and have come back today.

It was great last year. I remember last year, and the year before last, listening to the gentleman who was somewhere around 100 years old, and I remember the great speech he made. I recall the frolicking and the fun and the enjoyment.

I know that it does your hearts good to get back to Washington, as it does our hearts good to see you back here. So I say, on behalf of the majority party, "Welcome."

The SPEAKER. The Chair recognizes the distinguished gentleman from Michigan, the minority leader (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I am grateful for the opportunity to make a few remarks, particularly to welcome all of the alumni, so to speak, who are here.

We look forward to this annual occasion. I hope and trust that all of you feel, as we do, that this is a great institution and one that will survive, one that will continue to play a vital role in the months and years ahead.

Let me say that in the interim between last year and this year we have had several innovations as to how we operate the House. Under the circumstances I do not know how we can demonstrate our new mechanical equipment. Certainly it would be interesting to you. Perhaps either later today or on some other occasion you can see the computer equipment, the voting equipment, which, despite the apprehension of some, including myself, in my opinion is a great improvement. On occasion it has not worked, but other than that, it has been a very fine addition to the setup here in the House of Representatives.

Let me conclude simply by saying that this is your day, not ours, so I shall terminate. I welcome you and wish you the very best today, and until a year from now.

The SPEAKER. The Chair recognizes the gentleman from Minnesota (Mr. Judd).

Mr. JUDD. Thank you very much, indeed, Mr. Speaker, and Members of the House of Representatives and of the Senate, the sitting Members as well as the former Members who are here today.

First, let me express in behalf of the Former Members of Congress our appreciation to you, Mr. Speaker, and to the leadership of the House, the distinguished gentleman from Massachusetts, the majority leader, Mr. O'NEILL, and the distinguished gentleman from Michigan, the minority leader (Mr. GERALD R. FORD) for your giving us this opportunity to come back to our alma mater for 1 hour to celebrate a sort of homecoming with you who are Members now, and to renew the warm relationships established by us former Members when we were here as active Members.

Perhaps there are some of you who do not know of this organization, Former Members of Congress. So I would like to tell you something about it.

It came into being because we former Members wanted to preserve the very close friendships we had while we were here—across the aisle, as well as on each side of the aisle—whether we were here for 1 term or 20 terms.

This organization enables us, like the alumni of a college, to maintain those treasured associations and friendships. We come back twice a year for general meetings, and once a year the Speaker graciously invites us to come to this Chamber for a reunion. That was the first reason for Former Members of Congress.

The second was that perhaps we could keep a bit closer to affairs of state. We are not now responsible for law-making. But, we are no less interested in the well-being of our country. Legislative bodies are under assault today here in our country and being questioned around the world.

All of us believe that our forefathers were wise when they established the Congress in article I of the Constitution. Article I is not the executive or the judiciary. It is the Congress, the legislative branch of the Government where the basic laws under which we live are determined by men and women who are

chosen by the people, are responsible to the people, and replaceable by the people every 2 years or 6 years; rather than by appointees whose identities, backgrounds, views, habits, and character the public does not know anything about—until the facts about their qualifications and character become known when sometimes it is too late.

In addition to maintaining our friendships and as former Members, and to enabling us to keep a little closer to affairs of state, we hoped we might be able to help the people of our country to have a better understanding and appreciation of the work and importance of the House of Representatives and the U.S. Senate.

Those of us who visit the colleges today know there is very little understanding of how a democratically controlled legislative body operates. Many of the professors of political science, economics, and international relations have knowledge based largely on reading each other's books. They and their students could learn a lot from the experience of persons who are no longer in public office but who have been in prior to 1973.

So many things that are done here may look to the outsider as if we are selling out our principles or are making improper compromises. Every one of us knows that those who are in the minority are U.S. citizens as well as those in the majority and that the give and take is what protects their rights while enabling our country and our Government to go ahead on a fairly even keel despite the ups and downs that inevitably occur now and then.

One major objective of Former Members of Congress is to record oral histories of our legislators, particularly those who have been involved in what has happened in this country in the last eventful and historymaking 50 years; to get it down on tape and made available to the historians and scholars and students of government.

It is already too late to get some of these. Sam Rayburn is gone; and not much happened in his almost 50 years in Congress that he was not a part of. Carl Hayden of Arizona and Joe Martin of Massachusetts are gone. We cannot get their recollections. But there are many still living who served from 10 to 50 years in these bodies. Emanuel Celler of New York planned to be here and speak today but he had to send word at the last minute that he is not well and could not make it. Howard Smith of Virginia wanted to come today but he said he is 90 years old and if the weather is bad, as it is today, he cannot come. But we need to get his recollections on the record.

It will be too bad for the future of our country if we fail to get on the record the knowledge of our system of government and its operations which is in the minds of these and many other distinguished former Members. For example, our beloved former Speaker John McCormack of Massachusetts.

These are some of the things which Former Members of Congress—FMC—as we call it, was organized to do. We are 3 years old. We have about $11,000 in our treasury. We have 393 members as of today; 434 former Members of the House and Senate have joined, but in these years 34 have passed on.

Mr. Speaker, with your permission, I should like to read the names of the 17 who have passed away since we were here a year ago. We stood in honor of their memory in our business meeting earlier today.

The SPEAKER. The gentleman from Minnesota may place the names in the RECORD.

Mr. JUDD. Mr. Speaker, I begin, of course, with a former distinguished Member of both this body and the other body, and who went on to become the President of the United States, the Honorable Lyndon B. Johnson of Texas.

Mr. Speaker, I checked in the Library of Congress and found that of the 37 men who became President of the United States, 22 had served in one House or the other, and 9 of them had served in both Houses, including, for example, Andrew Jackson and Andrew Johnson. Three of those nine were our last three Presidents, President Kennedy, President Johnson, and President Nixon.

Those of our Members who have passed away in the last year are:

Lyndon B. Johnson of Texas.

William H. Benton of Connecticut.

Oliver P. Bolton of Ohio, whose mother and father, as the Members know, were both Members of this House. His mother, Mrs. Bolton, planned to be here today, but illness in her family prevented her coming.

Senator Prescott S. Bush of Connecticut.

Henderson H. Carson of Ohio.

Senator Guy M. Gillette, of Iowa, a former Member both of the House and of the Senate.

Karl M. LeCompte, of Iowa.

Franklin H. Lichtenwalter of Pennsylvania.

Senator Edward V. Long of Missouri.

Thomas W. Miller of Delaware.

Philip J. Philbin of Massachusetts.

Robert Ramspeck of Georgia. He was an original member of FMC board of directors. He introduced the Democratic Members at our reunion here last year. When he passed away last September, a member of his family told me he had considered it one of the greatest satisfactions of his life to be in charge on the Democratic side of this House on that occasion.

Jeannette Rankin of Montana.

George Sarbacher, Jr., of Pennsylvania.

Ralph T. Smith, of Illinois, a former Senator.

Thomas Stewart, of Tennessee, a former Senator.

Maurice H. Thatcher, of Kentucky, the gentleman who spoke to us last year at the age of 102.

The SPEAKER. The Clerk will call the roll of Members at this time.

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

James C. Auchincloss, New Jersey.
Walter Baring, Nevada.
Robert R. Barry, New York.
Ross Bass, Tennessee.
Catherine May Bedell, Washington.
Page Belcher, Oklahoma.
J. Floyd Breeding, Kansas.
John W. Bricker, Ohio.
Lawrence Burton, Utah.
John W. Byrnes, Wisconsin.
Joseph L. Carrigg, Pennsylvania.
Joseph E. Casey, Massachusetts.
Frank L. Chelf, Sr., Kentucky.
W. Sterling Cole, New York.
Harold D. Cooley, North Carolina.
William C. Cramer, Florida.
Francis E. Dorn, New York.
Clyde T. Ellis, Arkansas.
Homer Ferguson, Michigan.
John Foley, Maryland.
J. Allen Frear, Jr., Delaware.
Nick Galifianakis, North Carolina.
Edward E. Garmatz, Maryland.
G. Elliott Hagan, Georgia.
Robert Hale, Maine.
John R. Hansen, Iowa.
William Henry Harrison, Wyoming.
Brooks Hays, Arkansas.
Don Hayworth, Michigan.
Pat Hillings, California.
Earl Hogan, Indiana.
Evan Howell, Illinois.
Allan O. Hunter, California.
W. Pat Jennings, Virginia.
August E. Johansen, Michigan.
Calvin D. Johnson, Illinois.
Jed Johnson, Jr., Oklahoma.
Walter H. Judd, Minnesota.
Frank M. Karsten, Missouri.
James Kee, West Virginia.
Hastings Keith, Massachusetts.
Frank Kowalski, Connecticut.
Christopher C. McGrath, New York.
Clifford D. McIntire, Maine.
Hervey G. Machen, Maryland.
George Meader, Michigan.
Chester L. Mize, Kansas.
Walter H. Moeller, Ohio.
John S. Monagan, Connecticut.
Thomas G. Morris, New Mexico.
Abraham J. Multer, New York.
F. Jay Nimtz, Indiana.
Maston E. O'Neal, Georgia.
Frank C. Osmers, Jr., New Jersey.
William T. Pheiffer, New York.
Howard W. Pollock, Alaska.
David M. Potts, New York.
Stanley A. Prokop, Pennsylvania.
Charlotte T. Reid, Illinois.
R. Walter Riehlman, New York.
Kenneth Roberts, Alabama.
John M. Robsion, Jr., Kentucky.
Byron Rogers, Colorado.
Harold Ryan, Michigan.
Byron N. Scott, California.
Fred Schwengel, Iowa.
Amistead I. Selden, Jr., Alabama.
Carlton Sickles, Maryland.
Alfred D. Sieminski, New Jersey.
William L. Springer, Illinois.
W. Walter Stauffer, Pennsylvania.
Lera Thomas, Texas.
Clark W. Thompson, Texas.
James E. Van Zandt, Pennsylvania.
Albert L. Vreeland, New Jersey.
George Wallhauser, New Jersey.
Fred Wampler, Indiana.
Phillip Weaver, Nebraska.
J. Irving Whalley, Pennsylvania.
Basil Lee Whitener, North Carolina.

The SPEAKER. Eighty Members have answered to their names.

The gentleman from Minnesota yields to the gentleman from Arkansas.

Mr. HAYS of Arkansas. Mr. Speaker, it was only 2 years ago that we held our first reunion in this Chamber. I recall at that time that the Speaker is greeting us very graciously and hopefully predicted that it would become an annual custom, and since this is the third year in which the ceremony has been observed, it appears that it will become permanent. For that, speaking for all the Members on both sides of the aisle, I am sure I can say that this comes with a great spirit of gratitude on our part.

I want also to say a word in praise of Congressman Judd, my longtime friend and colleague, for the gracious way in which he has worked with me. I was chosen as the first president after a year of co-chairmanship with him. He has done a remarkable job in the 14 months that he has served as our President.

Mr. Speaker, there are two sources of embarrassment for me. One is that I have not been recognized by some of my colleagues, and I must make them feel easier about it. I do not want any embarrassment on that point. I have grown some new hair. It is a hair piece, and what God hath not wrought I went out and bought.

The other source of embarrassment is something that disturbed Lew Deschler, and he is seldom up against a tough question. He generally knows the answers. I could say he is an expert, except that I am not in awe of experts after the dinner conversation in which Mrs. Emily Post was seated next to a man, her dinner partner who had just met her. He said, "You are Mrs. Post?" She said, "Yes." He said, "Mrs. Emily Post?" She said, "Yes." He said, "Well, Mrs. Post, you are eating my salad."

I would say in support of Lew Deschler's status, that he comes as close to being an expert as anyone I know, but he was troubled about whether to list me from Arkansas or from North Carolina, and that is understandable. I served 16 happy years in the House from the State of Arkansas. North Carolinians, and my present home is in North Carolina, are accustomed to hearing my reference to Arkansas as my beloved native State. The Arkansans are interested always in my reference to North Carolina as my beloved adopted State. But as I told my fellow Tarheels not long ago, it is very easy for me to feel at home in North Carolina, having come from Arkansas, for the gentle Ozark hills slope so gracefully eastward toward the Mississippi as our mighty mountains descend so gradually to the sea.

Ain't that pretty?

I do not use that any more because I ran across a line, and many have heard me say this, from Walter Hines Page's writing. He said:

> Next to fried foods the South has suffered most from oratory.

I do however acknowledge my residence in North Carolina because of my pride in the State I have come to love after 5 years teaching at Wake Forest University.

I would like to add, in addition to my acknowledgment of thanks to the Speaker, a reminder that 2 years ago we were greeted by the distinguished minority leader (Mr. FORD) who is still with us, and there is a certain symbolism here because on the same occasion our beloved friend Hale Boggs, whose tragic death we will always mourn, made a prediction similar to that which the Speaker offered.

I do not intend to dwell upon the past, but you are entitled to know something about a movement we believe is historic. We are taking a quick backward glance at what we have done in the 2 years. Oliver Wendell Holmes was right that "the continuity of history is not only a duty; it is a necessity."

We can take pride in some of the things we have done, and we propose to do more in the future, to acquaint the people of this Nation with the significance of the service of their Congress.

There will always be a Congress, but there are occasions when faith in our institutions falters. We are determined to do our part to guard well the great resources, intellectual and moral resources, which have been accumulated over the years. That is one reason why former Members of Congress are in business.

Since our time is limited, I move now to the great pleasure of presenting our first speaker from the Democratic side, one of the Members who served in the House and also in the Senate. He comes from a State which was also once my home. For 2 years I served as one of the directors of the Tennessee Valley Authority.

It is easy for me to be bipartisan, because President Eisenhower wanted me to have that assignment, and I accepted it, and I then spent 2 happy years in Knoxville.

I did tell President Eisenhower about a little lady who voted in 1956. She was asked, "How did you vote?" She said, "I voted for Ike and Brooks, I never split a ticket." I asked him which one of us had confused her.

This, I think, illustrates the fact that we are trying very much to be bipartisan.

Ross Bass is my friend. He happens to be Methodist; and he is always asking me for a Baptist story. I do not know why he would ask for any other kind; he will get a Baptist story, of course.

The only thing I can offer now is of a Mississippi editor who said, when Mr. Eisenhower appointed me:

> We do not know how much Mr. Hays knows about navigation or flood control or hydroelectric power production, but we will say this, that the Baptists now have access to the largest baptismal pool in all the world.

These are happy recollections for me. I am glad that Ross Bass is here. He served as a private in the infantry in World War II. He was born during the month I was being recruited for service in the First World War.

I salute the man who became a captain in the Air Force, transferring to that service, and won the Air Medal and the Oak Leaf Cluster.

He came to the Congress in 1955 with these high honors in military service, and he served for almost 10 years in this body. He succeeded Estes Kefauver in the other body.

So I present to you one who has served in both Houses in a very distinguished way, the able and popular Ross Bass of Tennessee.

The SPEAKER. The gentleman from Tennessee.

Mr. ROSS BASS. Mr. Speaker, when my friend the gentleman from North Carolina was here in the House, from Arkansas, we called him the "Pope of the Baptist Church." We weighed him in in watermelons.

Gentlemen and ladies of the House, former Members and present Members, it is a real pleasure for me to be back to address you.

I was given an impossible assignment. I was assigned the task of speaking on behalf of the Democrats from the Senate. I can guarantee you that is impossible, first of all because my time is limited and second because every Senator that I have ever known wishes to speak for himself and usually does at some length.

Anyway, it is a real pleasure for me to come back to this great Chamber to visit with my former colleagues and with the present Members of the House. I do not think there is any higher honor that can come to any man than to serve in these hallowed Halls and to have the privilege of this great forum and the privilege of serving the Speaker.

Now, for fear of dating myself or for fear of being classified as an older gentleman, I would like to reminisce for just a moment and recall one or two of the funny experiences I had here or I heard here, and maybe one or two of the tragic ones.

I was reminded today when I saw a gentleman come into the Former Members' meeting of this, which is one of the funniest speeches I ever heard on the floor of the House, but one which is very true.

It was during debate on a veterans' bill, and, of course, it was sort of sacred that when a veterans' bill came up, you voted for it. This gentleman got up in opposition to the veterans' bill, and he said, "I know it is going to shock you, but I am against this because it is a veterans' benefit." He said, "I am a veteran, and," he said, "when I was inducted into World War II, I lost my job, I lost my home, and I lost my wife." But, he said, "I now have a better house, a better job, and a better wife, and none of them were veterans' benefits."

So these are some of the things we remember.

I think one of the most tragic ones I heard points up to me the value of a Member of Congress and the value of his ability and the respect with which he is held by his colleagues.

I remember a very able Member of this body was explaining his bill one day—he was the chairman of a subcommittee—and during the course of the debate another Member got up and asked him a question, and then the chairman of the subcomimttee answered the question and answered it correctly.

The gentleman who was asking the question said, "How do I know that I can believe this man?" He said, "After all, he is not a lawyer. I understand

that before he came to Congress he was just a bricklayer."

I have never known such a quiet to come over the body as it did that day.

What I am saying to you is this: That there have been bricklayers, there have been plumbers, there may have been janitors. There have been men and women from every walk of life in this great Nation of ours, but I have never known a man who has been in this body who did not have some qualification and something to contribute. As a result of that service, my life has been richer for having served here.

I remember one of the shocks that I got while I was here. After the House voted itself an increase in salary—I believe it was early in 1955, perhaps in March—I walked back into the cloakroom and sat down, and in a moment WILBUR MILLS came back and he pointed me out, and in a kidding tone he said, "If there ever was a one-termer, Ross Bass is a one-termer."

He said, "He comes to Congress, and the first thing he does is to vote to give the President the authority to declare war; the second thing he does he votes for giving the authority to draft the men to fight the war; and then, because he thinks he has done such a good job, he votes himself an increase in salary." He says, "There is no way he can survive."

You know, I almost thought he was right. But anyway I survived, and then one day I decided that I would cross over to the other body, if possible.

I was then reminded of a statement that Speaker Rayburn made to me one time, sitting out here where many of us have talked. We were talking about a colleague of ours who had decided to run for the Senate, and Speaker Rayburn said to me—I will never forget it—"Ross, that is the longest 528 feet in the world."

Anyway I made that trek, and I want to tell you I learned that there is no similarity in the two bodies except the salary, which is identical. And I soon learned that what I had learned in the House served me not at all in the Senate. I had to forget that there was such a thing as the kind of rules that Lew Deschler interprets for us and that the Speaker interprets. Over there the rules are rather loose, and we are allowed a little more flexibility for talking and saying what we want to.

However, I am going to try to abide by House rules today and limit my remarks and be as brief as I can.

I want to say to you the minute you get over there, there is some kind of thing that happens. I do not know what it is, but I guess you become more important to yourself and certainly you become more important to your constituents and personal friends and people you have known before. When you met them on the street they used to call you Ross, but now they call you Senator. You may have been on a first-name basis with your staff, but immediately you become Senator. Good or bad it happens.

The first time I realized it was one night when I was in a restaurant near Capitol Hill. It was on New Year's Eve. We had ordered dinner, and with it my party ordered a little delicacy that was in shortage, I guess, at this restaurant. The maitre d' greeted me with Senator this and Senator that but before that I had to stand in line to get a table. I was served this delicacy, and in a few moments one of my colleagues from the House came up and spoke to me and saw what we were eating. He said, "How did you get that?" He had been there before I was, and he said, "I ordered it and they told me they were out of it." I said, "Captain, can you get my friend the Congressman some of this delicacy?" "Oh, yes, Senator. If you wish it, we will get it for you."

Well, what I am trying to say to you is this: We are the same person, and so forth, and we get the same salary and we do the same job, but I was impressed not because I wanted to be but because of the fact that there are sometimes veiled differences that should not exist between the Members of one body and the other.

The other thing we miss most when we leave here—and some of you will be realizing this soon and some of you sooner than you think—is the fact of a flat forum from which to express our opinions on the various issues of the day. It is very difficult for us to refrain from expressing our attitudes about current events. I certainly do not intend to do this today.

However, I do want briefly to make this observation about the Congress of the United States during this period in our history. I want to commend the leadership of the House and the Senate, the responsible leaders, for the way that they are handling the situation existing in our country today. I want to commend them for the rationale with which they have handled themselves and the sensibility of their statements and the nonpartisan attitude adopted by the Congress in providing leadership in these serious times.

I have one other comment. I think one of the disappointments I have had recently since I left here was reading in the press that the prestige of the Congress or the influence of the Congress versus the other branches was declining. I do not buy that and I am glad to see that the Congress is asserting itself and continuing the leadership necessary in the affairs of our country.

Mr. Speaker, thank you for your generosity and the generosity of this body in allowing us the privilege of coming back here and visiting once again.

I yield back the balance of my time.

The SPEAKER. May the Chair advise the former members that the Chair had set aside this time in the middle of a legislative day. The Chair on his own initiative is going to extend that time to 1:45. He cannot extend it further and would appreciate the cooperation of those in charge of the time.

Mr. JUDD. I thank the Speaker for this additional time, and I am sure our speakers will adhere to that time limitation.

Mr. Speaker, it is now my great privilege to introduce to speak for former Republican Senators the Honorable John Bricker of Ohio.

Senator Bricker served in World War I. He is a graduate of Ohio State University, both from its liberal arts college and its law school. He was attorney general of the State of Ohio, Governor of the State of Ohio, Republican candidate for Vice President in 1944, and a U.S. Senator for two terms, from 1947 to 1959.

Senator Bricker.

Mr. BRICKER. Mr. Speaker.

The SPEAKER. The gentleman from Ohio is recognized.

Mr. BRICKER. Thank you very much, Dr. Judd.

For the first time I have the privilege of speaking from this floor. It is a rare opportunity that I have, and one that I never thought would occur. However, it is a delight to be here, Mr. Speaker, in your midst, and reminisce a little bit and perhaps make a suggestion or two that I may have.

As a former Member of the Congress, I recall one time in 1917 when I drove former President Taft over to Camp Sherman where he was speaking to the various regiments assembled there, and we were talking about various things, and he said that a former President of the United States has no more power or authority than the King of England, and a former Member of the Congress has even less than that.

But, Mr. Speaker, we have been trying to study and develop some ways in which we could be of service because of our experience. I only want to mention one or two things.

First of all, all of the papers that were in my office, uncensored, were filed in the Historical Society Museum in my home State, and there is not a day that passes that I do not receive a request that someone might examine those papers, particularly two or three, and I have always been glad to grant these requests. The papers have been used rather extensively.

I am happy to say that one of the requests was from a president of a university in my State.

In the second place, our experiences can be valuable to young people who are the hope of tomorrow. About twice in each quarter at Ohio State University, where I was for a long time a member of the board of trustees, I appear before a joint class in political science, and one in American history. It has been a great privilege to me. I have gotten more out of it than they have. I talk for about 15 minutes, and then open up the meeting for questions from the members of those classes. And for one hour we have an experience that is really and truly a thrilling one.

I hope that in doing so it contributes something, and I offer it as a suggestion only to those who join with me.

I shall never forget a prayer that Peter Marshall, a great man of God, offered in the Senate. He said, "God, give us a mandate a little higher than a ballot box."

Many of us have experienced that, and have followed his suggestion, but we are glad to be here. I think if ever there was

a time in the history of our country when we should forget the ballot box and think of the interests of our country as a whole it is at the present time."

So, Mr. Speaker, I make these suggestions only as a man who comes from the western part of the East, and the eastern part of the West, out in the great State of Ohio. I see many of the Members of Congress who are here from my State. My only suggestion is that the greatest problem facing us is, in spite of the headlines and in spite of attempts on the part of groups here and there apparently to gain attention for themselves, as we see each day in the press and see it on television, and hear it over the radio, in spite of that, the most serious problem we have in this country is an economic problem, and that is true not only here in the United States but throughout the world. We are facing inflation, and we are facing a depression, and it is going to take careful and skillful management on the part of the Congress and the administration to solve that in the interest of the people.

I might say further that inflation is the most insidious of all the taxes that we can levy upon the people of our country.

Not only that, but it destroys the very foundation of the structure of government.

I am happy, Mr. Speaker, to have been with the Speaker and to have seen so many of my former colleagues who are listed on this nostalgic paper that I hold here in my hand. I wish much success to the Speaker and to the Members of Congress in the coming days.

Mr. HAYS of Arkansas. Mr. Speaker, it is now my privilege to present the second speaker, and the concluding speaker, for our side of the aisle.

I am grateful to Ross Bass for his reference to me. Before I finish, on this matter of partisanship, I think, instead of revising and extending my remarks, I will just say that I am really like the old man down in Arkansas on his death bed who was told he was going to die. He looked up and said, "Well, if there is anything wrong with the Baptist Church or the Democratic Party, I want to die without finding out about it."

Then, too, if I may say to my colleagues, since I have alluded to the request now and then for a Baptist story, I do not want my Baptist friends to feel that I am flippant in this regard. They know how much I love them.

I now present a distinguished judge. I used to stand in awe of judges. I am not in awe of this man. He is a gentle judge, a very learned judge. I served on the Committee on Banking and Currency with him for a number of years.

The first judge I ever faced was somewhat like Abraham Multer of New York. This man had the interesting name of Marcellus Lycurgus Davis. I lost the case. I began losing early. He wrote me the next day and said,

DEAR BROOKS: What you did yesterday was refreshingly boyish, but be a boy as long as you can, for the blood of youth is the wine of life, and while age leaves me but an empty cup I love its lingering fragrance still.

We of the later generation feel a keen interest in younger men who fill the places we once occupied.

I believe it was Walter Lippmann who said:

The invisible city is composed of young men who died for their country's sake and old men who plant trees they will never sit under.

We are planting trees you will sit under.

This man who still remains with us, a great judge, Abraham Multer, who served 20 years in this House from the 80th Congress through the 89th Congress—20 years—I am very happy to present to speak to the House.

Mr. MULTER. Mr. Speaker, when I was told a little earlier today I would be called upon to talk on behalf of the Democrats formerly of the House and to limit my remarks to 5 minutes, I said that after 20 years in this House, having learned to make a one-minute specch, I would find it difficult to speak for 5 minutes.

I appreciate the privilege that has been accorded to me, because actually the gentleman who should be talking to you now on behalf of the former Democrats of the House is my long-time friend—and the long-time friend of all our Members—Manny Celler. Congressman Celler is well, but, unfortunately, he could not be here to fulfill this commitment.

Compared to the 50 years that he served in this House, my mere 20 years in it hardly entitles me to speak for you. Mr. Speaker, I wish to express on behalf of all of our former Members on this side of the aisle how pleased we are to be back with you even for a brief time. I remember that when I came here in the 80th Congress I learned from our then beloved Speaker Joe Martin that we pronounced the word "pursuant" as "purswayant."

I had the privilege, as many of us did, of also serving under the late and most revered Sam Rayburn, and later under the gentle John McCormack. Although I did not have the privilege of having served under the Speakership of the distinguished and able Carl Albert, I did serve with him while he was majority leader of this House.

I always repeat what Mr. Sam said so fervently so many times: "I love this House." I am sure that is why we all have come back here, because we all love this House. As a matter of fact, we had to suspend last year 11 of our Members of the former Members of Congress Association, because they loved it so much they wanted to come back as duly elected members. I regret that only one of them made it, even though we then got 10 more former Members back into our organziation.

It has been good to be with you. I hope we can be with you for many more years to come and always return to this place which has been prettied up so nicely. It has been prettied up in more ways than one. I am sure all who served here appreciate it.

More than that, we all appreciate the fact that we were given in this land of opportunity the privilege to serve here. I am sure those who are now serving will value this privilege as much as we do.

I wish for all of us that we may return here, year after year, in good health to renew and extend old friendships in the service of our country.

Mr. JUDD. Mr. Speaker, may I introduce to speak for former Republican Members of the House, the Honorable Howard W. Pollock of Alaska. He was educated in the schools of Mississippi, California, Texas, and Massachusetts—MIT. He served in the U.S. Navy from 1941 to 1946, being discharged as a lieutenant commander. He was also head of several Alaska industrial projects involving gold and oil and seafood, which includes most of Alaska's main products. He served in the territorial legislature of Alaska before it became a State, and then in the Alaska State Senate. He served in this House from 1967 to 1971. He is now the Deputy Administrator of the National Oceanographic and Atmospheric Administration in the Department of Commerce.

Former Congressman Pollock.

Mr. POLLOCK. Mr. Speaker, my distinguished friends, it is a warm pleasure to be here. I wanted to come down once again to the well for feelings of nostalgia.

It is a very great pleasure to join my colleagues, past and present. Because I have the privilege of being in Washington I do have the opportunity frequently of associating with Members of Congress who are on active duty here, as it were. I continually have the opportunity of joining the Prayer Breakfast group on the House side, which is one of the very precious things in my continuing life.

As a matter of fact, we heard a marvelous beatitude this morning from Dan, and I see him sitting in the back. It is: Blessed are the brief for they shall again be invited.

I shall react to that by talking briefly.

I do have the opportunity and privilege and pleasure of serving with some of the men we have heard this morning on the board of directors of the FMC. As we have gone through our efforts throughout the year working toward this opportunity today, I cannot help but think of some of our colleagues who are no longer with us. Out of the 90th club group I think Bill Cowger is the only one who has passed on. He was a wonderful Congressman and a wonderful man. I would like on this occasion here today to record our memory of him. Of course there are ever so many others.

My friends, as I sit in these hallowed Halls I think about how very much history has been written here in this, the greatest deliberative body in the world.

I know I speak for all my colleagues who are Former Members of Congress, when I say that anyone who has ever been a part of this body will always be a part of it. To those of you who are still actively engaged in the work of the Congress I want to extend on my own personal behalf and certainly on behalf of all members of FMC our warmest best wishes for you, and good luck in all your endeavors. If it should come to pass that one day you are no longer in the Congress and you are sufficiently blessed to still be alive we would warmly welcome

you into the Former Members of Congress.

We think it is a great institution. We want you to stay where you are now, but one day come and join us.

God love you and keep you.

Mr. JUDD. Mr. Speaker, as was mentioned earlier, the bylaws of Former Members of Congress require that the organization not be used for any political partisan purpose, or to support or oppose any particular legislation or any candidate. As a citizen every Member is, of course, free to do as he wishes.

The bylaws require also that if any of our Members runs for office his membership is automatically suspended and, if elected, it is terminated. There were 11, as was said, who ran for office in 1972 and their membership was suspended. One of them, Gillis Long of Louisiana, was elected. The other 10 were not and have been reinstated.

I report this only to reassure the sitting Members that they are apparently not in too great danger from the former Members.

Mr. Speaker, with your permission, I should like to place in the RECORD the names of those who took the trouble to send their regrets that they could not come to this reunion today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The information is as follows:

FORMER MEMBERS OF CONGRESS SENDING REGRETS AT NOT BEING ABLE TO BE PRESENT MAY 24, 1973

Homer Abele, Ohio.
Miles Allgood, Alabama.
Elizabeh Andrews, Alabama.
O. K. Armstrong, Missouri.
Joseph W. Barr, Indiana.
A. David Baumhart, Ohio.
Augustus Bennet, New York.
Jackson Betts, Ohio.
Iris F. Blitch, Georgia.
Frances P. Bolton, Ohio.
Edward J. Bonin, Pennsylvania.
Reva Beck Bosone, Utah.
Clarence Burton, Virginia.
John M. Butler, Maryland.
Louis J. Capozzoli, New York.
Frank Carlson, Kansas.
J. Edgar Chenoweth, Colorado.
Chester Chesney, Illinois.
Victor Christgau, Minnesota.
Ranulf Compton, Connecticut.
N. Neiman Craley, Jr., Pennsylvania.
Albert W. Cretella, Connecticut.
Thomas B. Curtis, Missouri.
Irwin D. Davidson, New York.
Vincent J. Dellay, New Jersey.
Robert V. Denney, Nebraska.
David S. Dennison, Ohio.
Helen Cahagan Douglas, California.
Carl T. Durham, North Carolina.
Ken Dyal, California.
Henry Ellenbogen, Pennsylvania.
Charles H. Elston, Ohio.
Leonard Farbstein, New York.
Elizabeth Farrington, Hawaii.
Michael A. Feighan, Ohio.
Ivor D. Fenton, Pennsylvania.
Gerald T. Flynn, Wisconsin.
Ellsworth B. Foote, Connecticut.
James B. Frazier, Jr., Tennessee.
Hadwen C. Fuller, New York.
E. C. Gathings, Arkansas.
Newell A. George, Kansas.
Percy W. Griffiths, Ohio.
Ralph Harvey, Indiana.
Louis B. Heller, New York.
Charles B. Hoeven, Iowa.
Carl H. Hoffman, Pennsylvania.
J. Oliva Huot, New Hampshire.
Lawrence E. Imhoff, Ohio.
Glen D. Johnson, Oklahoma.
B. Everett Jordan, North Carolina.
Raymond W. Karst, Missouri.
Bernard W. Kearney, New York.
Elizabeth Kee, West Virginia.
Edna F. Kelly, New York.
Eugene J. Keogh, New York.
Thomas S. Kleppe, North Dakota.
William F. Knowland, California.
Thomas H. Kuchel, California.
Thomas J. Lane, Massachusetts.
Henry Cabot Lodge, Massachusetts.
J. Carlton Loser, Tennessee.
John W. McCormack, Massachusetts.
William D. McFarlane.
Walter L. McVey, Jr.
Donald H. Magnuson, Washington.
D. R. "Billy" Matthews, Florida.
George P. Miller, California.
William E. Miller, New York.
Tom V. Moorehead, Ohio.
Bradford Morse, Massachusetts.
Catherine D. Norrell, Arkansas.
Charles G. Oakman, Michigan.
James C. Oliver, Maine.
Harold C. Ostertag, New York.
Thomas M. Pelly, Washington.
N. Blaine Peterson, Utah.
Alexander Pirnie, New York.
Ben Reifel, South Dakota.
James Roosevelt, California.
Howard W. Smith, Virginia.
Gale H. Stalker, New York.
John H. Terry, New York.
William M. Tuck, Virginia.
Joseph D. Tydings, Maryland.
Harold H. Velds, Illinois.
E. S. Johnny Walker, New Mexico.
James D. Weaver, Pennsylvania.
J. Ernest Wharton, New York.
John S. Wold, Wyoming.
Eugene Worley, Texas.
Samuel W. Yorty, California.

Mr. JUDD. There are two or three other former Members who wish to extend their remarks.

The SPEAKER. The Chair will advise the gentleman that these requests can be made but will have to be executed in the House, and permission will be asked.

Mr. JUDD. Thank you very much.

Mr. Speaker, I should like to introduce, for our final piece of business, the Honorable George Meader, the chairman of the nominating committee, to report on the election of members to FMC Board of Directors and of its officers for the next year.

Mr. GEORGE MEADER. Mr. Speaker, the former Members of Congress, in their business meeting this morning, elected four Members for a 3-year term on the Board of Directors, as follows:

Jeffery Cohelan of California.

Walter H. Moeller of Ohio.

J. Caleb Boggs of Delaware.

John W. Byrnes of Wisconsin.

They elected for 2-year terms on the Board of Directors the following:

Senator B. Everett Jordan of North Carolina.

Fred Schwengel of Iowa.

The organization also elected as honorary directors without term the cofounders of our organization, the Honorable Brooks Hays of Arkansas and the Honorable Walter Judd of Minnesota.

The Members elected as their President for the coming year Senator B. Everett Jordan of North Carolina, and as Vice President George Meader of Michigan.

Mr. JUDD. Mr. Speaker, unless there is someone who has an irresistible urge to ask permission to make some additional comments we wish to close.

I thank you again, Mr. Speaker, and the House leadership, for your graciousness and courtesy in giving us this hour on this very specially busy day before the Memorial Day weekend, and despite the sad death of one of the House Members. All of us appreciate so deeply your granting us this greatly enjoyable, from our point of view, reunion in the House Chamber of Former Members of the House and Senate.

I believe this organization can do a lot of good in helping get a wider and deeper understanding throughout our country of our Congress—the role it has to play and how it actually functions in seeking to promote our Nation's vital interests and to safeguard our people's liberties.

Mr. BROOKS HAYS. Mr. Speaker, will the gentleman from Minnesota, Mr. Judd, yield for a question?

Mr. JUDD. Yes, I will yield.

Mr. BROOKS HAYS. Will the gentleman announce the time of the reception to be held?

Mr. JUDD. Yes, thank you. We extend to all sitting Members as well as former Members an invitation to join us at a reception at 5 o'clock in the caucus room, room 345, of the Cannon Office Building. We hope you will bring your wives, too.

Perhaps I should add that the wives and widows of former Members have organized an FMC auxiliary, and about 175 have joined. They are busy with functions of their own this day, and will be joining us at 5 o'clock at the reception.

Mr. PHEIFFER. Mr. Speaker, who I am pleased to greet as a fellow alumnus of the University of Oklahoma, ladies and gentlemen of the 93d Congress and my colleagues of former Congresses:

When I lived in the super-great State of Texas the righteous people hunted us Republicans with coon dogs. In fact it was necessary for me to outrun a posse in order to get out of my old home town of Amarillo. Then 17 months after arriving in New York City, unheralded and unsung, I was elected to the Congress. Thus it is obvious that the righteous people of New York also lost little time in getting me out of town. It was the custom of Speaker Sam Rayburn to gleefully refer to my New York City Congressional District as "the 255th County of Texas."

Essaying the roles of ombudsman, father confessor and mother hen to 400,000 of my fellow citizens during my tenure as a Congressman was a rewarding and enlightening experience. It would be a salutary arrangement if the vociferous critics of the Congress could each serve just 1 month as a Member of this body. Their carping voices, which proclaim that Congressmen and Congresswomen are idlers, riders of the gravy train and unresponsive to public needs, would be stilled. They would gain first hand knowledge of the unremitting behind-the-scene toil of the average Member in behalf of his or her constituents and

their burning of the midnight oil in a ceaseless quest for the right answers.

While a Member of the Congress is not required to sacrifice his or her life on the altar of our country yet that sacrifice was made by a quiet and self-effacing Member, whose voice was seldom heard in debate on the floor or in committee on the fateful day of June 4, 1941. He stood here and poured out his heart and soul in refutation of a canard uttered a few minutes previously by one of his colleagues, which did violence to his innermost ideals and convictions. He spoke with an eloquence which none of us knew he possessed. He was so immersed in his discourse that he did not heed the twice repeated admonition of Speaker Rayburn that "the time of the gentleman has expired".

Well the time of the gentleman had indeed expired because as the Speaker's gavel sounded for the last time this noble man fell dead at the base of this hallowed lectern. It was perhaps the most dramatic and tragic incident that ever occurred in this Chamber.

I am profoundly grateful to you ladies and gentlemen of the 93d Congress for according me the privilege of reliving for a moment those exacting but golden days of yore.

Mr. SIEMINSKI of New Jersey. Mr. Speaker, I appreciate the courtesy of being referred to as, "of N.J." I am now, and have been for the past 13 years a resident of Virginia.

Mindful of Virginia's enormous contribution to the strength of our legislative process—Peyton Randolph, President of the First Continental Congress, was of Virginia.

If appropriate, I would like to suggest that we consider the following: "To be displayed, in the Capitol, pictures or portraits of suitable size, of every speaker or President of the Congress."

Surely, the second and third ranking citizens of the land, in succession to the Presidency, are worthy of such commemoration.

The SPEAKER. The Chair wishes to thank the former Members for attending and addressing us in the House today.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 35 minutes p.m.

ROLLCALL OF HEROES—POLICEMEN SLAIN IN LINE OF DUTY, 1971–73

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GOLDWATER) is recognized for 30 minutes.

Mr. GOLDWATER. Mr. Speaker, 2 years ago I listed the names of law enforcement officers who had given their lives in the performance of duty, in the CONGRESSIONAL RECORD. That list covered a period of just over 2 years, and it included the names of 101 policemen. Tragically, in the 2-year period subsequent to this list—a period that included the unfortunate Supreme Court ruling on capital punishment—over 200 more police officers have been killed in the line of duty.

Just recently, we observed Police Memorial Week to pay tribute to the memory of courageous law enforcement officers who paid the ultimate price for protecting our rights as free citizens. It is distressing to note that very little public attention was paid to this observance.

Yet for the loved ones left behind, the week had great significance. It should have a great significance for all of us who value our freedom.

One reason for the lack of interest in honoring the memory of slain policemen is the overwhelming concern on the part of many, for the so-called "rights" of the criminal.

These "rights" are taken at the expense of the rights of policemen, and the ordinary citizen who is victimized by crime.

As one Washington, D.C., policeman said recently, all the worst criminal needs to do is point a finger at a policeman and yell "police brutality," and right away public attention through some elements of our society is focused on sympathy for the criminal.

I am fearful that unless the misguided psychology that applies to "rights" of hardened criminals is reversed, we face dark days ahead.

After all, in any society, especially one that embraces democracy, there is a very thin line between peace and anarchy.

The person that maintains the line in favor of peace is the policeman. I, for one, am thankful that the policeman is present to protect me.

I have not talked to anyone who would rather meet a criminal on a dark and lonely street instead of a policeman.

Mr. Speaker, a policeman, just like a soldier, realizes that when he takes the oath of office and puts on the uniform, his life is in constant danger.

Perhaps a few policemen can adopt a casual attitude toward death, but I seriously doubt if the majority feel this way.

I am sure that most of them are like Patrolman Louis Vasger of the Philadelphia Police Department.

Patrolman Vasger is dead.

He was gunned down in cold blood just 5 weeks ago during a routine inspection on his patrol beat.

Interestingly enough, but not surprising, the accused killer was out on bail awaiting trial for armed robbery committed a year and a half ago.

Patrolman Vasger left behind a young wife and three small boys. This needless tragedy is repeated over and over again.

Yet, statistics tell the story. Only one conviction now results for every 28 reported felonies.

Mr. Speaker, reading the names of slain policemen is something I do not relish, but I think it must be done as a testament to these courageous men and their families as well as symbolically reminding everyone that they have a moral obligation to respect and to obey the law.

Unless each and every one of us rededicates ourselves to supporting law enforcement officials in the performance of their appointed duties, crime will continue to be a horrible way of life for too many Americans, and brave officers like Patrolman Vasgar will continue to pay—with their lives.

The names that I will read include State, National and local lawmen.

Death respects no rank, as the men who fell ranged from cadets to top supervisors.

They served small towns, boroughs, county, State and national agencies, as well as the large cities.

Actually, the list is not complete.

My good friend, Virgil Penn, the national chaplain of the Fraternal Order of Police, who furnished me with a list of names, said that many police departments did not respond to his request for the names of slain policemen.

Therefore, this list contains 135 names representing 73 law agencies, but from reports compiled by the FBI, and other law enforcement agencies, the actual total is 125 killed in 1971, and 112 in 1972.

With deep reverence and profound sorrow I read the names of those who gave their lives to save our lives.

It is truly a roll call of heroes:

ALABAMA

Algie Long, of Hurtsboro.

ARIZONA

Paul Marston.
Gilbert Guthrie.

CALIFORNIA

Sgt. John V. Young, of San Francisco.
Phillip J. Riley, of Los Angeles.
Kenneth E. Walters, of Los Angeles.

CONNECTICUT

Kenneth Moraska, of Norwalk.
Sgt. Nicholas Fera, of Norwalk.

DELAWARE

David Yarrington, of the State Police.
Donald L. Carey, of the State Police.
George W. Emory, of the State Police.

FLORIDA

J. H. Moon, of Jacksonville.
Robert DeKarte, of Coral Gables.
Henry T. Minard, of Hollywood.

GEORGIA

Harlow Douglas Meers, of Rome.
Billy M. Kaylor, of Atlanta.
James R. Green, of Atlanta.

HAWAII

Benjamin Keeloha, of Honolulu.
David Huber, of Honolulu.
Deputy Sheriff Donal P. Jensen, of Honolulu.

IDAHO

Ross Flavel, of Lewiston.

ILLINOIS

Peter E. Laskey, of the Illinois Bureau of Information.
Frank Dunbar, of Chicago.

KANSAS

Kenneth M. Kennedy, of Hutchinson.

LOUISIANA

Ralph DeWayne Wilder, Deputy Sheriff of East Baton Rouge.
Ralph G. Hancock, Deputy Sheriff of East Baton Rouge.
Leroy Odom, of Farmersville.
Clyde Pearson, of Bossier City.
Edwin C. Hosli, Sr., of New Orleans.
Deputy Superintendent Louis Sirgo, of New Orleans.
Paul Persigo, of New Orleans.
Phillip J. Coleman, of New Orleans.
Alfred Harrell, Cadet, of New Orleans.

MARYLAND

Carl Peterson, of Baltimore.
Donald A. Robertson, Lieutenant, of Montgomery County.
Phillip Lee Russ, of the State Police.
Thomas Noyle, of the State Police.

Lorenzo Gray, of Baltimore.
Norman Buckmann, of Baltimore.

MICHIGAN

Charles B. Stark, of the State Police.
Steven DeVires, of the State Police.
Gary T. Rampy, of the State Police.
Leroy Imus, of Sterling Heights.
William Schmedding, Jr., of Detroit.
Gilbert Stocker, of Detroit.
Gerald Riley, of Detroit.
Robert Bradford, Jr., of Detroit.
Harold E. Carlson, of Detroit.

OHIO

Richard T. Miller, of East Cleveland.
Curtis Stanton, of Columbus.
Joseph Edwards, of Canton.

OKLAHOMA

Robert Eugene Aka, of State Highway Patrol.
Thomas Isbell, of State Highway Patrol.
Wesley Cole, of Tulsa.
Carl Hart, of Bokehito City.
Melvin Minor, of Norman.
Michael Ratikan, of Oklahoma City.
Thomas Spybuck, of Tulsa.

PENNSYLVANIA

Robert Hagenburg, of Plymouth Township.
Robert Lapp, of State Police Headquarters.
John S. Valent, of State Police Headquarters.
William Davis, Kennet Square.
Richard Posey, of Kennet Square.
Robert Seymore, of Bellefonte.
Albert Devlin, of McCandless.
George Stuckey, of Bristol Township.
William Schrott, of Penn Hills.
Bartley Connolly, of Penn Hills.
Henry Clinton Schaad, of York.
Douglas J. Alexander, of Philadelphia.
Leo VanWinkle, Jr., of Philadelphia.
James Duffin, Jr., of Philadelphia.
Louis Vasger, of Philadelphia.
William White, of Philadelphia.

SOUTH CAROLINA

Ray Caffee, of the State Highway Patrol.

TENNESSEE

Jesse Buttram, of Lenoir City.

TEXAS

Samuel Infante, of Dallas.
W. Don Reese, of Dallas.
A. J. Robertson, of Dallas.
E. M. Belcher, of Fort Worth.
Johnnie Hartwell, of Dallas.
Levy McQuieter, of Dallas.
Carl J. Cooke, of Dallas.
Allen Perry Camp, of Dallas.
Antonio T. Canales, of San Antonio.
Vincent Jerry Walker, of San Antonio.
Joshua Rodrigues, of Houston.

MINNESOTA

Howard L. Johnson, of Roseville.
Joseph Pudlick, of Minneapolis.
Inno H. Suek (Lt.), of Minneapolis.

MISSISSIPPI

William J. Skinner (Lt.), of Jackson.

MISSOURI

Donald L. Marler, of Harrisonville.
Francis E. Wirt, of Harrisonville.
Homer E. Fry (Marshall), of Mansfield.

NEW JERSEY

Frank Papianni, of Edison.
Marienus J. Sigeren, of State Police.
Werner Foerster, of State Police.
Frank Irvin, of Newark.

NEW MEXICO

Robert Rosenbloom, of State Police.

NEW YORK

William F. Holbert, Jr., of Binghamton.
Trooper White, of State Police.
Robert M. Semrov, of State Police.
Ivan G. Lorenzo, of New York City.
Earl Thompson, of New York City.
Waverly Jones, of New York City.
Joseph Piagentine, of New York City.
Robert Denton, of New York City.
Kenneth Nugent, of New York City.
Joseph V. Morabito, of New York City.
Rocco Lauri, of New York City.
Gregory P. Foster, of New York City.
Elijah Stroud, of New York City.
William Capers, of New York City.
Phillip W. Cardillo, of New York City.
Stephen R. Gilroy, of New York City.
Irving Wright, of New York City.

NORTH CAROLINA

Milford Mack Hardwick, of Columbus.
Dewey Henson McCall, of Wildlife Agent.
William Thomas Land, of Durham Co.
James Robert Lamb, of Wallace.
Alfred Baird.
Michael Patrick Jenkins, of Bessemer City.
Robert Jackson Eury, of Cabarrus Co.
Clyde Stephen Perry, of State Police.
Joe Griffin White, of State Police.
M. J. Bell, of Elizabethtown.
Charles H. Lee, of Clayton.
L. T. Walton, of State Police.
Joseph Hobgood, of Fountain.
Robert Randall East, of State Police.
Leonard Meeks, Jr., of State Police.
Gregory W. Spinelli (F.B.I.), of Charlotte.

UTAH

Deputy Sheriff Donald P. Jensen, of Farmington.

VERMONT

Dana Lee Thompson, of Manchester Center.

VIRGINIA

Carroll David Garrison, of Fairfax.

WASHINGTON, D.C.

Norman E. Sheriff, U.S. Marshall.
William L. Sigmon, of Metro Police.
Jerard E. Young, of Metro Police.

WASHINGTON

Fred D. Carr, of Seattle.
Charles F. Noble, of the Highway Patrol.

WISCONSIN

Donald C. Peterson, of the Highway Patrol.

WYOMING

Boyd L. Hall, of Teton County.

Mr. ROUSSELOT. Will the gentleman yield?

Mr. GOLDWATER. I am glad to yield to the gentleman from California.

Mr. ROUSSELOT. I wish to compliment my colleague from California for his continuing effort to make sure that those of us in the House who have had a real interest in this whole area of law enforcement give proper recognition to those men who have died in the line of duty. We must never forget what they have done.

The gentleman from California has been a burr under the saddle of this House in an effort to make sure we do not forget and to see that we do take some kind of constructive action to give awards of merit to so many of these men who maintain peace in the streets and provide for a proper atmosphere of law and order in this country.

I know that my colleague from California has made a persistent effort to bring these issues to the attention of our whole House. I am grateful that the gentleman has not been tempted to set aside his organized effort during the rush of other important issues that come before the House. He has attempted to keep it in front of the entire body. I know he has been the author of several bills in this important area. I wish to compliment him for his effort.

Mr. GOLDWATER. I thank my colleague from California for his remarks and his demonstration of concern which he has always shown. I must concur with him that too often we take for granted the great job our law enforcement officials perform. It is with that purpose in mind that I took this special order to pay tribute to those who died in the line of duty and, as I said, it is with profound sorrow that I read the names of those who gave their lives.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess of the House be printed in the RECORD, and that the former Members of the Congress may be allowed to extend their remarks in the RECORD.

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

There was no objection.

THE JAVITS WAR POWERS ACT—A LIBERAL DISSENT

The SPEAKER. Under a previous order of the House, the gentleman from Utah (Mr. OWENS) is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, for several years I have supported a concept which I first heard advocated by the Senator from New York, Mr. JAVITS, to limit the power of the President to use the Armed Forces of the United States in absence of a declared war by Congress. This bill was reintroduced by Mr. JAVITS on January 18 of this year in the U.S. Senate (S. 440). At last count, 60 Senators have cosponsored the Javits bill, and it will, I understand, soon pass the Senate, having been reported out of the Foreign Relations Committee unanimously.

One month ago I received a letter prepared by Dr. Francis D. Wormuth, professor of political science at the University of Utah in Salt Lake City, and cosigned by 12 of his faculty colleagues strongly criticizing the Javits' approach. Dr. Wormuth is one of the great civil libertarians in this country and has been, since the beginning, strongly opposed to U.S. involvement in Indochina. So I was at first surprised that he opposed this bill to limit Presidential warmaking powers.

Upon analysis, I find he makes a thoughtful, impressive argument. These men argue that although the bill supposedly limits the President in initiating new wars that, in fact, it would enlarge the President's power beyond existing law and constitutional limits and would, in fact, authorize the President to initiate new wars.

I strongly recommend that Members read Dr. Wormuth's thoughtful analysis. For that purpose, I am inserting into the RECORD at this point the Javits bill, the text of the letter I received from Dr. Wormuth and his colleagues, and the letter written by Dr. Wormuth to Senator JAVITS, analyzing the Javits bill.

I understand that the House Foreign Affairs Subcommittee on National Security, Policy, and Scientific Develop-

ment is now involved in marking up House Joint Resolution 542 which is apparently similar to Senator JAVITS' bill. I hope that the arguments made by these distinguished scholars can be heard by members of that subcommittee and by all Members before we vote on this landmark measure. The bill follows:

S. 440

A bill to make rules governing the use of the Armed Forces of the United States in the absence of a declaration of war by the Congress.

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 "War Powers Act".

PURPOSE AND POLICY

SEC. 2. It is the purpose of this Act to fulfill the intent of the framers of the Constitution of the United States and insure that the collective judgment of both the Congress and the President will apply to the introduction of the Armed Forces of the United States in hostilities, or in situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations after they have been introduced in hostilities or in such situations. Under article I, section 8, of the Constitution, it is specifically provided that the Congress shall have the power to make all laws necessary and proper for carrying into execution, not only its own powers but also all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof. At the same time, this Act is not intended to encroach upon the recognized powers of the President, as Commander in Chief and Chief Executive, to conduct hostilities authorized by the Congress, to respond to attacks or the imminent threat of attacks upon the United States, including its territories and possessions, to repel attacks or forestall the imminent threat of attacks against the Armed Forces of the United States, and, under proper circumstances, to rescue endangered citizens and nationals of the United States located in foreign countries.

EMERGENCY USE OF THE ARMED FORCES

SEC. 3. In the absence of a declaration of war by the Congress, the Armed Forces of the United States may be introduced in hostilities, or in situations where imminent involvement in hostilities is clearly indicated by the circumstances, only—

(1) to repel an armed attack upon the United States, its territories and possessions; to take necessary and appropriate retaliatory actions in the event of such an attack; and to forestall the direct and imminent threat of such an attack;

(2) to repel an armed attack against the Armed Forces of the United States located outside of the United States, its territories and possessions, and to forestall the direct and imminent threat of such an attack;

(3) to protect while evacuating citizens and nationals of the United States, as rapidly as possible, from (A) any situation on the high seas involving a direct and imminent threat to the lives of such citizens and nationals, or (B) any country in which such citizens and nationals are present with the express or tacit consent of the government of such country and are being subjected to a direct and imminent threat to their lives, either sponsored by such government or beyond the power of such government to control; but the President shall make every effort to terminate such a threat without using the Armed Forces of the United States, and shall, where possible, obtain the consent of the government of such country before using the Armed Forces of the United States to protect citizens and nationals of the United States being evacuated from such country; or

(4) pursuant to specific statutory authorization, but authority to introduce the Armed Forces of the United States in hostilities or in any such situation shall not be inferred (A) from any provision of law hereafter enacted, including any provision contained in any appropriation Act, unless such provision specifically authorizes the introduction of such Armed Forces in hostilities or in such situation and specifically exempts the introduction of such Armed Forces from compliance with the provisions of this Act, or (B) from any treaty hereafter ratified unless such treaty is implemented by legislation specifically authorizing the introduction of the Armed Forces of the United States in hostilities or in such situation and specifically exempting the introduction of such Armed Forces from compliance with the provisions of this Act. Specific statutory authorization is required for the assignment of members of the Armed Forces of the United States to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such Armed Forces are engaged, or there exists an imminent threat that such forces will become engaged, in hostilities. No treaty in force at the time of the enactment of this Act shall be construed as specific statutory authorization for, or a specific exemption permitting, the introduction of the Armed Forces of the United States in hostilities or in any such situation, within the meaning of this clause (4); and no provision of law in force at the time of the enactment of this Act shall be so construed unless such provision specifically authorizes the introduction of such Armed Forces in hostilities or in any such situation.

REPORTS

SEC. 4. The introduction of the Armed Forces of the United States in hostilities, or in any situation where imminent involvement in hostilites is clearly indicated by the circumstances, under any of the conditions described in section 3 of this Act shall be reported promptly in writing by the President to the Speaker of the House of Representatives and the President of the Senate, together with a full account of the circumstances under which such Armed Forces were introduced in such hostilities or in such situation, the estimated scope of such hostilities or situation, and the consistency of the introduction of such forces in such hostilities or situation with the provisions of section 3 of this Act. Whenever Armed Forces of the United States are engaged in hostilities or in any such situation outside of the United States, its territories and possessions, the President shall, so long as such Armed Forces continue to be engaged in such hostilities or in such situation, report to the Congress periodically on the status of such hostilities or situation as well as the scope and expected duration of such hostilities or situation, but in no event shall he report to the Congress less often than every six months.

THIRTY-DAY AUTHORIZATION PERIOD

SEC. 5. The use of the Armed Forces of the United States in hostilities, or in any situation where imminent involvement in hostilities is clearly indicated by the circumstances, under any of the conditions described in section 3 of this Act shall not be sustained beyond thirty days from the date of the introduction of such Armed Forces in hostilities or in any such situation unless (1) the President determines and certifies to the Congress in writing that unavoidable military necessity respecting the safety of Armed Forces of the United States engaged pursuant to section 3(1) or 3(2) of this Act requires the continued use of such Armed Forces in the course of bringing about a prompt disengagement from such hostilities; or (2) Congress is physically unable to meet as a result of an armed attack upon the United States; or (3) the continued use of such Armed Forces in such hostilities or in such situation has been authorized in specific legislation enacted for that purpose by the Congress and pursuant to the provisions thereof.

TERMINATION WITHIN THIRTY-DAY PERIOD

SEC. 6. The use of the Armed Forces of the United States in hostilities, or in any situation where imminent involvement in hostilities is clearly indicated by the circumstances, under any of the conditions described in section 3 of this Act may be terminated prior to the thirty-day period specified in section 5 of this Act by an Act or joint resolution of Congress, except in a case where the President has determined and certified to the Congress in writing that unavoidable military necessity respecting the safety of Armed Forces of the United States engaged pursuant to section 3(1) or 3(2) of this Act requires the continued use of such Armed Forces in the course of bringing about a prompt disengagement from such hostilities.

CONGRESSIONAL PRIORITY PROVISIONS

SEC. 7.(a) Any bill or joint resolution authorizing a continuation of the use of the Armed Forces of the United States in hostilities, or in any situation where imminent involvement in hostilities is clearly indicated by the circumstances, under any of the conditions described in section 3 of this Act, or any bill or joint resolution terminating the use of Armed Forces of the United States in hostilities, as provided in section 6 of this Act, shall, if sponsored or cosponsored by one-third of the Members of the House of Congress in which it is introduced, be considered reported to the floor of such House no later than one day following its introduction unless the Members of such House otherwise determine by yeas and nays. Any such bill or joint resolution after having been passed by the House of Congress in which it originated, shall be considered repoted to the floor of the other House of Congress within one day after it has been passed by the House in which it originated and sent to the other House, unless the Members of the other House shall otherwise determine by yeas and nays.

(b) Any bill or joint resolution reported to the floor pursuant to subsection (a) or when placed directly on the calendar shall immediately become the pending business of the House in which such bill or joint resolution is reported or placed directly on the calendar, and shall be voted upon within three days after it has been reported or placed directly on the calendar, as the case may be, unless such House shall otherwise determine by yeas and nays.

SEPARABILITY CLAUSE

SEC. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to any other person or circumstance shall not be affected thereby.

EFFECTIVE DATE AND APPLICABILITY

SEC. 9. This Act shall take effect on the date of its enactment but shall not apply to hostilities in which the Armed Forces of the United States are involved on the effective date of this Act. Nothing in section 3(4) of this Act shall be construed to require any further specific statutory authorization to permit members of the Armed Forces of the United States to participate jointly with members of the armed forces of one or more foreign countries in the headquarters operations of high-level military commands which were established prior to the date of

enactment of this Act and pursuant to the United Nations Charter or any treaty ratified by the United States prior to such date.

THE UNIVERSITY OF UTAH,
Salt Lake City, Utah, April 16, 1973.

Hon. WAYNE OWENS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN OWENS: The undersigned members of the Political Science Department, as constituents and not as spokesmen for the University of Utah, urge you to vote against the Javits War Powers Bill. Although this bill is supposed to limit the President in initiating war, in fact it undertakes to enlarge his power beyond existing law and beyond the limits of the Constitution. It would authorize the President to initiate a war:

(1) Whenever he alleged that American citizens were maltreated by a foreign government (this is the pretext upon which Hitler invaded Poland and began World War II);

(2) Whenever he alleged that a treaty the implementation of which by force Congress had approved permitted him to initiate war, even though the treaty had been negotiated a hundred years earlier.

The bill is a shocking attempt to cause Congress to abdicate its power to declare war in advance of any issue, in total ignorance of future issues and with no opportunity to evaluate the contemporary circumstances under which the President would actually initiate war. Dr. Wormuth's legal analysis of the bill in response to an inquiry from Senator Javits is enclosed.

Sincerely yours,

J. D. Williams, Roger Rieber, Donald W. Hanson, Kent Main, Clark D. Mueller, Bruce E. Bailey, D. F. Eamiesen, Francis D. Wormuth, Lorenzo F. Kimball, Edward C. Epstein, Slava J. Lubomundior, Helmut J. Callis, Robert P. Huefner.

THE UNIVERSITY OF UTAH,
Salt Lake City, Utah, March 6, 1973.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Thank you for sending me a copy of your War Powers Bill. When I wrote to the Council for a Livable World protesting against indorsement of the bill I had read it and did not write, as you suppose, out of misapprehension. This letter is in response to your request for an amplification of my criticism of the bill.

I think your general purpose is laudable and you certainly have the right enemies. However, the effect of the bill, if it were constitutional, would be to change existing law by enlarging the power of the President to engage in foreign adventures. And it is also objectionable because it defeats the purpose recited in Section 2, "to insure that the collective judgment of both the Congress and the President will apply to the introduction of the Armed Forces. . . ." The bill will give the President in advance—perhaps years in advance—the option of taking a decision for war when certain events occur, or when he alleges that such events have occurred. Under the Constitution, the decision of Congress to initiate war must be contemporaneous with the initiation of war and must be made in the light of existing circumstances. A postdated declaration of war, such as your bill contemplates, leaves the evaluation of the circumstances on some future occasion to the President. He alone takes the decision for war or peace. A request by President Jackson for a considerably more modest authorization of future acts of war was unanimously rejected by the Senate on the basis of a report by Henry Clay which asserted that Congress cannot delegate the war power, and seven requests of President Buchanan for contingent authority such as is included in your bill were rejected by the Senate for the same reason. See my "The Vietnam War: The President versus the Constitution," in Richard A. Falk, ed., *The Vietnam War and International Law* (Princeton: Princeton University Press, 1969), Vol. 2, pp. 736, 782–88.

The heart of the bill is Section 3. Sec. 3(1) authorizes the President to repeal an armed attack. This is merely declaratory and I do not object to it. I am troubled by Sec. 3(2) because it seems to legitimize involvement in war when American troops are attacked abroad without inquiring how they got there. Suppose they have entered neutral territory illegally, as occurred when President Nixon sent troops into Cambodia. In The Exchange v. McFaddon, 7 Cr. 116, 140–41 (1812), Chief Justice Marshall said, in effect, that such action is an act of war. In 1848 the House of Representatives voted that President Polk, by sending troops into territory disputed with Mexico and then defending them, had unconstitutionally initiated war. I fear this subsection might legalize a war initiated by a Congressionally unauthorized commitment of troops abroad.

I am very unhappy about Sec. 3 (3), which permits the President to send troops into a foreign country to protect citizens, either against rioters or against the government itself. The latter is clearly the initiation of war. The present law is much more restrictive but has proved to be adequate.

Page 2, line 9 of the bill seems to concede that the President has a constitutional power to protect citizens abroad. He has no such power. Dicta in three Supreme Court decisions—Murray v. The Charming Betsy, 2 Cr. 64, 120 (1804); the Slaughter-House Cases, 16 Wall. 36, 79 (1872); In re Neagle, 135 U.S. 1, 64 (1889)—say that a citizen has a right to protection abroad. But the protection of the rights of citizens belongs to Congress, not the President. Prigg v. Pennsylvania, 16 Pet. 539 (1842). Only one of the cases cited above, In re Neagle, suggests that the President has such power. This was said in order to support the indefensible decision in that case. The dictum in In re Neagle relies on the rescue of Martin Koszta by a naval captain (see my "Vietnam War," p. 756). But the rescue was an unauthorized action by Captain Ingraham and not the President's; and Koszta was an alien, not a citizen. The action was not judicially approved.

It is true that one circuit court opinion by Justice Nelson of the Supreme Court, Durand v. Hollins, 8 Fed. Cas. III (1860), argues at length that the President may employ force abroad to rescue citizens; but what was involved in that case was not the rescue of citizens but reprisal, which is generally understood to be an act of war belonging only to Congress. Whoever accepts Nelson's language in Durand v. Hollins should be prepared to accept his dissenting opinion in The Prize Cases, 2 Black, 635, 682 (1863), in which he argued that the President has no constitutional powers to repel a sudden attack. Justice Nelson was a strongly partisan Democrat who in Durand v. Hollins defended the action of Democratic President Pierce and in the Prize Cases condemned the action of Republican President Lincoln.

At present the President is authorized to seek the release of citizens unjustly imprisoned abroad by means "not amounting to acts of war." 22 U.S.C. § 1732 (1964); originally 15 Stat. 223 (1868). The Secretary of the Navy has had power to make rules since 1862. The present *Naval Regulations*, from which I enclose a copy of the pertinent rules, give a naval officer on the spot a carefully circumscribed right to rescue citizens. The rules in this form date back to 1893; in another form, to 1865. In one of your speeches you speak of the "gunboat diplomacy" of the nineteenth centry. All but thirteen of the naval landings in the nineteenth century were undertaken under naval regulations promulgated by statutory authority. It is in the twentieth century that Presidential excesses have occurred.

It seems to me better to have the decision taken by a naval officer who will not have long-range political motives than by a President who may use the pretext of rescuing citizens to launch a war. The German White Paper issued at the beginning of World War II alleged that the invasion of Poland was undertaken for the protection of *Volksgenossen* from maltreatment by the Poles.

I note that you deplore President Johnson's intervention in the Dominican Republic. He alleged that he was protecting citizens. Section 3(3) would legalize all such interventions. The words of caution and admonition in your bill would have no more effect on the conduct of a President than the Ten Commandments.

In short, the President has no constitutional power to use the armed forces for the rescue of citizens and at present has no statutory power. It is not the case that as commander-in-chief he has the right to use the armed forces for any purpose not authorized by Congress except to repel sudden attack. Our statutes have always specified when he is empowered to use the armed forces, and the present law forbids the use of the Army or Air Force to execute the laws without specific authority from the Constitution or Congress, 22 U.S.C. § 1732 (1964), derived from 20 Stat. 152 (1878). It is illegal for the President to attempt to execute any law except by the officers appointed by statute for that purpose. Gelston v. Hoyt, 3 Wheat, 245, 330–32 (1818); Hendricks v. Gonzalez, 67F. 351 (2d cir. 1895).

Moreover, Sec. 3(3) constitutes an attempt to delegate the war power, which is unconstitutional. When Chief Justice Marshall laid down the law of delegation in Wayman v. Southard, 10 Wheat. 1, 43 (1825), he denied that Congress might delegate "powers which are strictly and exclusively legislative"; on subjects "of less interest, a general provision may be made and power given to those who are to act under such general provisions to fill up the details." The debates in the Constitutional Convention and the ratifying conventions and the discussions in the *Federalist* make it clear that the power to go to war is "strictly and exclusively legislative." As I pointed out above, the Senate unanimously by resolution concurred in the report of Henry Clay that the war power cannot be delegated. Sec. 3(3) would not only transfer the power of war or peace to the President, which is outright abdication; it would do so for the indefinite future, in situations which Congress cannot foresee and evaluate at the present time.

I object to the central feature of Sec. 3(4) for the same reason. If the President and the Senate make a treaty which contemplates acts of war, and Congress passes the enabling legislation authorized by the bill, there is delegated to the President for the indefinite future a power to go to war whenever he alleges that the conditions in the treaty call for it. Under settled law, his allegation to this effect is not subject to review by any other authority; the cases begin with Martin v. Mott, 12 Wheat. 19 (1827). Once again, this is delegation *in futuro*, to apply in concrete cases which Congress cannot possibly envision when it legislates. The subsection would authorize the President alone to take the decision for war and peace, and it falls under Henry Clay's condemnation of the declaration of futures as opposed to contemporaneous wars.

However, I approve of page 4, line 19, which requires statutory authorization for the sending of military advisors. But perhaps you are not aware that such statutory authorization already exists, 10 U.S.C. § 712 (1959). It would be useful to repeal this provision.

I do not think that reporting to Congress or consulting Congress after the fact will be

effective. As William Howard Taft observed in his book *Our Chief Magistrate and His Powers*, once the President has involved the country in a war, rightly or wrongly, the whole nation will rally behind him.

Although the bill speaks of "Emergency Use of the Armed Forces," none of the powers granted is conditioned on the existence of an emergency which makes it impracticable to consult Congress at the time the power is invoked. In most of the situations covered by the bill it would be possible, I should suppose, to submit the issue to Congress, which would be able to make a judgment on the particular case in the light of existing circumstances, as the framers intended.

The question remains as to how one is to provide for genuine emergencies which cannot wait for Congressional action. The answer is that it is not possible for any legal order, even a despotism, to make legal provision for all emergencies. The values of a legal order lie in its regularized structure. It is inevitable that values extraneous to the legal order will now and again be jeopardized by that structure; and in some cases most of us would prefer those extraneous values to the values of the legal order. The proper course here is for the President to act illegally, report his actions and his motives to Congress, and ask Congress for ratification. This is what President Lincoln did at the beginning of the Civil War. Congress will not be ungenerous in any proper case. This course is preferable to legitimizing departures from the legal order. In advance; this will dissolve away the legal order.

To summarize, your bill is not aimed at emergencies. Its operation does not even requre the allegation that an emergency exists. It merely authorizes the President to initiate a war whenever he asserts that citizens are in danger or that a treaty which has received Congressional implementation should be invoked, provided he makes altogether unverified reports to what will no doubt be a wildly cheering Congress. Despite the claims of apologists for Presidential usurpation, the President has no such constitutional powers. At present he has no such statutory powers. Nor does the Constitution permit Congress to shirk its duty of taking the decision for war in each individual case by giving the President the option of making war at will in whole categories of cases in the future.

Sincerely yours,

FRANCIS D. WORMUTH.

SOCIAL SECURITY TAX REDUCTION ACT OF 1973

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

Mr. SEIBERLING. Mr. Speaker, today I am introducing the Social Security Tax Reduction Act of 1973, a bill to provide for a more equitable and progressive social security payroll tax. This bill is a companion measure to one Senator GAYLORD NELSON plans to introduce in the Senate.

Briefly, the bill would do the following:

First. Provide general payroll tax relief for all wage earners by reducing the present employee payroll tax rate from 5.85 to 5.2 percent.

Second. Provide specific payroll tax relief for lower income wage earners through a deduction and exemption formula which would for the first time make the payroll tax sensitive to an individual's ability to pay.

Third. Provide for the financing of these changes in the social security tax structure out of general revenues.

There is a well-worn saying that "a picture is worth a thousand words." For those of us in this Chamber, who deal day after day in broad legislative concepts and multibillion dollar appropriations, I think there is a corollary: A letter from home is worth a thousand abstractions.

I would like to share with my colleagues the comments of two constituents who recently wrote to me on the subject of taxes. Wrote one:

Having been unsuccessful in securing a salary increase for over three years now . . . it is with qualified alarm that I watch my net pay become less and less, even though my gross pay figure has remained the same.

Out of a 40 hour week, 11 hours are for taxes! Add in all the "hidden" taxes on goods I buy, plus the cost of living increases, and you see I am losing ground.

Another, a young housewife with a month-old son—whose husband earns $123 a week and brings home $90—wrote of the latest social security payroll tax increase:

It really makes me angry and heartsick. I mean it's our hard-earned money they keep taking and we can't do or say anything about it.

These two letters probably do not signal a taxpayers' revolt, but they do say a great deal about the present state of our tax system and what it is doing to the average taxpayer.

Mr. Speaker, the average taxpayer in this country is being victimized by a tax system that is growing steadily more regressive with each passing year. We started out to raise revenues from those best able to pay. Unfortunately we are not only far from achieving that goal but in recent years have been moving in the opposite direction.

This is not just because of the preferences and loopholes in the Federal income tax. With all its flaws, the Federal income tax still bears some relation to the individual's ability to pay. It may not raise sufficient revenues from wealthy individuals and large corporations, but at least the income tax does not impose undue hardship on lower income taxpayers.

The same cannot be said of the second largest source of Federal revenue, the social security payroll tax. It takes no account of ability to pay. It is imposed at a flat rate, and the $10,800 a year worker pays as much as the $480,000 a year corporation president. Because of the ceiling on taxable earnings and because the payroll tax applies only to wages and salaries and no other sources of income, the worker actually pays a large percentage of his income in social security payroll taxes than the corporation president does.

All of this makes the social security payroll tax the most regressive feature of our Federal tax system today. This is singularly unfortunate, because it is also the Federal Government's fastest growing tax. By 1974, this regressive tax will account for more than 25 percent of all Federal revenues. Ten years ago it accounted for less than 15 percent. In sharp contrast, the corporate income tax is steadily shrinking as a portion of Federal revenues—from nearly 21 percent in 1963 to 14.4 percent by 1974.

The Federal tax burden is steadily shifting away from corporations and onto individuals. And as the social security payroll tax accounts for more and more of all Federal revenues, it is shifting away from individuals in the higher income brackets and falling more heavily on middle- and lower-income taxpayers. It is no exaggeration to say that the social security payroll tax is the greatest source of inequity in the tax system today.

The rise in this tax has been so sharp that it has all but canceled out gains to low- and middle-income taxpayers arising from income tax reductions. Since 1963, a married worker with two children, earning $10,000 a year, has seen his income tax decline from $1,372 to $905, while his social security payroll tax has risen from $174 to $585. In other words, his income tax burden was reduced by 33 percent, while his payroll tax load increased 236 percent. The net result was that his overall tax load declined less than 1 percent—from 15.45 to 14.9 percent.

The payroll tax, an increasing onerous burden for all wage earners, hits especially hard at those at the bottom of the income ladder—the working poor. A decade ago a family of four with an annual income of $3,000 paid 5.6 percent—$168 a year—in combined Federal income and payroll taxes. Today that same family pays 5.85 percent—$175—and all of it is in social security payroll taxes. A wage earner with five dependents and an annual income of $5,500 will owe no income tax in 1973, but he will have to pay $321.75 in payroll taxes.

Mr. Speaker, after 10 years of repeated efforts—in 1964, 1969, and 1971—to reduce the burden of the income tax on low- and middle-income taxpayers, where are we? We have only succeeded in shifting the burden from a relatively equitable, progressive income tax based on ability to pay, to a flat-rate payroll tax, limited to wage and salary income, which cannot, by its nature, be anything other than regressive and unfair.

The cruelest irony of this sleight of hand is that those at the bottom of the income ladder are actually paying more in taxes now than they did 10 years ago. Individuals and families now considered too poor to have a Federal income tax liability are still saddled with an increasingly burdensome social security payroll tax. At low-income levels, the increase in the payroll tax is working at cross-purposes with income tax reductions, hampering efforts of the working poor to pull themselves out of poverty. At a time when grossly inflated rents and food prices make low income workers' dollars worth substantially less than they were last month—let alone last year or 4 or 5 years ago—the social security payroll tax, by taking more and more of these devalued earnings, is keeping the working poor impoverished.

I am thoroughly familiar with the argument that though all of this may be true, the imposition of the payroll tax

on the low-income worker is nonetheless justified because social security is a form of insurance and eventually he will receive benefits worth far more than his so-called contributions. But what other form of insurance do we have in this country where contributions are involuntary? The answer is, none.

What other insurance program do you find in this country today where benefit payments are increased with the cost of living or by acts of Congress and bear no real relationship to the actual amounts paid in by beneficiaries in the past? Again, none.

And what comfort is the knowledge that he will receive benefits 20 or 30 years in the future—if he lives that long—to a low-income worker who is trying to feed, house, and clothe his family today? Not much.

Mr. Speaker, I believe that the benefits the social security system provides retired persons and disabled workers are essential to America's economic and social well-being. I have supported increases in these benefits in the past and I will continue to do so, as it is shown that increases are needed in the future. But I also firmly believe that it is time the Congress leveled with the public and with itself about the real nature of social security. It is not insurance. It is a program to provide income security and health benefits for retired persons and eligible, disabled workers. Its benefits are not financed by past contributions; they are paid for by a mandatory tax on current income.

This year the social security system will take $62 billion from the wages of working men and women through the payroll tax, and pay out nearly all of it again to those who, because of age or disability, no longer work. It is really a mechanism for income redistribution. Unfortunately, because of the regressive nature of the payroll tax, it has also become an elaborate way or robbing Peter to pay Paul which works a tremendous hardship on moderate and low-income wage earners.

Mr. Speaker, I doubt that we can continue to have a viable social security system if we persist in financing it in such an inequitable manner. We will never have a truly equitable Federal tax structure—no matter how many income tax loopholes we close—if social security finance methods continue unchanged.

It is with this in mind that I am introducing the Social Security Tax Reduction Act. I have already briefly outlined the provisions of this bill. I would like now to discuss them at greater length.

First. The bill would reduce the present employee payroll tax rate from 5.85 to 5.2 percent. The tax rate on self-employed income would be reduced from 8 to 7.5 percent. The employer tax rate and the taxable wage ceiling would remain the same as under present law.

Second. To make the payroll more progressive and more sensitive to ability to pay at low- and moderate-income levels, the bill would allow taxpayers a "limited income deduction"—LID. The LID would be equal to the value of a taxpayer's exemptions—$750 each—and the low income allowance—$1,300—presently permitted under the personal income tax, reduced by the amount by which his earnings exceed this value.

At this point in the RECORD, I would like to insert an example of how the LID would work for a family of four at three different income levels:

a. A family of four with one wage earner and earnings of $4,300:	
Basic value of low income allowance ($1,300) and personal exemption (4×$750)	$4,300.00
Earnings	4,300.00
Earnings minus basic value ($4,300−$4,300)	0
Adjusted value of low income allowance and exemption, or LID 4×$750)	4,300.00
Earnings minus LID ($4,300−$4,300)	0
Payroll tax on adjusted earnings (5.2%×0)	0
b. A family of four with one wage earner and earnings of $6,450:	
Basic value of low income allowance ($1,300) and exemption (4×$750)	4,300.00
Earnings	6,450.00
Earnings minus basic value ($6,400−$4,300)	2,150.00
LID ($4,300−$2,150)	2,150.00
Earnings minus LID ($6,450−$2,150)	4,300.00
Payroll tax on adjusted earnings (5.2%×$4,300)	223.60
c. A family of four with one wage earner and earnings of $8,600:	
Basic value of low income allowance and exemptions	4,300.00
Earnings	8,600.00
Earnings minus basic value ($8,600−$4,300)	4,300.00
LID ($4,300−$4,300)	0
Earnings minus LID ($8,600−0)	8,600.00
Payroll tax on adjusted earnings (5.2%×$8,600)	447.20

For married couples filing jointly and single individuals, the LID would be computed in the manner I have just described. Married wage earners filing separately would each be allowed one-half the low income allowance—$650—plus their exemptions in computing the LID. The self-employed would receive personal exemptions and the low income allowance under the same rules applicable to employees. LID would not apply in computation of the tax on employers.

Third. The payroll tax revenue loss arising from the rate reduction and limited income deductions would be made up out of general revenues.

These changes in the financing of social security would have the following impact:

All covered American workers would pay less payroll tax than they do under present law.

All wage earners whose incomes are below the poverty level, as implied by the income tax code, would pay no payroll tax.

All families of four with one wage earner with earnings up to $8,600 would pay less payroll tax in 1973 than they did in 1972.

No worker earning $9,000 or less would pay more than his 1972 payroll tax.

All workers earning above $9,000 would pay 11 percent less in payroll taxes than they do under present law.

Payroll tax discrimination against families with more than one wage earner would end because their earnings would be pooled in computing the tax.

The payroll tax burden of low- and middle-income wage earners would bear a real relationship to their ability to pay.

This substantial tax relief can be achieved at a reasonable cost. The increased burden on general revenues of the changes in social security financing contained in this bill would amount to an estimated $8 billion annually, with the limited income deduction costing between $4 and $4.2 billion, and the rate reduction just under $3.9 billion.

Mr. Speaker, when I say this is reasonable, I do not mean to imply that I believe $8 billion is a negligible sum of money. It is a considerable amount, but when compared with an overall Federal budget of some $268 billion, it is a relatively modest amount, which this government can realistically finance.

The most fitting way to pay for social security payroll tax relief is through concurrent reform of the Federal income tax. Combined payroll tax relief and appropriate income tax reform would shift part of the social security cost burden from low- and middle-income wage earners, who now pay nearly all of the payroll tax, to wealthy individuals and corporations, who now escape paying their fair share of federal income taxes. It would at once provide tax relief for those who need it and make our entire tax system more equitable.

Several tax reform bills are already before the Congress. I am cosponsoring one introduced by our distinguished colleague from Wisconsin (Mr. REUSS) which would raise $9 billion a year in new revenues by closing eight loopholes which benefit only wealthy individuals and corporations. This is more than enough to pay for the payroll tax relief I have outlined today. Leading tax experts have estimated, in fact, that elimination of all those tax preferences and loopholes which accrue primarily to the benefit of wealthy individuals and corporations could raise over $20 billion annually in new revenues, more than twice as much as would be needed to finance this relief.

Mr. Speaker, for over a generation, in deference to the myth that social security is a form of Government-sponsored insurance financed by public "contributions," we have treated the payroll tax as a special creature, not to be judged by the same standards of equity we apply, or seek to apply, to the rest of our tax structure. As long as the social security payroll tax was a nominal one—even as late as 1965, when it was still only 3.6 percent on the first $4,800 of income—we could persist in this myth without inflicting great harm on the taxpaying public. But today, with the regressive payroll tax taking progressively larger bites out of the workingman's paycheck, with this most tangibly unfair of all Federal taxes now the second largest source of Federal revenues—surpassing even the corporate income tax and the rest of our tax structure any longer.

It is time to acknowledge the social security payroll tax for what it is and

reform it along with the rest of our tax system.

Mr. Speaker, I believe that far more than the relatively simple issue of tax equity is involved in payroll tax and income tax reform. In the end, it is the average citizen's faith in the fairness and justness of his Government and political system which is at stake.

It is through the tax system, which annually withholds hundreds and thousands of dollars from workers' paychecks, that the Federal Government has its greatest impact on the day-to-day lives of average citizens. If the tax system is fair, then people view the Government which administers it as fair. If the tax system is perceptibly unjust, then we can expect the average man to see the Government as unjust. We have an unjust tax system today. We have a public that is increasingly perceptive about its inequities. And not surprisingly, we have an electorate that is growing increasingly distrustful of all Government officials, elected and appointed.

Mr. Speaker, failure to correct the grave inequities of our tax system will fuel the growing attitude on the part of the public that Government is not acting in its interest, but has been captured by powerful, special interests. Only we can dispel that attitude, and we can only do it by our actions, not by our words.

Mr. Speaker, in my opinion, no other action we could take would do more to show the people of this country that their interests are still paramount in the Congress than this combination of payroll tax reform and income tax reform. Could there be a better time to take such action than now?

Mr. Speaker, I include the text of the bill in the RECORD following my remarks:

H.R. 8157

A bill to reduce the social security taxes to the 1972 rates and to provide a further reduction in such taxes for limited income individuals

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Social Security Tax Reduction Act of 1973".

SEC. 2. REDUCTION OF TAX RATES TO 1972 LEVELS.

(a) Section 3101(a) of the Internal Revenue Code of 1954 (relating to rate of tax for old-age, survivors, and disability insurance) is amended by inserting "and" at the end of paragraph (2) and by striking out paragraphs (3), (4), (5), and (6) and inserting in lieu thereof the following:

"(3) with respect to wages received during the calendar year 1971, 1972, 1973, and each subsequent calendar year, the rate shall be 4.6 percent."

(b) Section 3101(b) of such Code (relating to rate of tax for hospital insurance) is amended to read as follows:

"(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 0.60 percent of the wages (as defined in section 3121(a)) received by him with respect to employment (as defined in section 3121(b)) during each calendar year."

(c) Section 1401(a) of such Code (relating to rate of self-employment income tax for old-age, survivors, and disability insurance) is amended by inserting "and" at the end of paragraph (2), and by striking out paragraphs (3) and (4) and inserting in lieu thereof the following:

"(3) in the case of any taxable year beginning after December 31, 1970, the tax shall be equal to 6.9 percent of the amount of the self-employment income for such taxable year."

(d) Section 1401(b) of such Code (relating to rate of self-employment income tax for hospital insurance) is amended to read as follows:

"(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax equal to 0.60 percent of the amount of the self-employment income for such taxable year."

SEC. 3. FURTHER REDUCTION FOR LIMITED INCOME INDIVIDUALS.

(a) Section 3101 of the Internal Revenue Code of 1954 (relating to rate of tax on employees) is amended by adding at the end thereof the following subsection:

"(c) REDUCTION FOR LIMITED INCOME INDIVIDUALS.—

"(1) IN GENERAL.—The taxes imposed by subsections (a) and (b) with respect to the wages received by an individual with respect to employment during a calendar year shall be reduced by an amount equal to 5.2 percent of the individual's limited income deduction (determined under paragraph (2)).

"(2) LIMITED INCOME DEDUCTION.—For purposes of this subsection, an individual's limited income deduction with respect to wages received with respect to employment during a calendar year is—

"(A) the sum of (i) his low income allowance under section 141 (c) for his taxable year which begins in the calendar year (whether or not the individual uses the low income allowance for purposes of the tax imposed by chapter (1) and (ii) the amount of personal exemptions to which he is entitled under section 151 for the taxable year, reduced (but not below zero) by

"(B) the amount by which the sum of the wages received by him with respect to employment during the calendar year and his self-employment income for such taxable year exceeds the sum described in subparagraph (A).

"(3) WITHHOLDING AND SOCIAL SECURITY ACT NOT TO BE AFFECTED.—For purposes of section 3102 and titles II and XVIII of the Social Security Act, this subsection shall not be taken into account."

(b) Section 1401 of the Internal Revenue Code of 1954 (relating to rate of tax on self-employment income) is amended by adding at the end thereof the following new subsection:

"(c) REDUCTION FOR LIMITED INCOME INDIVIDUALS—

"(1) IN GENERAL.—The taxes imposed by subsection (a) and (b) on the self-employment income of an individual for a taxable year shall be reduced by an amount equal to 7.5 percent of the individual's limited income deduction (determined under paragraph (2)).

"(2) LIMITED INCOME DEDUCTION.—For purposes of this subsection, an individual's limited income deduction for a taxable year is—

"(A) the sum of (i) his low income allowance under section 141 (c) for the taxable year (whether or not the individual uses the low income allowance for purposes of the tax imposed by chapter (1) and (ii) the amount of personal exemptions to which he is entitled under section 151 for the taxable year, reduced (but not below zero) by

"(B) the amount by which the sum of the wages (as defined in section 3121 (a)) received by him with respect to employment (as defined in section 3121 (b)) during the calendar year in which his taxable year begins and his self-employment income for such taxable year exceeds the sum described in subparagraph (A).

"(3) SOCIAL SECURITY ACT NOT TO BE AFFECTED.—For purposes of titles II and XVIII of the Social Security Act, this subsection shall not be taken into account."

SEC. 4. CREDIT OR REFUND FOR EXCESS WITHHOLDING OF SOCIAL SECURITY TAXES.

Section 31(b) of the Internal Revenue Code of 1954 (relating to credit for special refunds of social security tax) is amended by striking out the heading and paragraph (1) and inserting in lieu thereof the following:

"(b) CREDIT FOR EXCESS WITHHOLDING OF SOCIAL SECURITY TAXES.—

"(1) IN GENERAL.—The Secretary or his delegate shall prescribe regulations providing for the crediting against the tax imposed by this subtitle of (A) amounts deducted under section 3102 from the wages paid to the taxpayer in excess of the tax imposed on such wages by section 3101, and (B) the amount determined by the taxpayer or the Secretary or his delegate to be allowable under section 6413(c) as a special refund of such tax. The amount allowable as a credit under such regulations shall, for purposes of this subtitle, be considered an amount withheld at source as tax under section 3402."

SEC. 5. EFFECTIVE DATES.

The amendments made by sections 2 (a) and (b) and 3(a) shall apply with respect to wages paid after December 31, 1972. The amendments made by sections 2 (c) and (d), 3(b), and 4 shall apply to taxable years beginning after December 31, 1972.

SEC. 6. APPROPRIATIONS FROM GENERAL FUND TO SOCIAL SECURITY TRUST FUNDS.

(a) There are hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund amounts (as determined by the Secretary of the Treasury) equal to the amounts by which the taxes imposed by sections 1401 and 3101 of the Internal Revenue Code of 1954 received in the Treasury are less than the amounts which would have been received if the Social Security Tax Reduction Act of 1973 had not been enacted.

(b) The amounts appropriated by subsection (a) shall be transferred from time to time from the general fund in the Treasury to the respective Trust Funds on the basis of estimates by the Secretary of the Treasury. Proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or were less than the amounts which should have been transferred.

TWO CENTURIES OF GUN OWNERSHIP HAVE PRESERVED INDIVIDUAL LIBERTY

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

Mr. SAYLOR. Mr. Speaker, since my election to the House of Representatives, I have been justifiably terrified by the unnecessary, paternalistic, firearms regulation legislation that has been condoned by too many of my colleagues. The ultimate goal of such insidious actions by the Congress is total Federal control and confiscation of all privately owned firearms.

The suicide mission of "protecting the country from the evils of firearms," has fostered legislation that serves as an ugly mask to cover the unprecedented attempts to usurp a constitutional right through measures that reek of asininity

and fear. Without the right to keep and bear arms, the American public will become defenseless against the criminal and the State. Accordingly the American system of government—that has survived on constitutional rights and guidelines—will be disregarded and possibly disposed of for some lasting omnipotent power structure.

One group, other than the DDS—Disarming Demagogue Society—truly understands and applauds total gun regulation—the criminals. After all, they have made their place in society by disobeying and destroying all laws and people who hinder them. The law abiding citizen will be forced to obey an unjust law and in the process become easy prey for any type of criminal—public or private.

I shall fight to prevent our Government from falling under the control of those associated with black-shirted, goose-stepping tyrants; misfits; and hoodlums.

Once again, I have introduced a firearms bill, H.R. 1150, which would repeal the greatest example of misguided emotion ever to be codified by the U.S. Congress—the Gun Control Act of 1968. I have introduced this bill in each new Congress with the same results. The anti-gun coalition opposes any legislation that would guarantee individual liberties—liberties that have already been granted under the Constitution. Unfortunately, the courts and the Congress reneged on the people's "buyer protection plan" that was so meticulously composed by the founders of our country.

A FUNDAMENTAL RIGHT

Every citizen was guaranteed the right to keep and bear arms under the second amendment to the Constitution. That amendment states:

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

This amendment was added, because certain States, during their conventions to ratify the Constitution, realized the imperfections of, and ramifications inherent in the creation of a Federal-type government. In addition, many States included a similar clause in their constitutions predating the Federal constitutional proposal. For example, the constitution of my home State, Pennsylvania, adopted in 1776, contained a provision that guaranteed the right to bear arms:

That the people have a right to bear arms for the defense of themselves and the state.

Five State conventions, in their letters of approval of the U.S. Constitution, outlined many aspects of individual liberty that had to be safeguarded from Federal control or regulation. Among these individual rights was firearms ownership. The State of New Hampshire said:

And as it is the opinion of this Convention that certain amendments and alterations in the said Constitution would remove the fears and quiet the apprehensions of many of the good people of this State and more effectually guard against an undue Administration of the Federal Government . . .

Congress shall never disarm any citizen unless such as are or have been in actual rebellion.

The States of Virginia, North Carolina, New York, and Rhode Island submitted similar statements regarding approval of the U.S. Constitution. The North Carolina commentary is representative:

A Declaration of Rights asserting and securing from encroachment the great principles of civil and religious liberty, and the unalienable rights of the people, together with amendments to the most ambiguous and exceptional parts of the said Constitution of Government, ought to be laid before Congress, and the Convention of the States that shall or may be called for the purpose of amending the said Constitution . . .

That the people have a right to keep and bear arms, that a well regulated militia composed of the body of the people, trained to arms is the proper, natural and safe defense of a free state.

The above statements were made by the citizenry of the Colonies as they reviewed the work of our Founding Fathers before they approved and ratified this great document. It is that same belief in freedom and the ability to protect oneself from all threats that must prevail today. Firearms regulation must be eliminated before it becomes total gun confiscation in the hands of Government bureaucrats.

On March 4, 1789, the Congress drafted a resolution containing 12 amendments to the Constitution. That document stated:

The Convention of a number of States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent mis-construction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best insure beneficent ends of its institution.

Article the Fourth . . . A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

Of course, we all know the outcome of this resolution.

It is my contention that the brilliantly drafted second amendment combined two ideas in a single sentence—the right to keep and bear arms and the militia provision. If these were two separate amendments, they would read:

A well regulated militia, being necessary to the security of a free State, shall not be infringed.

and

The right of the people to keep and bear arms, being necessary to the security of a free State, shall not be infringed.

Our Founding Fathers realized that not only did the States and the Nation need protection—but so did the individual. By combining the two concepts, they merely provided for both in a concise manner. The safety of the individual was assured by his right to bear arms in protection against internal insurrections, as well as abuses of power by the Federal Government.

When one gets down to the heart of today's "law and order" issue, our situation is similar to revolutionary times. The people and the Government face similar internal problems; instead of "frontier fears" we face gun-toting renegades and various groups seeking to destroy our country.

The second amendment also provided for a militia. This was important, because it guaranteed the protection of the Nation without establishing a large standing Army—an idea that repulsed our early countrymen.

However, as we all know, the word, "militia," has all but vanished from today's military vocabulary. Militias evolved into National Guard Units which are now incorporated into the national defense structure whenever necessary. Unfortunately, the world situation today mandates a large standing Army.

The security of the States is now provided for on a much larger scale than was ever believed possible in 1789. Yet, the part of the second amendment—the right to keep and bear arms—is as necessary today as it was then. It is our duty to strengthen the desires and reaffirm the foresight of our Founding Fathers in a contemporary interpretation of this amendment.

When an individual possesses a firearm, he can protect and insure his life, liberty, and property against any person or institution.

Instead of acting contrary to the belief in freedom upon which this country was built, Congress should get to the business of cracking down on the demented, gun-toting criminals who have been pampered over the last 50 years by bleeding-heart sociologists, gun control fanatics, and lenient judges. Congress must redirect its sympathies from the criminal to the law-abiding citizen whose rights to life, liberty, and property must be protected, if not by the Government, then by the citizen himself.

As I implied earlier, the Bill of Rights was the colonial equivalent of modern businesses' "buyer protection plan." Just as any manufacturer backs up his product and recalls it if the owner's safety is endangered—so must the Congress abide by its 200-year-old guarantee and recall a bad law if it endangers the basic principles of this Nation. The Gun Control Act of 1968 is such a law. If the guarantee embodied in the Bill of Rights is not fulfilled—the people can and must, as the Declaration of Independence affirms, "provide new guards for their future security."

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. OWENS, for 5 minutes, today, and to revise and extend his remarks.

(The following Members (at the request of Mr. POWELL of Ohio) and to revise and extend their remarks and include extraneous matter:)

Mr. KEMP, for 15 minutes, today.

Mrs. HECKLER of Massachusetts, for 5 minutes, today.

Mr. EDWARDS of Alabama, for 5 minutes, today.

(The following Members (at the request of Mr. DAN DANIEL) and to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. MOSS, for 5 minutes, today.

Ms. ABZUG, for 15 minutes, today.

Mr. MORGAN, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HECHLER of West Virginia and to include extraneous matter notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $467.50.

(The following Members (at the request of Mr. POWELL of Ohio) and to include extraneous matter:)

Mr. GUBSER.
Mr. KEMP in two instances.
Mr. MCKINNEY.
Mr. HANRAHAN.
Mr. YOUNG of Florida in two instances.
Mr. BAFALIS in five instances.
Mr. HUBER in three instances.

(The following Members (at the request of Mr. DAN DANIEL) and to include extraneous matter:)

Mr. DAN DANIEL.
Mr. RIEGLE.
Mr. GONZALEZ in three instances.
Mr. RARICK in three instances.
Mr. WHITE.
Mr. MITCHELL of Maryland.

(The following Members (at the request of Mr. OWENS) and to include extraneous matter:)

Mr. ROONEY of New York in two instances.
Mr. BYRON in 10 instances.
Mr. MCCORMACK in two instances.
Mr. HARRINGTON in two instances.
Mr. GUNTER in five instances.
Mr. ROGERS in five instances.
Mr. STOKES in three instances.
Mr. WALDIE in three instances.
Mr. TEAGUE of Texas in six instances.
Mr. BRASCO in three instances.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 251. An act for the relief of Frank P. Muto, Alphonso A. Muto, Arthur E. Scott, and F. Clyde Wilkinson to the Committee on the Judiciary.

S. 1384. An act to authorize the Secretary of the Interior to transfer franchise fees received from certain concession operations at Glen Canyon National Recreation Area, in the States of Arizona and Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1808. An act to apportion funds for the National System of Interstate and Defense Highways and to authorize funds in accordance with title 23, United States Code, for fiscal year 1974, and for other purposes; to the Committee on Public Works.

S.J. Res. 25. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September of each year as "National Next Door Neighbor Day"; to the Committee on the Judiciary.

SERVICES FOR THE LATE HONORABLE WILLIAM O. MILLS

Mr. GUDE. Mr. Speaker, services on behalf of the late Honorable WILLIAM O. MILLS will be held at St. Marks Methodist Church, Oxford Road, Easton, Md., on Saturday, May 26, 1973, at 2 o'clock p.m.

THE LATE HONORABLE WILLIAM O. MILLS

Mr. GUDE. Mr. Speaker, I offer a resolution.

The Clerk read the resolution as follows:

H. Res. 411

Resolved, That the House has heard with profound sorrow of the death of the Honorable William O. Mills, a Representative from the State of Maryland.

Resolved, That a committee of twelve Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to attend the funeral the following Representatives. Mr. GUDE, Mr. LONG of Maryland, Mr. HOGAN, Mr. BYRON, Mr. MITCHELL of Maryland, Mr. SARBANES, Mrs. HOLT, Mr. GROSS, Mrs. SULLIVAN, Mr. DULSKI, Mr. HENDERSON, and Mr. GROVER.

The Clerk will report the remaining resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

The SPEAKER. Pursuant to the provisions of House Concurrent Resolution 221, the Chair declares the House adjourned until 12 o'clock noon on May 29 next.

Thereupon (at 1 o'clock and 53 minutes p.m.), pursuant to House Concurrent Resolution 221, the House adjourned until Tuesday, May 29, 1973, 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:

958. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 10, United States Code, to disestablish the Chemical Corps as a basic branch of the Army; to the Committee on Armed Services.

RECEIVED FROM THE COMPTROLLER GENERAL

959. A letter from the Comptroller General of the United States, transmitting a report on the assistance to family planning programs in Southeast Asia administered by the Agency for International Development; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee of Conference. Conference report on S. 38 (Rept. No. 93–225). Ordered to be printed.

Mr. DONOHUE: Committee on the Judiciary. H.R. 7446. A bill to establish the American Revolution Bicentennial Administration, and for other purposes; with amendments (Rept. No. 93–226). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 7806. A bill to extend through fiscal year 1974 certain expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; with amendment (Rept. No. 93–227). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. House Resolution 382. Resolution disapproving Reorganization Plan No. 2 (Rept. No. 93–228). 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. ANDERSON of California:

H.R. 8112. A bill to provide for a Federal income tax credit for the cost of certain motor vehicle emission controls on 1975 model motor vehicles sold in the State of California; to the Committee on Ways and Means.

By Mr. ASHLEY:

H.R. 8113. A bill to amend section 5042(a)(2) of the Internal Revenue Code of 1954 to permit individuals who are not heads of families to produce wine for personal consumption; to the Committee on Ways and Means.

By Mr. BROWN of California (for himself, Mr. HORTON, Ms. ABZUG, Mr. BADILLO, Mr. CLEVELAND, Mr. CONYERS, Mr. DELLUMS, Mr. DE LUGO, Mr. DU PONT, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. FISHER, Mr. HARRINGTON, Mr. MATSUNAGA, Mr. MCCLOSKEY, Mr. MOAKLEY, Mr. MOSS, Mr. PODELL, Mr. REID, Mr. RHODES, Mr. SCHNEEBELI, Mr. STARK, Mr. UDALL, Mr. WALDIE, and Mr. WHITEHURST):

H.R. 8114. A bill to amend the Public Health Service Act to provide for the establishment of a National Institute of Population Sciences; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 8115. A bill to extend the application of section 112(d) of the Internal Revenue Code of 1954 to certain members of the Armed Forces of the United States and civilian employees who were illegally detained during 1968, and to provide that certain provisions of such code relating to members of the Armed Forces shall apply without regard to whether or not an induction period exists; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself, Ms. ABZUG, Mr. BRASCO, Ms. CHISHOLM, Mr. EILBERG, Ms. HOLTZMAN, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MURPHY of New York, Mr. NIX, Mr. O'HARA, Mr. PEPPER, Mr. PODELL, and Mr. WON PAT):

H.R. 8116. A bill to amend title II of the Social Security Act to provide a 50-percent across-the-board increase in benefits thereunder, with the resulting benefit costs being borne equally by employers, employees, and the Federal Government, and to raise the amount of outside earnings which a bene-

ficiary may have without suffering deductions from his benefits; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself, Mr. SLACK and Mr. MOAKLEY):

H.R. 8117. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the Internal Revenue Code of 1954 to stem the outflow of U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 8118. A bill to make rules governing the use of the Armed Forces of the United States in the absence of a declaration of war by the Congress of the United States or of a military attack upon the United States; to the Commitee on Foreign Affairs.

By Mr. COLLIER:

H.R. 8119. A bill to provide for a study of the availability of a route for a trans-Canada oil pipeline to transmit petroleum from the North Slope of Alaska to the continental United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CRONIN (for himself, Mr. ABDNOR, Mr. ASPIN, Mr. CLEVELAND, Mr. COCHRAN, Mr. COHEN, Mr. COUGHLIN, Mr. DE LUGO, Mr. DERWINSKI, Mr. EILBERG, Mr. FRASER, Mr. FRENZEL, Mr. FROEHLICH, Mr. GILMAN, Mrs. GRASSO, Mr. HANRAHAN, Mr. KETCHUM, Mr. MILFORD, Mr. MOORHEAD of California, Mr. O'BRIEN, Mr. PICKLE, Mr. RIEGLE, Mr. SARASIN, Mr. WINN, and Mr. WON PAT):

H.R. 8120. A bill to establish a Joint Committee on Energy, and for other purposes; to the Committee on Rules.

By Mr. DAVIS of Wisconsin:

H.R. 8121. A bill to amend the Federal Trade Commission Act (15 U.S.C. 45) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

H.R. 8122. A bill to amend the Internal Revenue Code of 1954 to provide that certain homeowner mortgage interest paid by the Secretary of Housing and Urban Development on behalf of a low-income mortgagor shall not be deductible by such mortgagor; to the Committee on Ways and Means.

By Mr. EDWARDS of California (for himself and Ms. ABZUG):

H.R. 8123. A bill to carry out the recommendations of the Presidential Task Force on Women's Rights and Responsibilities, and for other purposes; to the Committee on the Judiciary.

By Mr. FRASER (for himself, Mr. DIGGS, Mr. O'HARA, Mrs. BURKE of California, Mr. YOUNG of Georgia, and Mr. COHEN):

H.R. 8124. A bill to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome and to restore the United States to its position as a law-abiding member of the international community; to the Committee on Foreign Affairs.

By Mr. FREY:

H.R. 8125. A bill to amend chapter 83 of title 5, United States Code, to eliminate the survivorship reduction during periods of nonmarriage of certain annuitants; to the Committee on Post Office and Civil Service.

H.R. 8126. A bill to increase the contribution of the Government to the cost of health benefits for Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8127. A bill to provide increases in certain annuities payable under chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8128. A bill to provide for continual application of current basic pay scales to Federal civil service annuities; to the Committee on Post Office and Civil Service.

H.R. 8129. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 8130. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 8131. A bill to amend section 121 of the Internal Revenue Code of 1954 (relating to gain from sale or exchange of residence of individual who has attained age 65) to lower to 60 the age at which the benefits of that section may be elected and to increase the amount of gain which may be excluded under such section; to the Committee on Ways and Means.

H.R. 8132. A bill to amend the Internal Revenue Code of 1954 to provide a basic $5,000 exemption from income tax in the case of an individual or a married couple, for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

H.R. 8133. A bill to amend titles II and XVIII of the Social Security Act to include qualified drugs, requiring a physician's prescription or certification and approved by a formulary committee, among the items and services covered under the hospital insurance program; to the Committee on Ways and Means.

H.R. 8134. A bill to amend title XVIII of the Social Security Act to provide payment under the supplementary medical insurance program for optometrists' services and eyeglasses; to the Committee on Ways and Means.

H.R. 8135. A bill to amend title II of the Social Security Act to increase to $750 in all cases the amount of the lump-sum death payment thereunder; to the Committee on Ways and Means.

By Mr. HUBER:

H.R. 8136. A bill to limit certain legal remedies involving the involuntary busing of schoolchildren; to the Committee on the Judiciary.

H.R. 8137. A bill to amend the Civil Rights Act of 1964 with respect to school desegregation; to the Committee on the Judiciary.

By Mr. KING:

H.R. 8138. A bill to incorporate the Italian American War Veterans of the United States, Inc.; to the Committee on the Judiciary.

H.R. 8139. A bill to amend the Internal Revenue Code of 1954 to permit an exemption of the first $5,000 of retirement income received by a taxpayer under a public retirement system or any other system if the taxpayer is at least 65 years of age; to the Committee on Ways and Means.

By Mr. McKAY (for himself and Mrs. HANSEN of Washington):

H.R. 8140. A bill to amend the Mining and Minerals Policy Act of 1970; to the Committee on Interior and Insular Affairs.

By Mr. MARTIN of North Carolina:

H.R. 8141. A bill to amend the Rules of the House of Representatives and the Senate to improve congressional control over budgetary outlay and receipt totals, to provide for a legislative budget director and staff, and for other purposes; to the Committee on Rules.

By Mr. MEEDS (for himself, Mr. HANSEN of Idaho, Mrs. CHISHOLM, Mr. WOLFF, Mr. ADAMS, Mr. O'HARA, and Mr. HILLIS):

H.R. 8142. A bill to amend and improve the Adult Education Act; to the Committee on Education and Labor.

By Mr. MINISH:

H.R. 8143. A bill to amend the Public Health Service Act to provide for programs for the diagnosis and treatment of hemophilia; to the Committee on Interstate and Foreign Commerce.

By Mr. MORGAN (by request):

H.R. 8144. A bill to provide for the establishment of the Board for International Broadcasting, to authorize the continuation of assistance to Radio Free Europe and Radio Liberty, and for other purposes; to the Committee on Foreign Affairs.

By Mr. O'NEILL:

H.R. 8145. A bill directing the Secretary of Defense to transfer jurisdiction and control of a portion of the property comprising the Boston Naval Ship Yard at Charlestown, Mass., to the Secretary of the Interior; to the Committee on Armed Services.

By Mr. OWENS:

H.R. 8146. A bill to extend through fiscal year 1974 certain expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Development Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RANGEL (for himself, Ms. ABZUG, Mr. BROWN of California, Mr. BUCHANAN, Ms. CHISHOLM, Mr. CLAY, Mr. CONYERS, Mr. DIGGS, Mr. HECHLER of West Virginia, Mr. MOAKLEY, Mr. MURPHY of New York, Mr. ROSENTHAL, Mr. TALCOTT, Mr. THOMSON of Wisconsin, Mr. WON PAT, and Mr. YOUNG of Florida):

H.R. 8147. A bill to amend title 18 of the United States Code to prohibit bribery of State and local law enforcement officers and other elected or appointed officials; to the Committee on the Judiciary.

By Mr. ROBINSON of Virginia (for himself, Mr. BROWN of California, Mr. DERWINSKI, Mr. FISHER, Mr. HOSMER, Mr. MAYNE, Mr. THONE, Mr. WARE, Mr. WHITEHURST, and Mr. WON PAT):

H.R. 8148. A bill to amend title 39 and title 18, United States Code, to provide for licensing and protection of distinctive designs, legends, and insignia of the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. RODINO:

H.R. 8149. A bill to implement the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and on their Destruction; to the Committee on the Judiciary.

H.R. 8150. A bill to provide for the appointment of transcribers of official court reporters, transcripts in the U.S. District Courts, and for other purposes; to the Committee on the Judiciary.

H.R. 8151. A bill to provide for the appointment of legal assistants in the courts of appeals of the United States; to the Committee on the Judiciary.

By Mr. RODINO (for himself, Mr. HUTCHINSON, Mr. FLOWERS, Mr. SEIBERLING, Ms. JORDAN, Mr. MEZVINSKY, Mr. McCLORY, Mr. DENNIS, and Mr. SANDMAN):

H.R. 8152. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to improve law enforcement and criminal justice and for other purposes; to the Committee on the Judiciary.

By Mr. ROY (for himself, Mrs. SULLIVAN, Mr. BIESTER, Mr. CONYERS, Mr. RINALDO, Mr. ROE, and Mr. CHARLES H. WILSON of California):

H.R. 8153. A bill to establish a Consumer Savings Disclosure Act in order to provide for uniform and full disclosure of information with respect to the computation and payment of earnings on certain savings deposits; to the Committee on Banking and Currency.

By Mr. ST GERMAIN:

H.R. 8154. A bill to equalize the retired pay of members of the uniformed services of equal grade and years of service; to the Committee on Armed Services.

H.R. 8155. A bill to amend the act of May 20, 1964, entitled "An Act to prohibit fishing in the territorial waters of the United States and in certain other areas by vessels other than vessels of the United States, and by persons in charge of such vessels", to define those species of Continental Shelf fishery resources which appertain to the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 8156. A bill to amend title 38 of the United States Code so as to increase the period of presumption of service connection for certain cases of multiple sclerosis from 7 to 10 years; to the Committee on Veterans Affairs.

By Mr. SEIBERLING (for himself, Ms. BURKE of California, Mr. CONYERS, Mr. DE LUGO, Mr. ECKHARDT, Mr. FAUNTROY, Mr. FRASER, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Ms. HOLTZMAN, Mr. MCCLOSKEY, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. PEPPER, Mr. PODELL, Mr. RANGEL, Mr. REUSS, Mr. ROSENTHAL, Mr. JAMES V. STANTON, Mr. WALDIE, and Mr. WON PAT):

H.R. 8157. A bill to reduce the social security taxes to the 1972 rates and to provide a further reduction in such taxes for limited income individuals; to the Committee on Ways and Means.

By Mr. WALDIE (for himself, Mrs. BURKE of California, and Mr. MOAKLEY):

H.R. 8158. A bill to amend titles 39 and 5, United States Code, to eliminate certain restrictions on the rights of officers and employees of the Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHALEN:

H.R. 8159. A bill to amend title 38 of the United States Code to make certain that recipients of veterans' pension and compensation will not have the amount of such pension or compensation reduced because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

By Mr. WINN:

H.R. 8160. A bill to amend title 38 of the United States Code to provide improved medical care to veterans; to provide hospital and medical care to certain dependents and survivors of veterans; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery; to the Committee on Veterans' Affairs.

H.R. 8161. A bill to amend title 38, United States Code, to authorize a treatment and rehabilitation program in the Veterans' Administration for servicemen, veterans, and ex-servicemen suffering from drug abuse or drug dependency; to the Committee on Veterans' Affairs.

By Mr. MACDONALD (for himself, Mr. BADILLO, Mr. ST GERMAIN, Mr. VAN DEERLIN, Mr. ROSENTHAL, Mr. STRATTON, Mr. DRINAN, Mr. YATRON, Mr. ROE, Mr. OBEY, Mr. PODELL, Mr. GONZALEZ, Mr. CRONIN, Mr. BOLAND, Mr. MURPHY of Illinois, Mr. PEPPER, Mr. YATES, Mr. DONOHUE, Mr. THOMPSON of New Jersey, Mr. BURKE of Massachusetts, Mr. ECKHARDT, Mr. ANNUNZIO, Mr. BELL, Mr. MCCORMACK, and Mr. HARRINGTON):

H.J. Res. 576. Joint resolution providing for the orderly review of fee-paid oil import licenses; to the Committee on Ways and Means.

By Mr. MACDONALD (for himself, Mr. MOSS, Mr. STUDDS, Mr. STARK, Mr. SARBANES, Mr. MOAKLEY, Mr. HAWKINS, Mr. RIEGLE, Mr. HARVEY, Mr. MURPHY of New York, Mr. MCCLORY, Mr. HOWARD, Mr. BRECKINRIDGE, Mrs. HECKLER of Massachusetts, and Mr. COTTER):

H.J. Res. 577. Joint resolution providing for the orderly review of fee-paid oil import licenses; to the Committee on Ways and Means.

By Mr. PEPPER:

H.J. Res. 578. Joint resolution designating the last Sunday in January of each year as "Sons' and Daughters' Day"; to the Committee on the Judiciary.

By Mr. HARVEY:

H. Con. Res. 224. Concurrent resolution expressing the sense of Congress with respect to reduction of speed limits and certain other measures relating to the alleviation of the motor vehicle fuel shortage; to the Committee on Interstate and Foreign Commerce.

By Mr. WYATT:

H. Con. Res. 225. Resolution expressing the opposition of the Congress to certain measures for the curtailment of benefits under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. FREY:

H. Res. 412. Resolution to create a Select Committee on Aging; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. BURKE of Massachusetts introduced a bill (H.R. 8162) for the relief of Silverio Conte, his wife, Lucia Conte, their son Aniello Conte, and their daughter, Silvanna Conte; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

HOWARD "BO" CALLAWAY, SECRETARY OF THE ARMY

HON. BO GINN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1973

Mr. GINN. Mr. Speaker, the State of Georgia is honored to have one of her most distinguished citizens recently nominated, confirmed, and sworn in as the new Secretary of the Army. No better selection could have been made than that of Howard "Bo" Callaway, a successful businessman, former Congressman, dedicated community leader, and beloved citizen and family man.

"Bo" Callaway is a good friend of mine and I welcome him to Washington in this important post. I have known of his personal qualities for years and know that he will bring the same dedication and intelligence to this task as he has to so many others.

We all know that the Army faces many difficult problems but they can be solved now as they have been in the past with proper leadership and integrity in the work.

The editor of the Savannah Morning News wrote an editorial for the May 15, 1973, edition and I submit this editorial for inclusion in the RECORD as it does great justice to the stature of "Bo" Callaway. He used the slogan "Go Bo" during an election and we repeat it now for his work with the Army—"Go Bo."

Go "Bo"

The selection of Georgian Howard "Bo" Callaway to assume the duties of secretary of the Army was a wise choice.

Mr. Callaway, whose appointment by President Nixon was confirmed Thursday, brings to this post an intimate knowledge of public and military affairs. A graduate of the United States Military Academy, Callaway served with distinction as a lieutenant during the Korean war. As a congressman, he represented Georgia's 3rd District as a member of the 89th Congress. In 1966 he ran for governor of Georgia with the slogan "Go Bo." Although he received a majority of the popular vote his percentage of that vote was not large enough to afford him victory. Under the terms of the Georgia Constitution, it was the duty of the General Assembly to select a governor under such circumstances.

Mr. Callaway was and still is a Republican, and the heavily Democratic Assembly awarded the election to his rival, Lester Maddox. It was during this campaign that people throughout our state became aware of the outstanding qualities of this man. He is articulate, intelligent, and devoted to duty.

These traits are the indispensable prerequisites for anyone who wishes to serve successfully as secretary of the Army today. In recent years the Army has suffered several traumatic shocks. Among these were the Vietnam experience, drug abuses, and racial tensions. Adding further strains were the elimination of the military draft and the

The previous secretary, Robert Froehlke, did an admirable job of contending with conversion of the Army to an all-volunteer force.

these problems. Due to his efforts Mr. Callaway will inherit a smoothly running machine.

The task now is to work out the final policies and procedures of the post-Vietnam period, and to put the Army back into a condition of combat readiness. Firm policy guidelines must be hammered out and innovations adopted. Some of the practices the army employed when the draft was in effect are not compatible with an all-volunteer force. These practices must be modified or abandoned. Other practices and traditions must be retained and perhaps expanded. Insight and practical experience are needed to make these fine distinctions. Bo Callaway possesses these qualities. It would be hard to find a better man for the job.

EL PASO CELEBRATES ITS 100TH BIRTHDAY

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1973

Mr. WHITE. Mr. Speaker, El Paso—the major city in the 16th District of Texas which I have the honor of representing in the Congress—has just completed a 2-week observation of its 100th birthday. In itself, this anniversary would not be overwhelmingly noteworthy in a country which is preparing to celebrate its second 100th birthday; but it is extremely significant when viewed