paying your money and knowing exactly what was put into the food product. Somehow, concealing the facts from the public has been going on so long that now, when nutritional labeling comes along, it looks revolutionary. It isn't. It is only a long-needed move toward fairness in the marketplace.

PRICE CALLS FOR THE REINSTATEMENT OF REAP

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. PRICE of Texas. Mr. Speaker, today I am introducing legislation which will require the Secretary of Agriculture to carry out the provisions of the existing law providing for the authorization and funding of the rural environmental assistance program. While I agree in principle with and applaud the President's efforts to keep Federal expenditures within reasonable limits, I feel that the effects brought about through the discontinuance of this important program would be detrimental to the long-range preservation of our most vital human resources—namely our soil, water, and air.

Begun during the 1930's, the rural environmental assistance program has worked effectively as a Federal cost-sharing program for conservation programs installed by farmers. Through this program, our farmers have done more to clean up and preserve our environment than any other federally sponsored program. This program has enabled our farmers to protect our soil through the establishment and improvement of vegetative cover, stripcropping systems, terracing, the reseeding of marginal land, and cross-fencing for grazing. REAP has also provided for strides to be made in the areas of sediment retention and chemical runoff control, drainage, irrigation and related practices and livestock water utilization and distribution on ranches. Through this program our farmers have also been able to embark upon activities which have slowed the spread of noxious brush and weeds, accounted for a major portion of our reforestation program on private lands, helped aid wildlife conservation and increased the development of recreational areas. It is evident that REAP has benefited not only rural America, but our Nation as a whole. Not only would it be unfair of us at this time to demand America's farmers to take on the burden of the conservation of our natural resources single-handed, it is not feasible for family farmers to initiate and continue these long-range programs without the aid of cost-sharing initiatives provided by the Federal Government. This is especially true if we are to continue to feed our own Nation while helping to feed the starving millions abroad.

I am looking forward to the hearings which will soon be held on this matter by the Committee on Agriculture of whhich I am a member and I am hopeful that the administration will reconsider its action with regard to this important program.

SENATE—*Wednesday, January 24, 1973*

The Senate met at 12 o'clock meridian and was called to order by Hon. DICK CLARK, a Senator from the State of Iowa.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, we lift our hearts to Thee in thanksgiving for the tidings of peace and reconciliation. Guide us through this day by Thy Holy Spirit that the tributes of affection and gratitude for Thy servant Lyndon Baines Johnson may be to Thy glory and the honor of this Nation. May the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord our strength and our Redeemer. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 24, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. DICK CLARK, a Senator from the State of Iowa, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. CLARK thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, January 23, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that time for the eulogies today be under the control of the distinguished majority leader or his designee and the distinguished Republican leader or his designee, and that the eulogies begin with the distinguished Senator from Texas (Mr. BENTSEN).

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Does the Senator from Pennsylvania (Mr. SCOTT) desire to be heard?

Mr. MANSFIELD. Mr. President, the Senator from Texas is being recognized in my place.

The ACTING PRESIDENT pro tempore. The Senator from Texas (Mr. BENTSEN) is recognized.

LYNDON BAINES JOHNSON—IN MEMORIAM

Mr. BENTSEN. Mr. President, today is a somber day for all Americans.

With the death of Lyndon Johnson, the country has lost one of its strongest leaders, the disadvantaged one of their greatest champions, and I have lost a dear friend. Lyndon Johnson's humanity will, in my opinion, be his greatest legacy. His humanity encompassed all men and it included the flaws that we all share. But it was a humanity that carried him through a life of political power without allowing him to forget those who had no power. It was a humanity that enabled him to enjoy the ultimate ambition of American political life while remembering those who never shared in the abundance and success that we know as Americans.

In the terms of the Texas hill country—"He never forgot his beginnings," and the memory of those beginnings provided us with a legacy of social programs that cover the entire spectrum of life in our society.

Lyndon Johnson translated the dreams of a generation of political leaders into an administration of action that will be remembered in history as one of our most exciting eras of domestic achievements.

Lyndon Johnson felt that the poor, the black, the aged, the Mexican American, and the Indian were Americans, who continued to face severe handicaps in language, jobs, education, health, and housing opportunities.

For they had sought, but too often had been denied, the dignity of well-paid labor. They had sought, but often had been denied, the proper tools of education for their children. They had sought—but had suffered often because of it—to maintain their own proud traditions in a free society where differences should be respected and cultural diversity honored.

Lyndon Johnson was well acquainted with the problems of the poor and the disadvantaged, for he had taught Mexican-American children in the public schools of south Texas. It was here and then that he developed a deep compassion and understanding for the Spanish speaking, who, like many other minority groups, have often had to turn to government to protect their rights and encourage their advancement.

When he became President, Lyndon Johnson said:

> Government has an obligation to match the promise of American opportunity with action—in employment, a decent wage, better education, improved housing, improved community facilities, and the guarantee of civil rights which every American expects.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The man's legislative accomplishments were legion. Ideas and social programs that had languished in the Congress for years were placed on the books during his 5 crowded years in office.

Lyndon Johnson knew his years in the Presidency were limited, and he also knew that given the nature of Congress and the realities of public opinion, he would have to act swiftly. And so he did.

Medical protection for the elderly and poor had been discussed since the days of social security; he passed the bills creating the medicare and medicaid program.

The precious right to vote had been sought by minorities for decades; the President noted that—

We have been talking about equal rights for a hundred years of more . . . Now it is time to write them into law.

And the Voting Rights Act was signed into law.

Expanded Federal aid to education had been a dream almost brought to fruition by John Kennedy. Lyndon Johnson succeeded in passing the Elementary and Secondary Education Act of 1965, the higher education, the Bilingual Education Act, and a series of landmark educational measures.

Our outmoded immigration laws had been decried as a national scandal since the 1920's; Lyndon Johnson succeeded in having them changed.

All of these measures and more were not the hasty creation of a man bent on revolutionary social change. They were the measures delayed by inaction, frustration, competing interest groups, and the absence of forceful leadership. And Lyndon Johnson provided the leadership and made these ideas into reality.

But it is important to remember that improvements in education, equal rights for our citizens, more humane immigration laws, and the rest of the Johnson program were not abstractions to Lyndon Johnson.

When he worked for education, he thought of the individual children who were denied an equal chance, because their schools and their materials did not measure up. When he worked for more adequate medical protection, he thought in terms of the elderly man or woman who cannot pay his medical bills and who is cast away on the fragile mercy of the State.

When he sought voting rights for all, he spoke of the individual who deserves a voice in choosing the direction his Government will take.

It has been said that Lyndon Johnson concentrated on the quantity of legislation rather than on the effects of legislation. I could not disagree more. A bill to him was only significant in that it made life better for people, people who were underfed and underemployed, people who were undereducated and who did not receive decent medical care. I have never known a man more intimately involved with the needs of his individual countrymen than Lyndon Johnson. And it is that quality of caring that I remember most vividly.

Mr. President, Lyndon Johnson's life touched every American and shaped a future for this country that will be his living monument. He was a lion of a man: He held tenaciously to his convictions and possessed a sense of duty to country that never waivered.

He was a restless, impatient man who found too few hours in a day and too little done at each day's end. He is at rest now and the memory of his time here will be a personal treasury for me and a source of pride for his countrymen.

He once said:

I have devoted my time on this earth to working toward the day when there would be no second-class citizenship in America, no second-quality opportunity, no second-hand justice at home, no second-place status in the world for our ideals and benefits.

That could well be his epitaph.

Mr. SCOTT of Pennsylvania. Mr. President, I yield such part of my time as he may require to the distinguished senior Senator from Texas (Mr. TOWER).

Mr. TOWER. Mr. President, Lyndon Baines Johnson—the 36th President of the United States—was a Texan in every good sense of the word. He was a superb leader in the Congress of the United States and he was an able President. He was a man of great compassion for his fellow man. His enormous energy and his driving ambition consumed him and those around him. He pushed himself beyond his own physical capabilities to get done the job he felt must be done, and this, no doubt, shortened his years here with us.

President Johnson confronted the critical and fast moving events of his day with the determination to make decisions that would serve the greatest good for the greatest number of people. History likely will remember him best for his leadership in the field of human rights. He also will be remembered for his great ability in the field of legislation—as a member of both the legislative and executive branches of our Government.

It was characteristic of the 36th President of the United States that he was able to maintain warmth and to extend the right hand of friendship even to those who opposed him. He was a man who had a forgiving nature, who never carried a grudge—a man who never became dissolved in any sense of bitterness or frustration. It is indeed unfortunate that he was taken from us at this time in his life when there was so much more in the way of good counsel and advice that he could have given to many of us, and so much more he could have taught our young people, in whom he had such a deep and abiding interest.

As much as the war in Southeast Asia dominated his Presidency, it is tragically ironic that he was taken from us only hours before an agreement was announced ending that long and costly entanglement. He yearned for peace which eluded him during those lonely years in the White House.

We shall sorely miss him. Those of us who are Texans can think better of ourselves, because we came from a society that produced Lyndon Baines Johnson.

Mr. SCOTT of Pennsylvania. Mr. President, one of the mysteries of Heaven's design lies in the ironies with which it revises our human scripts.

Lyndon Johnson loved people and loved to be with people, and he loved an audience and he entertained an audience; and it is sadly tragic that at the moment of his death he died alone.

He would have liked, I think, some last words to leave with us; I feel that, indeed, he did leave us those last words. From the moment he became President and stood in that somber light on that tragic day in Dallas and said,

I will do the best I can; I ask your help and God's.

He had the last words.

At the very end of his life, in his last appearance as a public man, he said that some Americans stand on uneven ground and that all men aspire to stand on the level, one with another. He ended as he had so many times, using the same refrain, with the words "We shall overcome."

It seems to me that, as always, our friend Lyndon Johnson had the last word.

Mr. MANSFIELD. Mr. President, I yield to the distinguished Senator from Louisiana (Mr. LONG).

Mr. LONG. Mr. President, today we mourn the passing of Lyndon Baines Johnson, a friend to most of us here and the man whom I hold above any American of his time. With all of my colleagues I join in extending sympathy to his widow, Lady Bird, his daughters, and other family relatives.

Lyndon Johnson was the greatest legislative leader in our history by any standard. His record of accomplishments is massive in number and impressive in scope.

I remember his words upon leaving the White House:

What really matters is not the ultimate judgment that historians will pass but whether there was a change for the better in the way our people live. I think there was.

The Johnson administration recommended 200 major measures to the Congress; 181 of them were passed. Most are still with us today, a body of law designed to benefit all Americans, in every walk of life.

Perhaps his most important legacy to our Nation is his resolution of the age-old quarrels over civil rights and equal opportunity for all. In his first address to the Congress as President he called for the enactment of a strong civil rights bill. He signed it into law in July 1964, 6 months after taking office. It was the most sweeping civil rights bill since Reconstruction days.

Another milestone in his Great Society program was the passage of medicare and medicaid legislation, breaking the impasse over the issue of medical care for the aged. I was privileged to manage that milestone law and probably view it with more emphasis than some. It fit L. B. J.'s philosophy—and mine—to help those who cannot adequately help themselves.

He also broke the years of deadlock over Federal aid to elementary and secondary education, assuring a good education for all our children.

Lyndon Johnson tried to correct every evil and injustice known to him. He declared his war on poverty to uplift the lives of so many Americans. It will be many years before we fully appreciate all he did for this Nation.

As his achievements were greatest in the field of domestic reform, his greatest frustration was in the war in Southeast Asia. Unlike Harry Truman, Lyndon Johnson did not live to see vindicated his decision to commit American troops against aggression; but, history may yet prove that this was the wisest, although the most costly and disappointing, experience of his life.

In October 1966 in addressing our troops at Cam Ranh Bay, he said,

> You know what you are fighting against: A vicious and illegal aggression across this little nation's frontier. You know what you are fighting for: To give the Vietnamese people a chance to build the kind of nation they want—free from terror, free from intimidation, and free from fear.

History may show that by resisting aggression in the jungles and rice paddies of Vietnam, Lyndon Johnson saved the world from the course of events that could have ended in a war of atomic devastation.

Lyndon Johnson began his life 64 years ago in Stonewall, a small town in Texas. At his birth, his grandfather prophetically said:

> He'll be a United States Senator someday.

He was a Senator some day; he was one of our greatest, and it was my privilege to serve with him for many years.

He came to the Senate from the House in 1948, winning the election by only 87 votes, thus earning him the nickname of "Landslide Lyndon." He was a powerful legislator from the very beginning. Before he completed his first term, he became minority leader; and in 1954, when the Democrats regained power, he became majority leader.

From Capitol Hill, Johnson assumed the second highest office in the United States. As Vice President not only did he fulfill the traditional constitutional role of the office by presiding over the Senate, he was also chairman of the President's Space Council, headed the President's Commission on Equal Employment Opportunities, and served on the National Security Council.

Lyndon Johnson was 55 years old when, in that time of national grief and horror, an assassin's bullet made him President.

He said to the Nation:

> I will do my best. That is all I can do.

Mr. President, he served in the highest office of our country for 5 years and he did his best. His best was great, indeed, and I believe history will record it as such. Lyndon Johnson may well have been our greatest President.

Mr. MANSFIELD. Mr. President, death can, at times, be delayed but, in the end, cannot be avoided. Within the past month, two former Presidents of the United States, Harry S Truman and Lyndon Baines Johnson, have left their existence here on earth. Both were Senators of the United States. Both were Vice Presidents of the United States. Both, through the death of others, became Presidents of the United States and, then, in their own right, became Presidents again.

It was my privilege to work with these men but most closely with Lyndon Baines Johnson. I served with him for 4 years as the assistant majority leader when he was majority leader of the Senate. I succeeded him as majority leader when he became Vice President in 1961 and continued in that capacity throughout his Presidency.

We were in friendly and fairly close contact for those many years. As President, Lyndon Johnson was the head of the executive branch and, as the majority leader, I was the representative of the Senate. As might be expected, we did not always agree but at no time did our disagreements impair the civility of our relationship.

Lyndon Johnson came from humble origins but he was not a humble man. Rather, he was a man of great pride and his Presidency was a Presidency which bore the hallmark of this pride. We shall not see his like again, nor shall we see the kind of legislative program which was enacted in response to his determined leadership in the pursuit of equal opportunity for all Americans.

Insofar as proposing and enacting legislation in the field of domestic and social reform, Lyndon Johnson was, in my judgment, the greatest of Presidents. Historically, his record in that respect will emerge as superior to any other President or any combination of Presidents. He was in the tradition of Franklin D. Roosevelt, the man he so much admired, and his dream of a great society of free men will be his enduring monument in the history of this Republic.

Mrs. Mansfield, our daughter Anne, and I wish to extend our deepest condolences and sympathy to Lady Bird Johnson, one of the outstanding First Ladies of this Republic, to the Johnson daughters, Lynda and Luci, and to all their families in this hour of sorrow and bereavement. May his restless soul find peace.

Mr. President, I yield to the distinguished Senator from Alabama (Mr. SPARKMAN).

Mr. SPARKMAN. Mr. President, I am pleased to have the opportunity to join my colleagues in paying tribute to a man who all of us knew and with whom we all served, former President of the United States Lyndon B. Johnson.

Lyndon Johnson entered Congress—the House of Representatives—approximately 3½ months after I did. He served on the Naval Affairs Committee; I served on the Military Affairs Committee. We were closely associated. I knew him throughout the years. Our families were friends.

I have always admired Lyndon Johnson for the tremendous job he did in the Senate and as President of the United States. I think we never had a majority leader who was more active, more attentive, more aggressive, and more effective than he was. During part of the time, he was the minority leader, and he showed the same interest and the same activity.

As others have pointed out, he sponsored and put through the Senate—and it may well be said that he put through the entire Congress—some of the most helpful legislation we have seen enacted. He was interested in all general legislation, but he was especially interested in some of the things that were new and some of the things that were special.

I recall, for example, the very active interest he took in the development of the space program. He really took the leadership in that matter.

I recall his activity in the field of small business. He was actively interested in good housing and all the programs for the good of the people generally throughout the United States.

I shall always remember one thing about him. When President Eisenhower was elected, he brought a Republican Congress with him. Lyndon was our minority leader—the Democratic leader—but I recall the stand he took, right in the beginning, that:

> We are not going to be an opposition party as such. We are going to do our best to cooperate and make this a good administration.

I recall some of the things that happened in connection with foreign policy and the activity in the Committee on Foreign Relations and the attitude and the results of the expressed attitude of Lyndon Johnson.

He was active when he was President, one of the most active Presidents we have had. He came into the Presidency as the result of a great tragedy, but he took hold quickly; and I feel that he did his best to carry out the policies that had been carried along by President Kennedy, with whom he was serving as Vice President.

I recall an appointment that I had with President Kennedy for December 2, 1963. Following his death and the taking over of the Presidency by President Johnson, I called him one day and told him that I had that appointment to talk about a matter of great concern to my State and my part of the country, and that I should like to see him as soon as I could.

He said to me,

> Give me a little time, let me get settled in this job, and I will call you.

Not long after that, he did call me. I talked to him about the project in which he was particularly interested, and he suggested an action that we might take. He said it would require $100,000 to carry out what he had in mind, that he had that money available, and that we would not have to call for an appropriation. So the study he proposed was made, and it proved most helpful in the clearance of the project at a later time.

A great deal has been said, and even more will be said, about the war, in which he was so deeply absorbed.

I remember being at the White House on different occasions, when he would have a small group of Members, primarily of the Foreign Relations Committee, to discuss the war with him. Several of us were there on the morning that he made his decision with reference to what has been called an escalation of the war. He spent a couple of hours discussing the different alternatives that might be taken; then he asked for the advice of those present. I believe I never saw any person deeper in anguish or more troubled than he was on that morning in trying to reach the fateful decision

that would be for the best interests of the country and for the world as a whole.

I remember when President Johnson made his announcement that he would not be a candidate for renomination. I was in my home in Huntsville, Ala. After listening to him, I immediately called him on the telephone and asked him if he really meant that I said:

Surely you don't mean that.

He said:

Yes, I think it is best.

I have believed all along, from the things that he told me that night, that he believed that his leaving office might make it easier for someone else to come in and solve this difficult problem with which the country was confronted, and to bring peace. I wish he might have lived long enough to know the developments that have just taken place.

We have sustained a great loss in the going of former President Lyndon Johnson. Mrs. Sparkman, my daughter, and I all join with our colleagues here in expressing our sympathy to Lady Bird Johnson, to Lynda Bird, to Luci, and to the whole family. We extend to them our deepest sympathy and pray that the good Lord will comfort them and look over them in these difficult times.

Mr. MANSFIELD. Mr. President, I yield to the distinguished Senator from Nevada (Mr. BIBLE).

Mr. BIBLE. Mr. President, Lyndon Baines Johnson was a dynamic leader whose life touched closely on us all, and there is shock as well as grief at his passing. No one in Congress or across the Nation was prepared for the suddenness with which death came to this great American. Indeed, it is still difficult to believe his unceasing energy has been stilled.

We mourn the departure of a remarkable political leader, a man who will be regarded by history as one of our greatest Presidents. Here in the Senate, where Lyndon Johnson left the indelible mark of his forceful personality, we feel a deep personal loss. He was a commanding figure in both Congress and the White House and I cherish the memory of our close friendship which spanned more than two decades. I shall be ever grateful for his wise counsel when I first entered the Senate. He visited Nevada on innumerable occasions, where he gained many lasting friendships. He was never too busy to assist his friends and his party.

President Johnson devoted his entire life to public service, starting with a humble teaching position in his beloved Texas and culminating in the Nation's highest office. His public career kept him at the Capital much of his life, but he never lost touch with the people and the land and with his home on the Pedernales.

It was this close touch with the people and the land that made him a great President. And it was his long service in Congress—an institution he revered—that made him such an effective President. As perhaps no other Chief Executive, he surmounted the legislative and executive division to achieve an unparalleled spirit of cooperation and unity of purpose between the White House and Capitol Hill.

His energy and drive, his zest for the high challenge of national political leadership—all these were legendary. As President he met those challenges head-on. His remarkable record of achievement in the areas of human rights and opportunities is unmatched. He worked incessantly against hunger, poverty, illiteracy, and bigotry. And yet this man of peace found himself prosecuting a destructive, bloody, and unpopular war in Southeast Asia. He met the military challenge abroad with the same determination—if not the personal conviction—that marked his pursuit of social goals.

History will remember Lyndon Johnson not as a leader in war, but as a crusader for peace and justice. On that basis it will judge him, and it will judge him a President of immense stature and compassion whose mark will always remain on the social progress of our Nation.

It is perhaps fitting that he died close to the people and the land he loved so much. But this does not ease the great sense of loss our Nation feels.

A remarkable leader has gone. There will never be another like him. Our grief is deep.

Mr. MANSFIELD. Mr. President, I yield to the distinguished Senator from Mississippi (Mr. STENNIS).

Mr. STENNIS. I thank the Senator from Montana for yielding to me.

Mr. President, along with many other Senators, I have a great deal of feeling on this occasion. Our late friend and I had, for years, identical committee assignments in the Senate. On two of those committees we sat side by side for more than 10 years. I know of many of the major decisions he made then, and even more particularly as floor leader of this body.

I was with him a good deal when he was Vice President, and I know much of what he went through as President of the United States. He was a remarkable man. He was, as we know, a man of action, of great ability. He was always up front, where the action was. Not as an eager beaver, as we use that term, but because he liked the action, and he wanted to do things. He was willing to pay the price. He was not afraid and never dodged a problem because it was hard. But I am going to mention particularly two instances that I remember in which he rendered great service to this country in time of crisis; and he was always ready to respond to crises:

The first was at the time of sputnik, when the Soviet Union orbited the first man-made satellite. Most of us in Congress and many people over the Nation were uncertain. I will not say they were afraid, but there was an air of uncertainty. The feeling of the people was not despair, but the deepest concern as to what this event meant and where the United States stood. These questions were asked, "How delinquent, if at all, was the United States in being prepared; and What was the potential power of the Soviet Union and its technology; and What was our defense, if any?" He held the first hearings on the situation as chairman of the Preparedness Subcommittee of the Armed Services Committee, and I sat right next to him on that committee.

I thought he rendered a tremendous service at that time. The question developed as to whether or not we were going to make space exploration a civilian program or have it under the military, as had been the case with atomic energy a few years before. He cast his thinking, his lot finally, on the idea of creating a separate, nonmilitary agency which we now call NASA.

The creation of a civilian agency and civilian space program was a successful policy. He was closely connected with it during the first years of the program, and it was truly a pioneer work. He rendered great service in the beginning and development of the space program.

Another crisis that tested him greatly, one which was graver than the first, was the tragic death of the late President John Kennedy. In that confusion, turmoil, international crisis, and crisis at home, I think Lyndon Johnson showed his worth as a man of tremendous inner courage, steadfastness, and determination. At the same time, he showed the greatest deference to our fallen President and the first famliy and the grief of the Nation. He was placed in as difficult a position as one could be placed. He had to assemble his thoughts in a matter of a few minutes, take the tremendous burden of being President of the United States, assure the people and pull them together, assure the free world of our course and his course, and also let all nations know that we could be firm.

It was a tremendous accomplishment amidst criticism on the part of some. A lesser man could not have carried that load the way he did. In a very short time things had settled down due largely to his assurances. The assurances came from his conduct and in the way he took charge.

I want to mention another event here that I feel throws some light on our late friend that might have passed unnoticed unless someone had had some special experience with it. Many will remember during the time of his first heart attack he was a very, very ill man for days and weeks. I lived near Bethesda Naval Hospital, and I would go out to see him after he was able to have company. On one visit, we talked about what is now known as the Jefferson Bible. As many will recall, Jefferson clipped out certain parts of the Bible and put them in a little book. This book is now known as the Jefferson Bible. Senator Johnson was very much interested in it then. I got one at the bookstore and took it to him.

He read it all and reported back to me. He was already familiar with the Bible. I do not want to be misunderstood. But he did not have knowledge of Jefferson's particular approach. He never forgot that I had given him a Bible. In the heat of controversy surrounding the White House about the war, he would quote something out of that Bible in his efforts to try to persuade a person. That showed the spiritual current that ran through his character and ran through his mind all the time. This feature surfaced when he was under stress and mak-

ing hard decisions in a crisis of one kind or another.

I think the greatest difficulty he encountered in the White House was in connection with the war. He was unable to do all he wanted to do. He could not overcome that war obstacle during his term. He was surrounded in such a way that a solution could not be found. I do not say it was his failure. He tried hard. I think, most unfortunately, he received some advice from others that turned out to be based on erroneous facts, particularly in the early years of the war. They were miscalculations of others. He, and any President has to act, at least in part, on the advice and recommendations of others, but the advice and counsel given to the late President as to what could be done under certain circumstances was under a grave error. I state this for the record deliberately, only to make my little comment on the record a little clearer what he was up against. He never made such a claim to me. I never heard him blame anyone. I am not trying to assess blame, but those of us who were close enough to know what he went through and what the facts were know how those miscalculations misfired.

To Lady Bird Johnson, who I think was one of our truly great First Ladies, and to all the family, Mrs. Stennis and I extend our condolences in their great loss. And may God bless them now and sustain them now and in the years ahead.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Ohio.

Mr. TAFT. Mr. President, I thank the distinguished majority leader for yielding. I join in the tributes to Lyndon B. Johnson. He was one of those unique men with great capacity for leadership. His meteoric rise in the Senate was itself testimony to that fact and acceptance of this quality by his colleagues. Of this he was most proud.

In a number of pleasant, personal contacts with him, he appeared to like nothing more than to reflect on his legislative battles in the Senate in which my father was often a strong adversary. But they were adversaries with great mutual respect and friendship, even in disagreement.

This man's strength and dedication to service and loyalty to his American heritage was admired by all. And, with his great legislative skill, they have already earned him great recognition in history, especially through the many great landmark pieces of legislation which were passed during his administration. I refer particularly to the Civil Rights Act, in which I was very active while a Member of the House. I do not believe that measure could have passed without his strong leadership and the support of the White House. This legislation was in the best interest of the Nation.

I remember particularly when our intelligence ship was attacked over North Korea that I made some comments to him with regard to it, expressing disagreement and caution as to what occurred. He hen asked me to visit with him and Walt Rostow at the White House to be sure that I had a full understanding of the situation and the national implications involved. This, I think, was typical of him, rising above, and recogizing that others were capable of rising above, a given situation.

Partisan though he could be, he never allowed partisanship to deter him from pursuing courses of action, no matter how difficult, that he felt were in the best interest of the Nation.

He will be remembered as a legend and will be deeply missed for his sound and careful advice that he often offered to those who knew him.

I join in expressing sympathy to Mrs. Johnson and to the entire Johnson family.

Mr. MANSFIELD. Mr. President, I yield now to the distinguished senior Senator from West Virginia.

The ACTING PRESIDENT pro tempore. The senior Senator from West Virginia is recognized.

Mr. RANDOLPH. Mr. President, I am appreciative of the opportunity provided to me by the majority leader to express a tribute during this period of eulogy.

Mr. President, our feeling for Lyndon Johnson goes back a long time. Perhaps of all of the Members in this Chamber, I actually knew him first on Capitol Hill. I came to the House of Representatives and was sworn into office in March of 1933, almost 40 years ago. There are only two Members of the Congress, Representative WRIGHT PATMAN of Texas and the Senator who now speaks, who were Members of the Congress when Franklin D. Roosevelt became the President of the United States of America.

I remember sitting in the House of Representatives on May 13, 1937, when Lyndon Johnson took his oath of office after having been elected in a special election on April 10, 1933, from a congressional district in Texas. As I recall, he had 10 or 11 opponents in the primary. He succeeded Representative Buchanan, who had died in office.

I recall that on the next day, May 14, 1937, I sat talking with Lyndon Johnson. I had known him as one of the doorkeepers in the House of Representatives. I had also known him as a member of the staff of Representative Richard Kleberg of Texas.

Mr. President, I asked him where he was going to be living. He replied:

You know, with all the thousands of people who are coming into Washington under the New Deal agencies, and with the depression that resulted in no construction of new housing, it is not easy to find a place in which to live.

It was my time to try to be helpful, saying:

I have two friends who have a furnished apartment in Washington. Their names are Edith and Sam Ourbacker. He is with the Social Security Board and has been asked to take over the office in Cleveland, Ohio. They have contacted me and asked if, perhaps, I might know of someone who would like to rent their apartment.

As always he acted at once. He said:

Give me that telephone number.

I did so. He hurried into the Democratic cloakroom and called the Ourbackers. Early that evening he was at their apartment to see whether he would like it and whether their family would like him. He rented that apartment.

I will never forget what he later said to me:

Jennings, I think I will have to give you a finder's fee. I like that apartment. It has a 4-poster canopy bed that is very large, and I can stretch my legs on it.

We have poignant memories that come from earlier or later experiences with Lyndon Johnson. His careers, certainly in Congress, and his career in the White House were as one because he was a forceful and dedicated leader in every job he held or place of leadership he attained. I recall very well that he came to West Virginia, a number of times. My able colleague, Senator ROBERT C. BYRD, who is in the Chamber now, remembers many of these visits. However, before mentioning the three or four times that Senator BYRD and I were able to be with him in our State, I recall that Lyndon Johnson said to both of us in 1959 as we were sworn into service in this Chamber:

I want to be considered as the third Senator from West Virginia.

Yes, he was, in a sense, a third Senator from the State of West Virginia. He was very helpful to us.

And the former Vice President of the United States HUBERT H. HUMPHREY, now a Senator again from the State of Minnesota who is in the Chamber at this time, remembers the day, because he was presiding in this Chamber, when the Appalachian Regional Development Act passed the Senate in 1965. I recall vividly the signing at the White House of that important bill.

President Johnson said:

This is a measure, I believe, that will help people in the Appalachian region to help themselves.

And it was true. We in Appalachia are better able to help ourselves—and each other.

Lyndon came to visit the State of West Virginia more than a dozen times. He came not only as a candidate for public office, but to be with the people in the hills and valleys of our State, sharing our concerns and hopes.

It was on September 20, 1964, that he came to Morgantown, W. Va., where he was a dedicatory speaker for new airport facilities. Some 25,000 persons were present for that ceremony. The emphasis then was on the development of transportation. He spoke of the movement of people, the movement of products, and the mobility of our Nation, and the closer ties between sections of our great country.

We remember all of the challenging speeches he gave. We remember when he came on September 3, 1966, to talk on another subject in West Virginia.

He journeyed into the hill country—into the mountains—and there he dedicated the beautiful Summersville Lake. He talked about conservation, the preservation of natural resources, the strength of people who came from the land, and he understood what he was talking about, for he was from the land—a man of the soil and the sky. Some 20,000 people gathered from over the hills and out of the valleys to hear that Nicholas County speech.

I remember so very well when the president of Bethany College, now the presi-

dent emeritus, Dr. Perry Gresham, called and said,

> Lyndon Johnson, the majority leader of the Senate, is a member of the Christian Church. Bethany College, in West Virginia, is a college of his denomination. We would like to have him come and make the commencement address, and present him with an honorary degree.

On June 7, 1959, he was in Bethany, W. Va., in what we call the Northern Panhandle of our State—a few miles from Wheeling—and on that occasion he talked about the need for education for the children of the United States of America. He talked about those who, for various reasons, had not had the broader opportunities for education which some portions of our population enjoy.

I have not given these incidents chronologically, because I wanted to come to one that exemplifies, in a sense, what is in our hearts today—a yearning for peace. Lyndon Johnson wanted that very much for all mankind.

We were privileged to have Lyndon Johnson in West Virginia to deliver what we then called the Armistice Day address. It was deep in the mountain country at Welch, in McDowell County, some 18,000 people were to hear him on that occasion as he told of the torment and the tribulation that was in his heart, even then as Vice President, because of the tragedy of the conflict in Southeast Asia. Bob Byrd will remember that we rode from the Mercer County Airport, located near Bluefield, in a helicopter to the Welch area, because of the rugged terrain. That was on November 11, 1963; he was to undertake the awesome duties of the Presidency of the United States because of the tragedy which befell this Nation with the death of President John Kennedy. He seemed sad on that trip as he thought of brave men who were dying in battle in Vietnam.

I have spoken intimately, but I think that is the only way I would want to discuss Lyndon Johnson today. I never saw him stepping from one point to another; he was always striding from one point to another. I never saw him walking; he was always quickly going somewhere. I think that typified his life here on Capitol Hill and in the White House. And he moved the country with him.

I do remember, as do all of us, the civil rights fight in the Senate, when he kept us in session for extended periods because he believed that the filibuster should be broken and that Members of the Senate of the United States should vote on the civil rights issue. Yes, a man from the South, or the Southwest, led the fight.

Sometimes we have forgotten—perhaps even the leaders in that battle—the breakthrough which he made possible. He must never be forgotten for the work done in the area of human rights, nor should he be forgotten for his vital leadership in the fields of education, better health, and decent housing for the people of the United States of America. Sometime in our history people will understand the constructive contributions which he made during his vigorous lifetime. It was not so long in actual years, 64, but he crowded much into those years, always pressing, always working, always thinking, always, above all else—though some might have thought of him as an operator—endeavoring to secure programs to benefit people. He was a humanitarian, because he loved humanity—and helped humanity in dignity.

My wife Mary, and Lady Bird, were dear and cherished friends. She joins me in our sympathy to the Johnson family.

I remember his congratulatory message following our reelection to the Senate in November of last year—remembering, as always, one of the many colleagues with whom he had worked on Capitol Hill and in the White House. I responded, in part by stating:

> I often recall the wonderful years I served for and with you in public life.

In an hour or so, the body of Lyndon Johnson will be carried into the rotunda of the Capitol. His spirit, however, will inspire us because his was a boundless spirit that will be captured, if it is ever to be captured, only in American history.

Mr. ROBERT C. BYRD. Mr. President, I yield to the distinguished senior Senator from Rhode Island (Mr. PASTORE).

Mr. PASTORE. Mr. President, on an occasion as solemn as this, I do not think what we have to say really counts for as much as what we feel. In my heart I feel that I have lost a dear friend.

I came to the Senate in December of 1950. Before that time I had never met Lyndon Johnson. But from the day that I did meet him until the day he died, I always cherished his friendship and admired his strength and the power of his character. He was very close to me, and I feel that I was very close to him. He stepped aside as a member of the Joint Committee on Atomic Energy to make room for me, and I have been a member of that committee from that day forward.

I shall never forget, in June of 1964, when I received word from one of the staff in the cloakroom—

> The President of the United States is on the phone, and he would like to talk to you.

I picked up the phone and heard him say, "JOHNNY, is this you?"

I said, "Yes, this is I."

He said, "I want you to make a speech for me at the convention."

I said, "What do you mean by that, Mr. President?"

He said, "I want you to make my keynote address."

And he said, "I want you to make a good speech, good for you and good for me."

He asked me on numerous occasions before the convention to show him the speech that I was preparing. I must say that I refused to do so, because I never showed that speech to anyone. I never made that speech before I made it on the floor of the convention in Atlantic City. As I am doing now, I thought the spontaneity of the moment was required for the effectiveness that one expects to give to his utterances.

The first time I made that speech I never recorded it, but it was recorded at the convention even as I made it. When at Atlantic City I had finished speaking, President Johnson was on the telephone again from the White House, congratulating me for what I had said on his behalf. I recall vividly what I said on that occasion, that no man in such a short period of time, the 7 months of his succession, had done more for the people of the country than Lyndon Johnson.

He was the father of the civil rights movement. For 100 years, we had struggled to carry out the issue of a civil war and the fiat of the Declaration of Independence that all men are created equal, and here was a southerner gifted with the humaneness and the humanity to realize that the color of a person's skin in America should not stand in the way of achieving his aspirations and ambitions. Lyndon Johnson fought hard. The first black man on the Supreme Court was appointed by Lyndon Johnson. The first time we heard of aid to education by the Federal Government was under Lyndon Johnson. It was the dream of President Kennedy, but it was the fulfillment of President Johnson.

These are the monuments that will endure as a reminder to all future Americans of what a good-hearted man can do.

In November of 1967, at his invitation, I sat alone with him in the Oval Room of the White House. He told me of his agony, that the war in Vietnam had accelerated to the divisive point that it had, and that he had been unable to unite the country.

He asked me this pointed question: He said:

> Johnny, do you think I should step aside?

I looked him straight in the eye—I could not believe what he was saying to me—and I asked:

> Mr. President, do you believe that what you are doing is right even though I disagree with you?

He said:

> From my heart I believe that what I am doing is right.

I said:

> Well, under those circumstances, if you are right, history will record you as being right; but if you are right and you step aside, history might record that you had failed the people of your country.

Frankly, I thought he was pulling my leg. I could not imagine that the President was serious about stepping aside. Yet I sat in the living room of my home with my wife on that night of March 31, 1968, when, at the conclusion of his speech, Lyndon Johnson said that he would not seek renomination and would refuse it if it was granted to him by the Democratic National Convention. Then I realized how serious he had been and how deep his personal agony really had been that previous November of 1967.

Yes, he stepped aside so that peace negotiations might be advanced. He gave up the Presidency because he loved his country. If Lyndon Johnson had run for reelection in 1968, he might not have achieved the overwhelming plurality of votes he received in 1964, but surely, in my heart, I believe he would have been elected.

But he said on that occasion:

> If I step aside, maybe North Vietnam will realize that I am sincere and they will come to the negotiating table.

Mr. President, is it not ironic that today, when Henry Kissinger is detailing the agreement that we have achieved on a cease-fire and the termination of hostilities in Vietnam, the body of Lyndon Johnson is lying in state in the rotunda of the Capitol of the United States which he loved so intensely.

Perhaps it is prophetic—perhaps it is God's will—that this is the time peace was to come—the end of a war—the end of a life. History will judge the wisdom of his way—but right or wrong I shall remember Lyndon Johnson as my friend. He cherished his family. He adored his Lady Bird. He loved his children. A man who has that intensity of love, has love for his fellow man.

Lyndon Johnson knew hard times. He was a young man during the depression years of the 1920's. He worked for a dollar a day. He helped the underprivileged and the suffering because he knew suffering. No man can be big unless he learns to be little. When the chips were down, Lyndon Johnson had a heart for the little people.

Thus, on the occasion of his requiem today, I cannot find the words to match the greatness of this individual, because the Lord, with all His generosity, has not blessed any person with adequacy of tongue and mind to say fully what is in his heart.

I say it, as simply and as sincerely as I can—even though it be inadequate—that I mourn his passing. My home extends to his home our deepest sympathy.

I pray that God will give the family of Lyndon Johnson the strength to remember the years of happiness they spent together. Let this serve as the premise and the promise for their future good fortune, good health, and happiness.

Mr. ROBERT C. BYRD. Mr. President, I now yield to the distinguished Senator from Rhode Island (Mr. PELL).

Mr. PELL. Mr. President, the news of the death Monday night of President Lyndon Johnson saddened me very deeply, for the world seems an emptier place without his immense energy.

Lyndon Johnson was a true leader of men during the 31 consecutive years that he served his State and his country as a Congressman, Senator, naval officer, Vice President, and President.

Guided by his deep compassion and concern for the problems of all our people, he directed his driving force toward improving the quality of life for our people.

The list of his legislative accomplishments, both in the Congress and as President, seems limitless. So many of the programs that we almost take for granted today would not be on the lawbooks were it not for his singular determination and his masterful skill as a legislator.

He was a man who put less stock in rhetoric than in accomplishment. He told us that we as a Nation had talked too long about equality of opportunity for all our citizens. He sought action and he saw to it that we passed the most comprehensive civil rights bill in 100 years.

He sought and obtained action in other fields: medical care for the aged, a higher minimum wage, a major new housing program, and a start toward cleaning up our polluted environment.

And he provided the impetus for a massive infusion of Federal funds into our elementary and secondary schools, programs that I have had the opportunity to oversee for the past 4 years.

No matter what may have been our views on various subjects, I never failed to admire his determination to do what he thought was right for the people who had chosen him as their leader.

Lyndon Johnson was a big man who thought in big terms. The world today is a smaller place without him.

My wife and I extend all our sympathy and condolences to his lovely wife and family.

Mr. ROBERT C. BYRD. Mr. President, I now yield to the distinguished Senator from Mississippi (Mr. EASTLAND).

Mr. EASTLAND. Mr. President, even as we mourn the loss of Harry Truman—accomplished Senator and great President—we suffer yet another lessening in the thin ranks of America's giants of this era.

Lyndon Johnson—Senator without peer, President awaiting history's assessment of his labors—is no longer with us.

It seems to me fitting and proper that Texas placed this man on the national stage and the international scene. One of our largest States gave us a leader almost larger than life.

President Johnson was, in every sense, a big man. His goals, his desire to serve his country and her people, his hopes for a better future for mankind, his unwavering faith in that future, were all on a towering scale.

None of us in this body can ever forget that Lyndon Johnson stood here and symbolized the title of Senator. He was a driving, striving, tireless leader, and he gave real meaning to the honored concept of "the loyal opposition"—a meaning carried forward in outstanding fashion by our present, distinguished majority leader.

He reached out his strong hand to a Chief Executive from our other great political party, and he contributed mightily to the effective functioning of this Government during the Eisenhower years.

When he sought—and lost—the presidential nomination, the breadth of his talent was, of course, recognized by President Kennedy. He became, as always, a working member of the Kennedy team and served with a loyalty that testified to the depth of his character.

When tragedy overtook us—when an assassin struck down John Kennedy and crisis was thrust upon us—Lyndon Johnson met and measured up to that gravest of tests.

He assumed the burden of the Presidency. He took the reins firmly and courageously and spoke to the American people, saying, with a calm and steady faith in them, and in the way of freedom, "Let us continue."

Continue we did—and as we will—under leadership selected by our citizens—until the end of time.

Lyndon Johnson cast a giant shadow across America and across the earth. It is a sad shadow today because of his passing. However, I believe that in the decades ahead it will be a sheltering shadow for men—here and everywhere—against the evils that beset mankind. I believe this land and the world are better because he tried so very hard to make them better.

If we who knew him and worked with him—and against him, at times—would raise up a monument to President Johnson, I suggest that it might be done here, in the Senate he loved with all his heart.

Let us, in this Chamber, salute him by continuing in the work we are in—the work he gave a lifetime to—the ongoing task of dedicating all of the strength and whatever talent we possess to fashioning a brighter tomorrow for each American and for everyone on this earth.

Mr. ROBERT C. BYRD. Mr. President, I now yield to the Senator from New Hampshire (Mr. MCINTYRE) and then to the Senator from South Carolina (Mr. THURMOND).

Mr. MCINTYRE. Mr. President, no President since Abraham Lincoln bore the barbs of criticism and the stings of abuse with more grace than Lyndon Johnson.

This proud and sensitive man must have had his moments of bitter anguish, must have had his moments of despair, must have had his share of heartbreak as he watched his monumental accomplishments for this country sullied and disdained in the wash of disenchantment over a war that deceived both predecessors and successor—and many of us in this very Chamber.

But let us look behind this greatest tragedy of our times, a tragedy now, thank God, about to end, and remember once again what Lyndon Johnson really was, what Lyndon Johnson did for us.

When John F. Kennedy was taken from us in November of 1963, it remained for Lyndon Johnson to restore our national spirit and renew our determination.

I wonder, Mr. President, if there was any other man in Government at that time who had the will, the courage, and the skill to set this Nation back on its feet and start it moving again.

And 1 year later a landslide victory at the polls gave him the mandate he needed to start building the Great Society, on the leading edge of the New Frontier.

He accepted that mandate, and in the next 3½ years he started more programs for social progress than any other administration in our history.

He sought to care for the sick through medicare and medicaid, to feed the hungry through food stamps and surplus food, to secure the golden years with landmark increases in social security, to educate the young through a tripling of Federal money for schools, to give to the able-bodied through manpower training and vocational rehabilitation, to provide equal rights and human dignity for all men with civil rights legislation that advanced the cause more significantly than any measure since the Emancipation Proclamation.

Let us think about that legislation for a moment: voting rights, elementary and secondary education, higher education, model cities, rent supplements, minimum wage, the Department of Housing and Urban Development, the Department of

Transportation, Job Corps, VISTA, food stamps, a host of antipoverty measures, food for freedom.

Now, Mr. President, it is politically fashionable these days to belittle the accomplishments of these nobly inspired Great Society programs. And perhaps the critics are right. Perhaps it is, indeed, true that legislation alone, money alone, will not cure our social ills.

But this conclusion, even if valid, cannot, shall not, dull the luster of Lyndon Johnson's intent.

This son of the Southwest believed, truly believed, in America's promise for every man—and he worked, as best he knew how, toward that end.

He was brought down, finally, by a war that deceived him, and by the flames of rising expectations that he himself had kindled with the very highest of purpose.

Mr. President, 144 years ago Alexis de Toqueville wrote something poignantly appropriate to any consideration of Lyndon Johnson. De Toqueville wrote:

> Only great ingenuity can save one who undertakes to give relief to subjects after long oppression. The sufferings that are endured patiently as being inevitable, become intolerable the moment it appears there might be an escape. Reform then only serves to reveal more clearly what still remains oppressive and now all the more unbearable. The suffering—it's true—has been reduced. But one's sensitivity has become more acute.

And so it was with Lyndon Johnson, Mr. President. He began to lift the oppression of bigotry minorities bore so patiently for so many years. He began to lift the oppression of poverty which millions—white and black—endured as inevitable.

But in so doing, he acutely sensitized those who had suffered before in silence. So along with hope, came frustration and turmoil.

From those on the right with a pathological resistance to change, Lyndon Johnson was criticized for even raising these hopes. From his critics on the left, he was condemned for not righting the wrongs of centuries in 4 short years.

But history will be kind to Lyndon Johnson, Mr. President. History will be kind, because history does not perceive with tunnel vision. History will see a big picture of a very big man, a very great President.

May he rest in the peace he so richly deserves.

Mr. ROBERT C. BYRD. Mr. President, I now yield to the Senator from South Carolina (Mr. THURMOND) and then to the Senator from Utah (Mr. Moss).

Mr. THURMOND. Mr. President, today we are here to eulogize a man who, had he never served his country beyond his service in the Senate, would still be regarded as a distinguished figure in American history. During his tenure in this body, Lyndon Johnson made the Senate a focal point of government and politics on the national scene. He was a man of purpose who believed those purposes useless if not acted upon. With great skill, determination, and courage, he became a master of the legislative process and his stamp was firmly placed on the Senate and the laws which emanated from it. Where opportunity existed, he seized it; where no opportunity was apparent, he created it.

Although Lyndon Johnson would have made his place in history with his record as a U.S. Senator, he later brought the same impressive abilities and qualities which served him so well as a member of the legislative branch to the Presidency.

Mr. President, it is only natural that students of government, and indeed the American people, will differ in their individual assessments of President Johnson's policies. That, after all, is the premise upon which this country was founded. It is my opinion that history will judge Lyndon Johnson as a man, as a Senator, and as a President far more charitably than many of his contemporary critics.

I believe it will be seen that he accepted the responsibility thrust upon him, that he made the decisions required of him, and that he did not retreat when lesser men might have. While reasonable men disagree as to the wisdom of his policies, reasonable men of good will, I believe, agree that our country has lost a giant of a man.

Mr. President, my deepest sympathies are with his gracious and dedicated wife, Lady Bird, and to the members of his family. Let us hope our concern for them and their loss will be a comfort to them.

Mr. ROBERT C. BYRD. Mr. President, I now yield to the distinguished Senator from Utah (Mr. Moss).

Mr. MOSS. Mr. President, for those of us who served with Lyndon Baines Johnson in the Senate, and who worked with him during his White House years to achieve a more equitable measure of human decency for all, his passing leaves a great void. He was always one of us in a special sort of way.

He towers over his times as a colossus—a man who was larger than life size almost from the beginning of his public career. He was an outstanding Representative and an outstanding Senator. The consummate legislative skill with which he operated as majority leader in the Senate has seldom been surpassed, or equaled in our history. And no President ever worked harder, or with more compassion, to obtain his goals.

It was in the field of domestic legislation that he leaves his greatest legacy. He used his understanding of the legislative process to drive through Congress measures which produced the most substantial advance in civil rights since the time of Lincoln, and spelled the end of an apartheid society in America. It was his leadership which helped us achieve Federal aid to education, medicare, and medicaid, some of our best antipollution programs, a revised concept of immigration, the Teacher Corps, and increased assistance to the least of us—the poor—through a series of programs to help them help themselves.

More than anything else Lyndon Johnson wanted to help people—and more than anything else he did just that.

That he could not end the war in Vietnam and bring peace to Southeast Asia was a heavy affliction to him. He sought only for the people of South Vietnam the freedom to choose their own destiny, and he hoped for them the benefits of a democratic way of life. It was a noble aspiration, and one which most people of America shared with him. When he found his objective was out of reach, under the terms the Nation had set for itself in the war in Vietnam, he sought to end the hostilities. That he could not, and did not do so, was his greatest agony. He lived with that agony to the end of his days, and it is a bitter irony of fate that he died on the eve of a cease-fire in Vietnam. No one would have been more grateful for last night's news than Lyndon Baines Johnson.

Lyndon Johnson was my friend and colleague. He was also a great friend of the State I represent. I recall one incident, especially. Legislation to clarify the status of the relicted lands around Great Salt Lake had passed the 89th Congress, after extensive consideration and debate. Its enactment was most important to Utah. It reached President Johnson's desk with a recommendation for a veto from his legal advisers. I discussed the bill with his staff and appealed to the President to sign it. Shortly before the deadline for taking final action on the bill, I received a call from President Johnson at his ranch in Texas. I was in Utah. He read to me the veto message prepared for him. The defect noted in the bill was that Federal interests were subjected to State action. In our conversation, the President, ever ready to find a way to get things done, said that an amendment to protect the interests of the Federal Government would satisfy the deficiency in the bill. I promised I would promptly introduce in the Senate such an amendment. So, in a spirit of trust and friendship, the President signed the Great Salt Lake bill. Thereafter, my amendment was introduced and enacted promptly by the Congress.

Lyndon Johnson proved that night to me that he was willing to walk the extra mile to get a bill of immense importance to the people of my State. He was, indeed, President of all of America—of all of the people.

The world mourns the passing of this compassionate, forceful, wise, and dedicated leader. Phyllis joins me in expressing deepest sympathy to his charming and gifted wife, Lady Bird, for whom we have the warmest feeling of friendship, and to his two attractive daughters. Their loss is immense, because a great man is gone. But they will live in the glow of his greatness for the rest of their lives.

Mr. ROBERT C. BYRD. Mr. President, I now yield to the distinguished Senator from Vermont (Mr. AIKEN).

Mr. AIKEN. Mr. President, I come from a rural State, and in the loss of President Lyndon B. Johnson I do not hesitate to say that the rural areas and the agricultural areas of America have lost one of the best friends, if not, indeed, the best friend, they ever had in the White House.

Lyndon Johnson was human.

He had human virtues and he made human mistakes occasionally, but his loyalty to the people of this country could never be questioned.

I recall many a time when the farm people of America were in difficulty or faced a crisis.

Under such circumstances, I found that I could call him at any time, day or night, even before breakfast, and he would respond with action appropriate to averting the danger.

I could go on reciting incident after incident where his prompt action kept the people of our great country out of difficulty.

In the field of foreign policy he made enemies who rejoiced in making charges against him.

This was particularly true in the case of our involvement in Indochina.

And I disagreed with him from time to time myself, but I will say here and now that whenever, in my opinion, he made a mistake he thought he was doing that which would shorten our military involvement in Southeast Asia.

I know that he always hoped to bring that conflict to an early close.

I know, too, that he contemplated giving our aid for reconstruction work even in North Vietnam after the turmoil was over.

Probably I saw more of Lyndon B. Johnson than any other President under whom I have served.

I worked with him on domestic matters.

I know his sympathy for the needy people of America and, above all else, his loyalty to his flag and his country.

I never knew anyone else just like him and my wife, Lola, and I extend our deepest sympathy to Lady Bird, Lynda, and Luci during this period of sadness.

Mr. ROBERT C. BYRD. Mr. President, I yield now to the distinguished Senator from Minnesota (Mr. HUMPHREY).

Mr. HUMPHREY. Mr. President, when great men pass on, it is most fitting to talk about their legacies to the Nation; and when great men pass on, men who have enriched one's life with the gift of their friendship, then the remarks concerning that individual take on a very special meaning.

I have been a very fortunate man. Life has been good to me. The rewards of my life have been in the treasured friendships that have come from the Members of this body, neighbors, associates back in my home State, and, above all, the men and women of fame and responsibility who from time to time cross the path of our lives.

I came to the U.S. Senate in 1949, as a Member of the 81st Congress. Another Member of that Congress was Lyndon Baines Johnson, the then junior Senator from the State of Texas. Senator Johnson was no newcomer to Washington, however, in 1949. He had been a Member of the House of Representatives. He had worked as an aide to a Congressman. He had been employed on a congressional staff. He knew Capitol Hill and he knew all the prominent people of this interesting city on the American scene.

He always took pride in saying that Capitol Hill was his second home. If there were any two areas of this Nation that he loved, they were the hill country of Texas, his home, his ranch, Johnson City, and Capitol Hill. He was, every inch of him, a Member of the Congress of the United States, even in the days when he served in the Presidency.

But I remember so well that Lyndon Johnson, as a Senator in that year of 1949, seemed to know the powerful people in this city.

I was a newcomer to Washington. My background in politics had been as mayor of Minneapolis. Frankly, I knew no one here except what I had read about them. Within the first 2 weeks of my being in the Senate, Lyndon Johnson took time to visit with me. He called on me at the office, we visited in this cloakroom right off the Senate floor.

I can say to my colleagues that I was a very lonesome young Senator in those days. This body was much different than it is now. There were rigid lines of division, not only on the basis of party and region and ideology, but also seniority and position. Freshmen Senators were not given important assignments. Freshmen Senators were told not to speak. I am generally considered as one who is rather loquacious, but, Mr. President, I did not speak a word in this body until April 1949.

It was a different Senate—a very different Senate—but there was a young Senator who was not young to Washington, to experience in this city, who was a protege of Franklin D. Roosevelt, an intimate friend of the respected Speaker of the House, Sam Rayburn, an associate of the then senior Senator from Texas, Tom Connally, a man who knew distinguished Senators such as Richard Russell and Walter George of Georgia and Harry Flood Byrd of Virginia, just to mention a few. And it meant so much to me that this man cared enough just to say hello to a young Senator from Minnesota, a man he had never met, and, for no particular reason, to want to take time to be friendly.

That was the beginning of our relationship, and that relationship developed over the years. Many were the times that I was privileged to go to his home here in Washington to meet his young daughters, to be with his marvelous and wonderful wife, Lady Bird Johnson, to meet his friends. Yes, I always knew that he was an unusual man.

When you come to talk about a man of the quality of Lyndon Johnson—Congressman, Senator, Vice President, and President—we generally try to make it look as though, somehow or other, here was the perfect man. But Lyndon Johnson would be the last person to want this record to so appear. He was a very human, earthy, strong, outgoing, forceful, relentless in pursuit of his objectives. He was a total political man, giving of himself to politics, if it were possible, 24 hours a day, 7 days a week. He was a man of ambition, he asked much from others and gave much. He understood that the purpose of knowledge was action. Lyndon Johnson was a man who understood people and things, not an intellectual, but a man of great commonsense and understanding. And he was surely not a modest man, but I say he knew his capacity. He had faith in himself.

He also had an unlimited faith in this country and its ability to do anything that needed to be done. He was, as I said here yesteday, an unusual, unique, remarkable individual. You could not label him, Mr. President.

I remember when we came here, you were either a liberal or a conservative. You were either a reactionary or a progressive. You were either a northerner or a southerner. That is the way it used to be. How many times I heard Lyndon Johnson say he was first a free man, then an American, a public servant and a member of the Democratic Party and in that order. His respect for the Senate was an article of faith with him. But above all, while he was from the Southwest and he was a Texan and he was a Democrat, he reminded us that what he really was was an American; he knew neither North nor South, East nor West, in that sense. He quoted frequently from Sam Rayburn, who often reminded his colleagues in the other body, and this country, of the necessity of thinking in terms of the Nation rather than in terms of groups or segments or regions or sections.

I can remember the columnists and the writers and the commentators trying to put a label on Lyndon Johnson. What was he? Who was he? How would you classify him? It is so much easier around here, particularly for the purposes of contemporary history, to be able to put a person in a slot or column, to compartmentalize him. He defied all of them. He was far too complex a personality to submit to easy description. Here was a man from the South who led the fight from the Capitol and the White House for civil rights. Here was a man from the South who in 1957 and 1960 helped put through Congress the very first legislation in the field of civil rights. Here was a man from the South who refused to sign the Southern Manifesto.

We tend to forget those facts. Those were days when you were really almost compelled by party politics, if you were from a certain region of this country, to line up with the prejudices and parochial attitudes of that region. Lyndon Johnson was proud to be a Texan, and he would let you know about it. He was not always the silent man, and he surely was not the most suave and sophisticated in his approach. He would tell you bluntly he was from Texas and, as far he was concerned, that was it.

He talked with great pride of having a vision about this country that was far greater than any State, community, or section. He was inspired by Franklin Roosevelt. Many were the days he would tell us in intimate conversation about when he first met Roosevelt.

I think he was so pleased that he was looked upon in the public print and by the public as one of the young Members of Congress in those days, in the late thirties and the early forties, who shared in Roosevelt's fellowship and trust. He was a New Dealer in that sense. However, again it was not 100 percent. Again, you could not put a label on him.

Lyndon Johnson had the most amazing set of friends. In this body, possibly the closest friend was the esteemed and revered late Richard Russell. They were intimate friends. This I know. Yet they did not always vote alike. And surely in the days of his Presidency, President Johnson recommended many things that Richard Russell could not support. But the same man who was a friend of Rich-

ard Russell was also a friend of Herbert Lehman, that marvelous humanitarian, the beloved Senator from New York. The very first person from the Senate who came to the bedside of Lyndon Johnson when Lyndon was stricken with a heart attack was Herbert Lehman. Lyndon Johnson never forgot that.

The same man who was a friend of Harry Flood Byrd, Sr., the very essence of what we call American political conservatism, shared the friendship of a man who used to stand in this Chamber, a man by the name of Senator Wayne Morse, the maverick and the progressive.

Mr. President, I was fortunate to be one of Lyndon Johnson's friends. And in those days in the Senate, he sort of looked to me as a kind of bridge between what he called the liberals—and he even used to refer to them and use the term "bomb throwers." We all know that he had a way of needling you and putting you on, and that was just his way.

Many were the times that I discussed with him many matters relating to the policy committee. I remember one time when he said to me, "Whom would you like to recommend?" I do not want to go into details because it is rather personal. However, the recommendation was made and the appointment was made.

I can remember in 1953 when Lyndon Johnson called me when I was visiting in New York City with Adlai Stevenson. At that time he said to me: "I want you to get off the Committee on Agriculture and Forestry and the Committee on Labor." They were the two committees that meant more to me than almost anything in Congress at that time. He said: "We want to put you on the Foreign Relations Committee, and we also want to have MIKE MANSFIELD on it."

I said: "I can't do that."

He said: "We have already discussed it. I have been speaking with Sam Rayburn, the Speaker, and we have been talking about adding some new faces on the Committee on Foreign Relations."

I do not think I need to tell you, Mr. President, that he was a very persuasive man. There was hardly a Member of the Senate here who did not have to have his lapels repaired from time to time after a session with Lyndon Johnson. I want to talk about my friend, Lyndon Johnson, as he was. There was hardly a Member of the Senate who served in this body who did not have to have his ears patched up from time to time as a result of having spoken with Lyndon Johnson.

How many of us remember how he would come over and talk to us. I used to say that he knew more about every individual Member of this body than J. Edgar Hoover or a psychiatrist. He was a master in the art of politics, particularly in the legislative body. Many people did not like it because many people do not like to be known that well. He not only knew the Senators, but he also knew their families. He knew all about them. And he was a considerate man.

Many a Senator will remember how former Senator Johnson used to call a member of his family who was ill or how he would call the Senator's wife and explain that the husband could not be home that night because the Senate was going to have a late session.

Mr. President, I have a storehouse full of stories that I could tell about Lyndon Johnson's capacity for compassion and human understanding.

I shall never forget the time that the late Theodore Francis Green walked out of this Chamber after talking with former Senator Lyndon Johnson. Lyndon Johnson was occupying a seat about where the Senator from West Virginia (Mr. ROBERT C. BYRD) is sitting now. And dear Senator Green said to Lyndon: "I have to go to a very important meeting. Would you consider handling this little voting rights bill for servicemen for me. If you can take care of it for me, it will help me so much. It is noncontroversial."

This happened to be a night on which Mrs. Johnson expected her husband at a particular affair at the Australian Embassy. That meeting meant a great deal to them because he had been in Australia during the war, and they had friends there that they were supposed to meet.

A bitter argument went on over this little bill of former Senator Green's, and we were here until 11 o'clock at night. When Lyndon Johnson got home, his wife asked him why he had not been able to leave. He said to her, "You must understand that we have a job to do in the Senate." She said, "Is that right?"

He said, "One of the most important Members of the United States Senate wanted us to be there for a bill."

She said, "Who was that?"

He said, "It was that beloved man, Senator Theodore Francis Green."

There were even times that this shrewd, remarkable man could be outmaneuvered by a man who seemed so quiet and modest as the late Theodore Francis Green.

We could fill this RECORD with stories about this man's contribution to our Nation.

Lyndon Johnson could be angry. He could take a bite out of you as big as a Texas T-bone steak. Yet, the very next day he would throw his arms around you as though you were a long-lost brother.

I can remember many times when there were reports that there must be some problems existing between the President and Vice President. That only indicated that they did not understand the man in the White House.

When I happened to get public criticism on a matter, I could be sure of getting sympathy from the President.

I knew the man very well. And I really miss him. Many of us here knew him very well. And in a real sense we talk of him in the present because we remember him so well.

I was on a television show with Joe Califano yesterday. And we were talking about Lyndon Johnson. The telephone rang, and I said: "Joe, don't you be surprised if he is calling."

Many of us remember the calls we used to get when he was our leader and when he was our President. The telephone was not an electronic instrument. It was an extension of his body. It was an instrument of persuasion. He was a master of the use of the telephone.

Mr. President, these are just a few reflections. I thought I would add a little human touch today, because I shall write about him in the years to come. And I shall write about him as he was.

This was a very strong, powerful, dedicated, and able human being. I repeat that he was a master of the art of colloquy and the art of politics.

So when we talk about the legacies that people leave, I want to talk about the legacy of Lyndon Johnson. History books are full of legacies of great men of politics. They speak, for example, of Washington's legacy of independence as the father of our country; of Jefferson's legacy of freedom as the author of the Declaration of Independence, and of his passionate dedication to education.

They speak of Lincoln's legacy of the Union preserved, with justice for all; of Wilson's legacy of peace and international order; of Franklin Roosevelt's legacy of hope and compassion; of Harry Truman's legacy of reconstruction for a war-ravaged world; of the remarkable decisiveness and courage of John Kennedy's legacy of dynamism, of a new generation at the helm of government and power.

So it is well to ask, what will be the legacy of Lyndon Johnson?

Well, that legacy will be recorded in the history books; and, by the way, any real, truly objective evaluation of a strong and great man is never possible by his contemporaries. No President who has ever served this country well has been judged fairly by his contemporaries. Lincoln was not popular in his day. Neither was Jefferson nor Jackson. There were people who abhorred and denounced Woodrow Wilson, and there were the Roosevelt haters who became almost a cult. I remind the Members of this body that when Harry Truman left the Presidency, he was one of the most unpopular men who ever left Washington, D.C. He departed from Union Station almost by himself, he and his beloved wife, Bess.

Very few great men are popular in their time; and we will never be able to get a truly objective judgment of Lyndon Baines Johnson at this hour, in this day. It will require the refinement of time to filter out the dust of minutiae, in order to find the solid rock of character and accomplishment.

But it will come. And I predict we will see that Lyndon Johnson's legacy is a living one. In fact, it is here now. It is the legacy of a black or a brown child who will never have to face a segregated hotel or restaurant; who, in this time of our life, can walk tall and strong as a free man or woman—a child who will never have to live in a society that has been divided by law on the basis of race.

It will be the legacy of universal suffrage for all: rich, poor, black, and white. How well I remember President Johnson saying to me that the one thing that we must do for black people is guarantee them their precious right on the vote. He said, "Until they have that, they will always be living at the sufferance of someone else. The way to make the powerless powerful is to give them the precious right of the vote, and protect that right." And he led the fight in this body for the right to vote, and not only for the right, but for the protection of the right to vote. I shall never forget that

joint session of Congress when the President came to us with the Voting Rights Act, when he took those words of Dr. Martin Luther King, Jr., as he ended that message by saying, "We shall overcome." The Voting Rights Act alone has changed America.

It will be the legacy of hope for more than 20 million elderly Americans that they can have greater security in their final years. Yes, Lyndon Johnson would have changed the life of this Nation if he had done nothing more than to see through this Congress the passage of medicare.

And he did not forget, by the way, that medicare was initiated originally by Harry Truman. Where did he go to sign the bill? To Independence, Mo., in the presence of the man who pioneered the idea, Harry Truman.

The legacy of Lyndon Johnson will be the legacy of an education for every boy and girl in this country. He was a schoolteacher who never forgot that education was the key to opportunity, a man who knew that civil rights was meaningless in ignorance; a man who knew that there was no human dignity in ignorance. And, as has been said from this floor today, he moved mountains to pass the Elementary and Secondary Education Act. Federal aid to education died in Congress year after year on the anvil of either race or religion. We would pass it here, and it would be killed in the House of Representatives, or it would pass the House of Representatives and be killed here, one or the other. But Lyndon Johnson rose above that, and we have today massive infusions of Federal funds to the educational structure of this country. We have all the little children in project Headstart. There are hundreds of thousands of parents today who will remember Lyndon Johnson because their child got a chance in a Headstart class.

There is a young man, who is heavyweight champion of the world today, by the name of George Foreman. He got a chance in a Job Corps camp. George Foreman traveled with me in 1968 for more than a month in my campaign. His wife lives in the Twin Cities, and he is a friend of mine. George Foreman, a clean-cut American youth, the Olympic boxing champion, who stood in Mexico City after he won the heavyweight boxing championship in the Olympics proudly holding that little American flag. George Foreman will never forget Lyndon Johnson. Regrettably, Lyndon Johnson lived to see the closing of some Job Corps camps.

There are thousands of people in the ghettos who got their first chance under the program known as VISTA, and the youth opportunity centers that opened across this land. I traveled with this program to every one of the major cities of this land, Mr. President. President Johnson sent my wife and me to the ghettos of Philadelphia, Chicago, New York, and Cleveland, to open up programs that we dared to ask the country to undertake.

Yes, the legacy of Lyndon Johnson is a living one. It is the legacy of economic opportunity for hundreds of thousands who needed help and assistance. He was the man who had the courage to declare war on poverty; and I remember all the smart ones in this city who said, "He will never do it." I wonder how many Senators know that a special task force report had been prepared and that in the so-called inside communities of Washington, where they really figure out everything in advance that generally does not happen, the betting was about 10 to 1 that Lyndon Johnson would never act on the report that had been made, which came forth with the recommendation for the creation of the Office of Economic Opportunity. The war on poverty; I helped draft some of the provisions of that bill. Lyndon Johnson dared to try.

These are some of Lyndon Johnson's living legacies, which are today more valuable than any page in history. There are so many others, including the first moves in the field of environmental control. And let us not forget at all times, he pledged more to those who had less. Yes, he was a populist. He was the farmer's friend. He had the trust of the working people.

I can recall serving with him as Vice President when, at the White House, men of industry and of labor would be brought together at the same table because President Johnson believed in partnership, in cooperation, and not in confrontation.

There is so much to be said, and today we cannot say it all.

Finally, let me point out that it is tragic that in light of major accomplishments in the domestic area that President Johnson's administration has been marked in the public view primarily by the tragic war in Vietnam. He told us many times that he did not seek a military victory, that he sought only to prevent the success of aggression, that he sought only to see to it that force should not determine the future course of a people, that he sought only to protect the right of self-determination.

Only history will judge all of this war. But we know now that it lasted too long and most of us wish it had never happened.

But, Mr. President, I think I am in a position to tell this body that no man agonized more over the war in Vietnam than the man who was President then, Lyndon Johnson. I am sure that one of the reasons he is not with us now is due to the hours of pain, worry, and anguish that he endured because of that war.

I heard the distinguished Senator from Rhode Island (Mr. PASTORE) speak of the message of the President of the United States, when he decided he would not be a candidate for reelection. I recall that he had said, "I do not think I will ever run again." I never believed him, because all of us in politics resign about once a month, only we are so worried that someone will take us up on it, but we get so frustrated and discouraged.

But I remember, on March 31, 1968, Mrs. Humphrey and I were at home, and I had been asked by President Johnson to represent the United States in Mexico City at the signing of a treaty to prohibit the stationing of nuclear weapons of mass destruction in Latin America. I had interested myself in that subject matter when I was a Senator. He came to me that day—he had been to church—and he said, "I need to talk to you." We sat down, and he read to me the message that I knew he had been working on the week before, which was primarily a message about the economy and the war. And then he read me the paragraph that said he would not seek reelection, that he would not accept the nomination if it were offered to him, nor would he run. I urged upon him not to make that statement.

I said, "Mr. President, you can be reelected. It will be difficult, but you can be reelected. What is more, no one is better capable of carrying out what you want than you yourself."

I shall never forget when he told me that the main reason he was taking that action was that he knew, if he had to stand for reelection, his motives would be questioned as he sought peace in Vietnam, that he would be under suspicion and, more significantly, he would have to give time to the campaign that he should be giving to the search for peace. He said, "I have made up my mind." Then he said something else. He said, "Hubert, a campaign is an arduous and exhausting experience. I have not had the best of health. For me to undertake another campaign might be too much."

Then he said, "The men in my family have not lived long." How well I remember that.

Well, Mr. President, as I have said two or three times these past days, the conference in Paris that made possible the agreement which the President of the United States announced last evening, was initiated by Lyndon Johnson. It was on October 31, 1968, that he stopped the bombing. It was during the summer of 1968 that he encouraged and was able to get the representatives of North Vietnam and South Vietnam to come to the conference table in Paris.

I know, too, that he was as disappointed as I was when President Thieu of South Vietnam, during the first part of November 1968, had indicated for a while that he would not come to the conference table.

But the forum—yes indeed, the table that made possible the negotiations was, in a sense, constructed by the man we mourn today.

I believe that history will also note that this man set the course for better relationships with the Soviet Union. I want my colleagues to know that he gave instructions to his Cabinet that we should not speak in cold war terms. Not once during those years did President Johnson use the rhetoric that was so customary in many places in this country concerning the Soviet Union.

He diligently prepared the way for the strategic arms limitation talks which we entered into in 1969. He would have initiated those talks but for the fact that the Soviet Union moved in to attack Czechoslovakia in August of 1968.

Furthermore, Mr. President, I remember the order to his Cabinet that we should speak with great respect of the President of the Republic of France, Charles de Gaulle, that he did not want us to engage in the oratory and the rhetoric of division.

There were many other things, Mr. President, that were accomplished during those days.

As we look to the future, as we look to Asia, remember that the Asian Development Bank, that program for the economic reconstruction of Asia, was a part of that administration.

So, Mr. President, the legacy of Lyndon Johnson is to be found in the faces of children today who have better health, because he cared; to be found in the smiles on the faces of senior citizens who needed medical care and can get it now, because he cared.

The legacy of Lyndon Johnson is to be found in the schools and colleges of this land whose programs he so greatly strengthened. In the legacy of Lyndon Johnson is to be found the fact that hundreds of thousands, yes, millions of impoverished people were recognized for the first time by their Government as being worthy of attention and help.

I want to say, while the time is mine, that we are not going to turn back from that course of humanitarianism and the enrichment of human resources. I am not going to let this day of remembrance of Lyndon Johnson be just a testimonial to the man.

I say to every Senator who has spoken of him today: Remember what he stood for. As efforts are being made to weaken the programs of health, education, and child care, to weaken programs to clean up our cities and make them livable again, remember that a testimonial to a dead President, honoring him for what he did but failing to stand up in the days to come for what we need and for what he fought for would be so unfortunate and so false.

I mourn the loss of my friend. Mrs. Humphrey and I have been very sad these days. There is no way to express this sorrow except to say unashamedly that tears have filled our eyes. Our sadness is, of course, but a little, compared with the grief of that lovely family.

The reward of public life is the privilege to know great, unusual, remarkable, and gifted men and women. I have had many rewards based on that standard, but none was more generous, more meaningful, or more rich than the reward of being a companion, a colleague, an associate, a fellow Senator, a friend, and a Vice President with Lyndon Baines Johnson.

Mr. ROBERT C. BYRD. I now yield to the distinguished Senator from North Carolina.

Mr. ERVIN. Mr. President, this is an occasion on which we are reminded, once again, of the poignant words of the Persian poet:

For some we loved, the loveliest and the best
That from his Vintage rolling Time hath prest,
Have drunk their Cup a Round or two before,
And one by one crept silently to rest.

Those of us who were privileged to serve in the U.S. Senate with Lyndon Johnson as majority leader mourn his passing. We recognize that he was a big man physically and that he was a big man in all other aspects. I shall not undertake to review at any great length his achievements as a public figure.

As the distinguished Senator from Minnesota (Mr. HUMPHREY) has just stated, Lyndon Johnson was of the earth, earthy. He was quite a human individual. As a public figure, he was more of a man of action than he was a philosopher. As a consequence, he was more concerned with political objectives than he was with basic constitutional or governmental principles.

I had the privilege of knowing him when he was a Member of the House from Texas, back in 1946. As the majority leader of the Senate, after I came to the Senate, he gave me several important assignments, such as serving on the committee to study the censure of Senator Joseph McCarthy, and the committee to investigate improper activities in the labor-management area, and membership upon the Commission on Intergovernmental Relationships. After he became President, he appointed me to membership on the National Commission.

I like to think of Lyndon Johnson as a friendly, loving human being. His great achievements in the realm of public affairs have been recounted, and will be recounted, by others.

Lyndon Johnson had the uncanny capacity of making anyone with whom he had contact feel that in Lyndon Johnson's mind, he was one of the greatest of human beings. This won for Lyndon many friends. All of us like appreciation from others.

Lyndon Johnson had a genuine love for those with whom he came in contact. He never forgot his personal affection for others. I recall that on one occasion I had the privilege of flying down to North Carolina, where he made a speech and received an honorary degree at Elon College. I asked him for an autograph of the program of the event for my little grandson Jimmy. Lyndon Johnson never forgot Jimmy. Every time he saw me after that, he would ask me how Jimmy was getting along. That was the kind of man Lyndon Johnson was. Although he had some opponents, he was on friendly terms with virtually everyone. I think that of all the men who walked earth's surface during his lifetime, the man he loved most was Sam Rayburn. Lyndon Johnson would take advice from Sam Rayburn which he would not have taken from any other human being.

When Sam Rayburn was Speaker of the House, Lyndon Johnson was leader of the Senate.

I have always thought that perhaps the greatest tragedy that came to Lyndon Johnson after he became President was the fact that he did not have Sam Rayburn from whom to seek advice, because Sam Rayburn was a man of great wisdom and vast experience, and all through his life a wise counselor.

Another great tragedy was the occurrence of the Vietnam war during his administration. I think it can be truly said of Lyndon Johnson that he came to the Presidency with the vastest experience on the Washington level of any other President. He had served as an aide to a Member of Congress. He had served in the House of Representatives. He had served in the Senate, where he undoubtedly proved himself to be the most effective majority leader in the history of our Nation. He had served as Vice President. He carried all the experience gained in those offices to the Presidency. The fact that the Vietnam war became accelerated and demanded so much of his attention and time and care seriously handicapped in consummating many of his dreams for our country.

I think we can comprehend why some men are successful if we know their wives. When I was a student at the University of North Carolina I heard Horace Williams, professor of philosophy, speak to my class on the subject of the kind of girls we ought to marry.

He said we ought to marry a girl who would stand beside us as a tower of strength in good times and bad times, in joy and in sorrow, and in victory and defeat. He also said we should marry a girl who would make for us a good home in which we could find rest and relaxation, as well as inspiration.

Lyndon Johnson was most fortunate in that he married a girl who answered to all of those descriptions. I do not think the Nation has ever had a more charming First Lady than Lady Bird Johnson.

She stood by Lyndon at all times. She was his constant inspiration. A great deal of his success, which led from comparatively humble beginnings in Texas to the highest office within the gift of the American people, was due to the fact that she walked beside him and encouraged him. She supported his efforts at all times. She made a home in which he could find such relaxation as so restless a man as Lyndon could find anywhere on earth.

On behalf of my wife, who shares my great admiration and deep affection for Lady Bird Johnson, and myself, I wish to extend to Lady Bird Johnson our deepest sympathy in the irreparable loss which she and our country have sustained.

Mr. ROBERT C. BYRD. Mr. President, I yield to the distinguished Senator from Wyoming (Mr. MCGEE).

Mr. MCGEE. Mr. President, I shall take the minute we have before we go elsewhere to call the attention of Senators to the richness and the warmth of the remarks of the Senator from Minnesota (Mr. HUMPHREY), who added more chapters of understanding to the history of this great American, Lyndon Johnson, than I think have been available to most of us until now.

I would only wish that more had been able to attend his remarks at the time.

I would like to reserve the privilege, Mr. President, of injecting the remarks that I have been collecting at a more leisurely moment, but to urge my colleagues to address themselves to HUBERT HUMPHREY's very wide-ranging and very deeply moving reminiscences of his associations with Lyndon B. Johnson.

Mr. ROBERT C. BYRD. Mr. President, I yield to the distinguished Senator from New Hampshire (Mr. COTTON).

Mr. COTTON. Mr. President, as I sought to put into words my own feelings as we all join in paying tribute to former President Lyndon Johnson, I suddenly realized that for the first time in all my years here, I was speaking not only of a departed President and would

leader but also of a personal friend. In company with my colleagues, I had on many occasions met and conferred with the first three Presidents under whom I served, but Lyndon Johnson was the first President who I could honestly call a warm personal friend. He was a Member of the House of Representatives when I entered it but quickly departed to the Senate. From 1954 when I came to the Senate, I served under him as majority leader, as Vice President, and as the President of the United States.

Lyndon Johnson was a powerful floor leader. He was not necessarily greater or more effective than other floor leaders before and since, but he was different. Lyndon Johnson was dramatic in whatever role he appeared. It was his nature and he could not help it any more than he could control the shape of his head or the color of his eyes. Had he been a man of lesser intellect and abilities, he might have been called flamboyant. None of us will ever forget his dynamic personality so clearly displayed in the place where he was at his best—the Senate. We remember how he used to persuade and cajole us as he moved about, putting his hand on our shoulder, straightening our tie, while he confided to us what he was seeking to accomplish on some particular occasion and how we could help. We remember him equally well in moments of deep tension when he moved the Senate by his eloquence and sometimes even stormed at us. He was a man of many moods—passionate, forceful, harsh, humorous, sympathetic, and kind. But in the end he was our friend in those days of intimate association and, as such, will always live in our hearts. Despite political and partisan differences, I always supported and never criticized him in his darkest days in the White House. That remains my solace and comfort today.

Others may analyze his leadership as President of the United States, his role in world affairs, his successes, his failures, and his place in history. I choose on this sad day to remember him, affectionately, as my friend who was kind and helpful to me when I came here as a freshman Senator and who continued his kindness through all the years since.

Over whatever seas he is sailing
Whatever strange winds fan his brow,
What company rare he's regaling,
I know it is well with him now.
And when my last voyage I am making
May I go, as he went, unafraid,
And, the Pilot that guided him taking,
May I make the same port he has made.

Mr. ROBERT C. BYRD. Mr. President, I yield now to the distinguished Senator from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. President, so long as the story of America is told, Lyndon Johnson will be remembered as one of our Nation's greatest public servants. Throughout a lifetime of dedicated service to his country, he was an outstanding Congressman, Senate majority leader, Vice President, and President. He was a loyal Vice President to President John F. Kennedy. He had the deep respect and affection of my brother, and I shall never forget the many, many private kindnesses he showed to all the members of our family over the years.

As President, his brilliant leadership on the Civil Rights Act of 1964 and the Voting Rights Act of 1965 has earned him a place in the history of civil rights alongside Abraham Lincoln. And his immense efforts to help the poor, the sick, and the oppressed stand out as landmarks of America's concern for those too weak to help themselves. The Great Society, of which he dreamed and for which he worked, still endures in the hearts and minds of all who believe in equality and social justice in America, and who share his faith that "We shall overcome."

Today, as we celebrate his life and mourn his death, we also celebrate the advent of the peace he sought in Indochina. As the long years of national sacrifice and tragedy and bitterness over the war now pass, we see more clearly the immense achievements of President Johnson in so many areas. Now, he belongs to history, and history will record him as one of our finest leaders. Without him, America is the poorer.

Mr. President, so that these proceedings may reflect some of the enduring monuments to Lyndon Johnson's greatness, I ask unanimous consent to include in these remarks the texts of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, together with the statements made by President Johnson when he signed these measures into law. I also ask unanimous consent to include the text of his address, "The American Promise," delivered to Congress on March 15, 1965. That address, one of the most eloquent and inspiring by any President, contains the famous passage that stated his faith in the promise of America so well:

This great, rich, restless country can offer opportunity and education and hope to all: black and white, North and South, sharecropper and city dweller. These are the enemies: poverty, ignorance, disease. They are enemies and not our fellow man, not our neighbor. And these enemies too, poverty, disease and ignorance, we shall overcome.

There being no objection, the text of the acts and address were ordered to be printed in the RECORD, as follows:

CIVIL RIGHTS ACT OF 1964

(88th Congress, H.R. 7152, July 2, 1964)

An act to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, 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 "Civil Rights Act of 1964".

TITLE I—VOTING RIGHTS

SEC. 101. Section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), and as further amended by section 601 of the Civil Rights Act of 1960 (74 Stat. 90), is further amended as follows:

(a) Insert "1" after "(a)" in subsection (a) and add at the end of subsection (a) the following new paragraphs:

"(2) No person acting under color of law shall—

"(A) in determining whether any individual is qualified under State law or laws to vote in any Federal election, apply any standard, practice, or procedure different from the standards, practices, or procedures applied under such law or laws to other individuals within the same county, parish, or similar political subdivision who have been found by State officials to be qualified to vote;

"(B) deny the right of any individual to vote in any Federal election because of an error or omission on any record to requisite to voting, if such error or omission is not material in determining whether such individual is qualified under State law to vote in such election; or

"(C) employ any literacy test as a qualification for voting in any Federal election unless (i) such test is administered to each individual and is conducted wholly in writing, and (ii) a certified copy of the test and of the answers given by the individual is furnished to him within twenty-five days of the submission of his request made within the period of time during which records and papers are required to be retained and preserved pursuant to title III of the Civil Rights Act of 1960 (42 U.S.C. 1974–74e; 74 Stat. 88): *Provided, however,* That the Attorney General may enter into agreements with appropriate State or local authorities that preparation, conduct, and maintenance of such tests in accordance with the provisions of applicable State or local law, including such special provisions as are necessary in the preparation, conduct, and maintenance of such tests for persons who are blind or otherwise physically handicapped, meet the purposes of this subparagraph and constitute compliance therewith.

"(3) For purposes of this subsection—

"(A) the term 'vote' shall have the same meaning as in subsection (e) of this section;

"(B) the phrase 'literacy test' includes any test of the ability to read, write, understand, or interpret any matter."

(b) Insert immediately following the period at the end of the first sentence of subsection (c) the following new sentence: "If in any such proceeding literacy is a relevant fact there shall be a rebuttable presumption that any person who has not been adjudged an incompetent and who has completed the sixth grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico where instruction is carried on predominantly in the English language, possesses sufficient literacy, comprehension, and intelligence to vote in any Federal election."

(c) Add the following subsection "(f)" and designate the present subsection "(f)" as subsection "(g)":

"(f) When used in subsection (a) or (c) of this section, the words 'Federal election' shall mean any general, special, or primary election held solely or in part for the purpose of electing or selecting any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives."

(d) Add the following subsection "(h)":

"(h) In any proceeding instituted by the United States in any district court of the United States under this section in which the Attorney General requests a finding of a pattern or practice of discrimination pursuant to subsection (e) of this section the Attorney General, at the time he files the complaint, or any defendant in the proceeding, within twenty days after service upon him of the complaint, may file with the clerk of such court a request that a court of three judges be convened to hear and determine the entire case. A copy of the request for a

three-judge court shall be immediately furnished by such clerk to the chief judge of the circuit (or in his absence, the presiding circuit judge of the circuit) in which the case is pending. Upon receipt of the copy of such request it shall be the duty of the chief judge of the circuit or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge and another of whom shall be a district judge of the court in which the proceeding was instituted to hear and determine such case, and it shall be the duty of the judges so designated to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited. An appeal from the final judgment of such court will lie to the Supreme Court.

"In any proceeding brought under subsection (c) of this section to enforce subsection (b) of this section, or in the event neither the Attorney General nor any defendant files a request for a three-judge court in any proceeding authorized by this subsection, it shall be the duty of the chief judge of the district (or in his absence, the acting chief judge) in which the case is pending immediately to designate a judge in such district to hear and determine the case. In the event that no judge in the district is available to hear and determine the case, the chief judge of the district, or the acting chief judge, as the case may be, shall certify this fact to the chief judge of the circuit (or, in his absence, the acting chief judge) who shall then designate a district or circuit judge of the circuit to hear and determine the case.

"It shall be the duty of the judge designated pursuant to this section to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited."

TITLE II—INJUNCTIVE RELIEF AGAINST DISCRIMINATION IN PLACES OF PUBLIC ACCOMMODATION

SEC. 201. (a) All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin.

(b) Each of the following establishments which serves the public is a place of public accommodation within the meaning of this title if its operations affect commerce, or if discrimination or segregation by it is supported by State action:

(1) any inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence;

(2) any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises, including, but not limited to, any such facility located on the premises of any retail establishment; or any gasoline station;

(3) any motion picture house, theater, concert hall, sports arena, stadium or other place of exhibition or entertainment; and

(4) any establishment (A) (i) which is physically located within the premises of any establishment otherwise covered by this subsection, or (ii) within the premises of which is physically located any such covered establishment, and (B) which holds itself out as serving patrons of such covered establishment.

(c) The operations of an establishment affect commerce within the meaning of this title if (1) it is one of the establishments described in paragraph (1) of subsection (b); (2) in the case of an establishment described in paragraph (2) of subsection (b), it serves or offers to serve interstate travelers or a substantial portion of the food which it serves, or gasoline or other products which it sells, has moved in commerce; (3) in the case of an establishment described in paragraph (3) of subsection (b), it customarily presents films, performances, athletic teams, exhibitions, or other sources of entertainment which more in commerce; and (4) in the case of an establishment described in paragraph (4) of subsection (b), it is physically located within the premises of, or there is physically located within its premises, an establishment of the operations of which affect commerce within the meaning of this subsection. For purposes of this section, "commerce" means travel, trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia and any State, or between any foreign country or any territory or possession and any State or the District of Columbia, or between points in the same State but through any other State or the District of Columbia or a foreign country.

(d) Discrimination or segregation by an establishment is supported by State action within the meaning of this title if such discrimination or segregation (1) is carried on under color of any law, statute, ordinance, or regulation; or (2) is carried on under color of any custom or usage required or enforced by officials of the State or political subdivision thereof; or (3) is required by action of the State or political subdivision thereof.

(e) The provisions of this title shall not apply to a private club or other establishment not in fact open to the public, except to the extent that the facilities of such establishment are made available to the customers or patrons of an establishment within the scope of subsection (b).

SEC. 202. All persons shall be entitled to be free, at any establishment or place, from discrimination or segregation of any kind on the ground of race, color, religion, or national origin, if such discrimination or segregation is or purports to be required by any law, statute, ordinance, regulation, rule, or order of a State or any agency or political subdivision thereof.

SEC. 203. No person shall (a) withhold, deny, or attempt to withhold or deny, or deprive or attempt to deprive, any person of any right or privilege secured by section 201 or 202, or (b) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person with the purpose of interfering with any right or privilege secured by section 201 or 202, or (c) punish or attempt to punish any person for exercising or attempting to exercise any right or privilege secured by section 201 or 202.

SEC. 204. (a) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 203, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the person aggrieved and, upon timely application, the court may, in its discretion, permit the Attorney General to intervene in such civil action if he certifies that the case is of general public importance. Upon application by the complainant and in such circumstances as the court may deem just, the court may appoint an attorney for such complainant and may authorize the commencement of the civil action without the payment of fees, costs, or security.

(b) In any action commenced pursuant to this title, the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the costs, and the United States shall be liable for costs the same as a private person.

(c) In the case of an alleged act or practice prohibited by this title which occurs in a State, or political subdivision of a State, which has a State or local law prohibiting such act or practice and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, no civil action may be brought under subsection (a) before the expiration of thirty days after written notice of such alleged act or practice has been given to the appropriate State or local authority by registered mail or in person, provided that the court may stay proceedings in such civil action pending the termination of State or local enforcement proceedings.

(d) In the case of an alleged act or practice prohibited by this title which occurs in a State, or political subdivision of a State, which has no State or local law prohibiting such act or practice, a civil action may be brought under subsection (a): *Provided*, That the court may refer the matter to the Community Relations Service established by title X of this Act for as long as the court believes there is a reasonable possibility of obtaining voluntary compliance, but for not more than sixty days: *Provided further*, That upon expiration of such sixty-day period, the court may extend such period for an additional period, not to exceed a cumulative total of one hundred and twenty days, if it believes there then exists a reasonable possibility of securing voluntary compliance.

SEC. 205. The Service is authorized to make a full investigation of any complaint referred to it by the court under section 204(d) and may hold such hearings with respect thereto as may be necessary. The Service shall conduct any hearings with respect to any such complaint in executive session, and shall not release any testimony given therein except by agreement of all parties involved in the complaint with the permission of the court, and the Service shall endeavor to bring about a voluntary settlement between the parties.

SEC. 206. (a) Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by this title, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights herein described, the Attorney General may bring a civil action in the appropriate district court of the United States by filing with it a complaint (1) signed by him (or in his absence the Acting Attorney General), (2) setting forth facts pertaining to such pattern or practice, and (3) requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order or other order against the person or persons responsible for such pattern or practice, as he deems necessary to insure the full enjoyment of the rights herein described.

(b) In any such proceeding the Attorney General may file with the clerk of such court a request that a court of three judges be convened to hear and determine the case. Such request by the Attorney General shall be accompanied by a certificate that, in his opinion, the case is of general public importance. A copy of the certificate and request for a three-judge court shall be immediately furnished by such clerk to the chief judge of the circuit (or in his absence, the presiding circuit judge of the circuit) in which the case is pending. Upon receipt of the copy of such request it shall be the duty of the chief judge of the circuit or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge and another of whom shall be a district judge of the court in which the proceeding was instituted, to hear and determine such case, and it shall be the duty of

the judges so designated to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited. An appeal from the final judgment of such court will lie to the Supreme Court.

In the event the Attorney General fails to file such a request in any such proceeding, it shall be the duty of the chief judge of the district (or in his absence, the acting chief judge) in which the case is pending immediately to designate a judge in such district to hear and determine the case. In the event that no judge in the district is available to hear and determine the case, the chief judge of the district, or the acting chief judge, as the case may be, shall certify this fact to the chief judge of the circuit (or in his absence, the acting chief judge) who shall then designate a district or circuit judge of the circuit to hear and determine the case.

It shall be the duty of the judge designated pursuant to this section to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited.

SEC. 207. (a) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this title and shall exercise the same without regard to whether the aggrieved party shall have exhausted any administrative or other remedies that may be provided by law.

(b) The remedies provided in this title shall be the exclusive means of enforcing the rights based on this title, but nothing in this title shall preclude any individual or any State or local agency from assserting any right based on any other Federal or State law not inconsistent with this title, including any statute or ordinance requiring nondiscrimination in public establishments or accommodations, or from pursuing any remedy, civil or criminal, which may be available for the vindication or enforcement of such right.

TITLE III—DESEGREGATION OF PUBLIC FACILITIES

SEC. 301. (a) Whenever the Attorney General receives a complaint in writing signed by an individual to the effect that he is being deprived of or threatened with the loss of his right to the equal protection of the laws, on account of his race, color, religion, or national origin, by being denied equal utilization of any public facility which is owned, operated, or managed by or on behalf of any State or subdvision thereof, other than a public school or public college as defined in section 401 of title IV hereof, and the Attorney General believes the complaint is meritorious and certifies that the signer or signers of such complaint are unable, in his judgment, to initiate and maintain appropriate legal proceedings for relief and that the institution of an action will materially further the orderly progress of desegregation in public facilities, the Attorney General is authorized to institute for or in the name of the United States a civil action in any appropriate district court of the United States against such parties and for such relief as may be appropriate, and such court shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section. The Attorney General may implead as defendants such additional parties as are or become necessary to the grant of effective relief hereunder.

(b) The Attorney General may deem a person or persons unable to initiate and maintain appropriate legal proceedings within the meaning of subsection (a) of this section when such person or persons are unable, either directly or through other interested persons or organizations, to bear the expense of the litigation or to obtain effective legal representation; or whenever he is satisfied that the institution of such litigation would jeopardize the personal safety, employment, or economic standing of such person or persons, their families, or their property.

SEC. 302. In any action or proceeding under this title the United States shall be liable for costs, including a reasonable attorney's fee, the same as a private person.

SEC. 303. Nothing in this title shall affect adversely the right of any person to sue for or obtain relief in any court against discrimination in any facility covered by this title.

SEC. 304. A complaint as used in this title is a writing or document within the meaning of section 1001, title 18, United States Code.

TITLE IV—DESEGREGATION OF PUBLIC EDUCATION

DEFINITIONS

SEC. 401. As used in this title—

(a) "Commissioner" means the Commissioner of Education.

(b) "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

(c) "Public school" means any elementary or secondary educational institution, and "public college" means any institution of higher education or any technical or vocational school above the secondary school level, provided that such public school or public college is operated by a State, subdivision of a State, or governmental agency within a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental source.

(d) "School board" means any agency or agencies which administer a system of one or more public schools and any other agency which is responsible for the assignment of students to or within such system.

SURVEY AND REPORT OF EDUCATIONAL OPPORTUNITIES

SEC. 402. The Commissioner shall conduct a survey and make a report to the President and the Congress, within two years of the enactment of this title, concerning the lack of availability of equal educational opportunities for individuals by reason of race, color, religion, or national origin in public educational institutions at all levels in the United States, its territories and possessions, and the District of Columbia.

TECHNICAL ASSISTANCE

SEC. 403. The Commissioner is authorized, upon the application of any school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools, to render technical assistance to such applicant in the preparation, adoption, and implementation of plans for the desegregation of public schools. Such technical assistance may, among other activities, include making available to such agencies information regarding effective methods of coping with special educational problems occasioned by desegregation, and making available to such agencies personnel of the Office of Education or other persons specially equipped to advise and assist them in coping with such problems.

TRAINING INSTITUTES

SEC. 404. The Commissioner is authorized to arrange, through grants or contracts, with institutions of higher education for the operation of short-term or regular session institutes for special training designed to improve the ability of teachers, supervisors, counselors, and other elementary or secondary school personnel to deal effectively with special educational problems occasioned by desegregation. Individuals who attend such an institute on a full-time basis may be paid stipends for the period of their attendance at such institute in amounts specified by the Commissioner in regulations, including allowances for travel to attend such institute.

GRANTS

SEC. 405. (a) The Commissioner is authorized, upon application of a school board, to make grants to such board to pay, in whole

(1) giving to teachers and other school personnel inservice training in dealing with problems incident to desegregation, and

(2) employing specialists to advise in problems incident to desegregation.

(b) In determining whether to make a grant, and in fixing the amount thereof and the terms and conditions on which it will be made, the Commissioner shall take into consideration the amount available for grants under this section and the other applications which are pending before him; the financial condition of the applicant and the other resources available to it; the nature, extent, and gravity of its problems incident to desegregation; and such other factors as he finds relevant.

PAYMENTS

SEC. 406. Payments pursuant to a grant or contract under this title may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance by way of reimbursement, and in such installments, as the Commissioner may determine.

SUITS BY THE ATTORNEY GENERAL

SEC. 407. (a) Whenever the Attorney General receives a complaint in writing—

(1) signed by a parent or group of parents to the effect that his or their minor children, as members of a class of persons similarly situated, are being deprived by a school board of the equal protection of the laws, or

(2) signed by an individual, or his parent, to the effect that he has been denied admission to or not permitted to continue in attendance at a public college by reason of race, color, religion, or national origin,

and the Attorney General believes the complaint is meritorious and certifies that the signer or signers of such complaint are unable, in his judgment, to initiate and maintain appropriate legal proceedings for relief and that the institution of an action will materially further the orderly achievement of desegregation in public education, the Attorney General is authorized, after giving notice of such complaint to the appropriate school board or college authority and after certifying that he is satisfied that such school board or authority has had a reasonable time to adjust the conditions alleged in such complaint, to institute for or in the name of the United States a civil action in any appropriate district court of the United States against such parties and for such relief as may be appropriate, and such court shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section, provided that nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards. The Attorney General may implead as defendants such additional parties as are or become necessary to the grant of effective relief hereunder.

(b) The Attorney General may deem a person or persons unable to initiate and maintain appropriate legal proceedings within the meaning of subsection (a) of this section when such person or persons are unable, either directly or through other interested persons or organizations, to bear the expense of the litigation or to obtain effective legal representation; or whenever he is satisfied that the institution of such litigation would jeopardize the personal safety, employment, or economic standing of such person or persons, their families, or their property.

(c) The term "parent" as used in this sec-

tion includes any person standing in loco parentis. A "complaint" as used in this section is a writing or document within the meaning of section 1001, title 18, United States Code.

SEC. 408. In any action or proceeding under this title the United States shall be liable for costs the same as a private person.

SEC. 409. Nothing in this title shall affect adversely the right of any person to sue for or obtain relief in any court against discrimination in public education.

SEC. 410. Nothing in this title shall prohibit classification and assignment for reasons other than race, color, religion, or national origin.

TITLE V—COMMISSION ON CIVIL RIGHTS

SEC. 501. Section 102 of the Civil Rights Act of 1957 (42 U.S.C. 1975a; 71 Stat. 634) is amended to read as follows:

"RULES OF PROCEDURE OF THE COMMISSION HEARINGS

"SEC. 102. (a) At least thirty days prior to the commencement of any hearing, the Commission shall cause to be published in the Federal Register notice of the date on which such hearing is to commence, the place at which it is to be held and the subject of the hearing. The Chairman, or one designated by him to act as Chairman at a hearing of the Commission, shall announce in an opening statement the subject of the hearing.

"(b) A copy of the Commission's rules shall be made available to any witness before the Commission or required to produce written or other matter shall be served with a copy of the Commission's ruels at the time of service of the subpena.

"(c) Any person compelled to appear in person before the Commission shall be accorded the right to be accompanied and advised by counsel, who shall have the right to subject his client to reasonable examination, and to make objections on the record and to argue briefly the basis for such objections. The Commission shall proceed with reasonable dispatch to conclude any hearing in which it is engaged. Due regard shall be had for the convenience and necessity of witnesses.

"(d) The Chairman or Acting Chairman may punish breaches of order and decorum by censure and exclusion from the hearings.

"(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall receive such evidence or testimony or summary of such evidence or testimony in executive session. The Commission shall afford any person defamed, degraded, or incriminated by such evidence or testimony any opportunity to appear and be heard in executive session, with a reasonable number of additional witnesses requested by him, before deciding to use such evidence or testimony. In the event the Commission determines to release or use such evidence or testimony in such manner as to reveal publicly the identity of the person defamed, degraded, or incriminated, such evidence as testimony, prior to such public release or use, shall be given at a public session, and the Commission shall afford such person an opportunity to appear as a voluntary witness or to file a sworn statement in his behalf and to submit brief and pertinent sworn statements of others. The Commission shall receive and dispose of requests from such person to subpena additional witnesses.

"(f) Except as provided in sections 102 and 105(f) of this Act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

"(g) No evidence or testimony or summary of evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission such evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than one year.

"(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission shall determine the pertinency of testimony and evidence adduced at its hearings.

"(i) Every person who submits data or evidence shall be entitled to retain or, on payment of lawfully prescribed costs, procure a copy or transcript thereof, except that a witness in a hearing held in executive session may for good cause be limited to inspection of the official transcript of his testimony. Transcript copies of public sessions may be obtained by the public upon the payment of the cost thereof. An accurate transcript shall be made of the testimony of all witnesses at all hearings, either public or executive sessions, of the Commission or of any subcommittee thereof.

"(j) A witness attending any session of the Commission shall receive $6 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 10 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $10 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

"(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State wherein the witness is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process except that, in any event, the Commission may issue subpenas for the attendance and testimony of witnesses and the production of written or other matter at a hearing held within fifty miles of the place where the witness is found or resides or is domiciled or transacts business or has appointed an agent for receipt of service of process.

"(l) The Commission shall separately state and currently publish in the Federal Register (1) descriptions of its central and field organization including the established places at which, and methods whereby, the public may secure information or make requests; (2) statements of the general course and method by which its functions are channeled and determined, and (3) rules adopted as authorized by law. No person shall in any manner be subject to or required to resort to rules, organization, or procedure not so published."

SEC. 502. Section 103(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975b(a); 71 Stat. 634) is amended to read as follows:

"SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $75 per day for each day spent in the work of the Commission, shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from his usual place of residence, in accordance with section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b–2; 60 Stat. 808)."

SEC. 503. Section 103(b) of the Civil Rights Act of 1957 (42 U.S.C. 1975b(b); 71 Stat. 634) is amended to read as follows:

"(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from his usual place of residence, in accordance with the provisions of the Travel Expenses Act of 1949, as amended (5 U.S.C. 835–42; 63 Stat. 166)."

SEC. 504. (a) Section 104(a) of the Civil Rights Act of 1957 (42 U.S.C 1975c(a); 71 Stat. 635), as amended, is further amended to read as follows:

"DUTIES OF THE COMMISSION

"SEC 104. (a) The Commission shall—

"(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

"(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion or national origin or in the administration of justice;

"(3) appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution because of race, color, religion or national origin or in the administration of justice;

"(4) serve as a national clearinghouse for information in respect to denials of equal protection of the laws because of race, color, religion or national origin, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, and transportation, or in the administration of justice;

"(5) investigate allegations, made in writing and under oath or affirmation, that citizens of the United States are unlawfully being accorded or denied the right to vote, or to have their votes properly counted, in any election of presidential electors, Members of the United States Senate, or of the House of Representatives, as a result of any patterns or practice of fraud or discrimination in the conduct of such election; and

"(6) Nothing in this or any other Act shall be construed as authorizing the Commission, its Advisory Committees, or any person under its supervision or control to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club or any religious organization."

(b) Section 104(b) of the Civil Rights Act of 1957 (42 U.S.C. 1975c(b); 71 Stat. 635), as amended, is further amended by striking out the present subsection "(b)" and by substituting therefor:

"(b) The Commission shall submit interim reports to the President and to the Congress at such times as the Commission, the Congress or the President shall deem desirable, and shall submit to the President and to the Congress a final report of its activities, findings, and recommendations not later than January 31, 1968."

SEC. 505. Section 105(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975d(a); 71 Stat. 636) is amended by striking out in the last sentence thereof "$50 per diem" and inserting in lieu thereof "$75 per diem."

SEC. 506. Section 105(f) and section 105(g) of the Civil Rights Act of 1957 (42 U.S.C. 1975d (f) and (g); 71 Stat. 636) are amended to read as follows:

"(f) The Commission, or on the authorization of the Commission any subcommittee of two or more members, at least one of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this Act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the

production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this Act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman. The holding of hearings by the Commission, or the appointment of a subcommittee to hold hearings pursuant to this subparagraph, must be approved by a majority of the Commission, or by a majority of the members present at a meeting at which at least a quorum of four members is present.

"(g) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommitte thereof, there to produce pertinent, relevant and nonprivileged evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof."

SEC. 507. Section 105 of the Civil Rights Act of 1957 (42 U.S.C. 1975d; 71 Stat. 636), as amended by section 401 of the Civil Rights Act of 1960 (42 U.S.C. 1975d(h); 74 Stat. 89), is further amended by adding a new subsection at the end to read as follows:

"(i) The Commission shall have the power to make such rules and regulations as are necessary to carry out the purposes of this Act."

TITLE VI—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

SEC. 601. No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

SEC. 602. Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and, shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been so found, or (2) by any other means authorized by law: *Provided, however,* That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means. In the case of any action terminating, or refusing to grant or continue, assistance because of the failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

SEC. 603. Any department or agency action taken pursuant to section 602 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 602, any person aggrieved (including any State or political subdivision thereof and agency of either) may obtain judicial review of such action in accordance with section 10 of the Administrative Procedure Act, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of that section.

SEC. 604. Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment.

SEC. 605. Nothing in this title shall add to or detract from any existing authority with respect to any program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

TITLE VII—EQUAL EMPLOYMENT OPPORTUNITY

DEFINITIONS

SEC. 701. For the purposes of this title—

(a) The term "person" includes one or more individuals, labor unions, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees in bankruptcy, or receivers.

(b) The term "employer" means a person engaged in an industry affecting commerce who has twenty-five or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year, and any agent of such a person, but such term does not include (1) the United States, a corporation wholly owned by the Government of the United States, an Indian tribe, or a State or political subdivision thereof, (2) a bona fide private membership club (other than a labor organization) which is exempt from taxation under section 501(c) of the Internal Revenue Code of 1954: *Provided,* That during the first year after the effective date prescribed in subsection (a) of section 716, persons having fewer than one hundred employees (and their agents) shall not be considered employers, and, during the second year after such date, persons having fewer than seventy-five employees (and their agents) shall not be considered employers, and, during the third year after such date, persons having fewer than fifty employees (and their agents) shall not be considered employers: *Provided further,* That it shall be the policy of the United States to insure equal employment opportunities for Federal employees without discrimination because of race, color, religion, sex or national origin and the President shall utilize his existing authority to effectuate this policy.

(c) The term "employment agency" means any person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person; but shall not include an agency of the United States, or an agency of a State or political subdivision of a State, except that such term shall include the United States Employment Service and the system of State and local employment services receiving Federal assistance.

(d) The term "labor organization" means a labor organization engaged in an industry affecting commerce, and any agent of such an organization, and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.

(e) A labor organization shall be deemed to be engaged in an industry affecting commerce if (1) it maintains or operates a hiring hall or hiring office which procures employees for an employer or procures, for employees opportunities to work for an employer, or (2) the number of its members (or, where it is a labor organization composed of other labor organizations or their representatives, if the aggregate number of the members of such other labor organization) is (A) one hundred or more during the first year after the effective date prescribed in subsection (a) of section 716, (B) seventy-five or more during the second year after such date or fifty or more during the third year, or (C) twenty-five or more thereafter, and such labor organization—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended;

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection.

(f) The term "employee" means an individual employed by an employer.

(g) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States; or between points in the same State but through a point outside thereof.

(h) The term "industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Reporting and Disclosure Act of 1959.

(i) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone,

and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act.

EXEMPTION

SEC. 702. This title shall not apply to an employer with respect to the employment of aliens outside any State, or to a religious corporation, association, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, or society of its religious activities or to an educatonal institution with respect to the employment of individuals to perform work connected with the educational activities of such institution.

DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN

SEC. 703. (a) It shall be an unlawful employment practice for an employer—

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

(b) It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin, or to classify or refer for employment any individual on the basis of his race, color, religion, sex, or national origin.

(c) It shall be an unlawful employment practice for a labor organization—

(1) to exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin;

(2) to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's race, color, religion, sex, or national origin; or

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs to discriminate against any individual because of his race, color, religion, sex, or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.

(e) Notwithstanding any other provision of this title, (1) it shall not be an unlawful employment practice for an employer to hire and employ employees, for an employment agency to classify, or refer for employment any individual, for a labor organization to classify its membership or to classify or refer for employment any individual, or for an employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining programs to admit or employ any individual in any such program, on the basis of his religion, sex, or national origin in those certain instances where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise, and (2) it shall not be an unlawful employment practice for a school, college, university, or other educational institution or institution of learning to hire and employ employees of a particular religion if such school, college, university, or other educational institution or institution of learning is, in whole or in substantial part, owned, supported, controlled, or managed by a particular religion or by a particular religious corporation, association, or society, or if the curriculum of such school, college, university, or other educational institution or institution of learning is directed toward the propagation of a particular religion.

(f) As used in this title, the phrase "unlawful employment practice" shall not be deemed to include any action or measure taken by an employer, labor organization, joint labor-management committee, or employment agency with respect to an individual who is a member of the Communist Party of the United States or of any other organization required to register as a Communist-action or Communist-front organization by final order of the Subversive Activities Control Board pursuant to the Subversive Activities Control Act of 1950.

(g) Notwithstanding any other provision of this title, it shall not be an unlawful employment practice for an employer to fail or refuse to hire and employ any individual for any position, for an employer to discharge any individual from any position, or for an employment agency to fail or refuse to refer any individual for employment in any position, or for a labor organization to fail or refuse to refer any individual for employment in any position, if—

(1) the occupancy of such position, or access to the premises in or upon which any part of the duties of such position is performed or is to be performed, is subject to any requirement imposed in the interest of the national security of the United States under any security program in effect pursuant to or administered under any statute of the United States or any Executive order of the President; and

(2) such individual has not fulfilled or has ceased to fulfill that requirement.

(h) Notwithstanding any other provision of this title, it shall not be an unlawful employment practice for an employer to apply different standards of compensation, or different terms, conditions, or privileges of employment pursuant to a bona fide seniority or merit system, or a system which measures earnings by quantity or quality of production or to employees who work in different locations, provided that such differences are not the result of an intention to discriminate because of race, color, religion, sex, or national origin, nor shall it be an unlawful employment practice for an employer to give and to act upon the results of any professionally developed ability test provided that such test, its administration or action upon the results is not designed, intended or used to discriminate because of race, color, religion, sex or national origin. It shall not be an unlawful employment practice under this title for any employer to differentiate upon the basis of sex in determining the amount of the wages or compensation paid or to be paid to employees of such employer if such differentiation is authorized by the provisions of section 6(d) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 206(d)).

(i) Nothing contained in this title shall apply to any business or enterprise on or near an Indian reservation with respect to any publicly announced employment practice of such business or enterprise under which a preferential treatment is given to any individual because he is an Indian living on or near a reservation.

(j) Nothing contained in this title shall be interpreted to require any employer, employment agency, labor organization, or joint labor-management committee subject to this title to grant preferential treatment to any individual or to any group because of the race, color, religion, sex, or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex, or national origin employed by any employer, referred or classified for employment by any employment agency or labor organization, admitted to membership or classified by any labor organization, or admitted to, or employed in, any apprenticeship or other training program, in comparison with the total number or percentage of persons of such race, color, religion, sex, or national origin in any community, State, section, or other area, or in the available work force in any community, State, section, or other area.

OTHER UNLAWFUL EMPLOYMENT PRACTICES

SEC. 704. (a) It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this title, or because he has made a change, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this title.

(b) It shall be an unlawful employment practice for an employer, labor organization, or employment agency to print or publish or cause to be printed or published any notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, sex, or national origin, except that such a notice or advertisement may indicate a preference, limitation, specification, or discrimination based on religion, sex, or national origin when religion, sex, or national origin is a bona fide occupation qualification for employment.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SEC. 705. (a) There is hereby created a Commission to be known as the Equal Employment Opportunity Commission, which shall be composed of five members, not more than three of whom shall be members of the same political party, who shall be appointed by the President by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years, beginning from the date of enactment of this title, but their successors shall be appointed for terms of five years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Commission, and one member to serve as Vice Chairman. The Chairman shall be responsible on behalf of the Commission for the administrative operations of the Commission, and shall appoint, in accordance with the civil service laws, such officers, agents, attorneys, and employees as it deems necessary to assist it in the performance of its functions and to fix their compensation in accordance with the Classification Act of 1949, as amended. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members thereof shall constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noticed.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President, concerning the action it has taken; the names, salaries, and duties of all individuals in its employ and the moneys it has disbursed; and shall make such further reports on the cause of and means of eliminating discrimination and such recommendations for further legislation as may appear desirable.

(e) The Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2201–2209), is further amended—

(1) by adding to section 105 thereof (5 U.S.C. 2204) the following clause:

"(32) Chairman, Equal Employment Opportunity Commission"; and

(2) by adding to clause (45) of section 106(a) thereof (5 U.S.C. 2205(a)) the following: "Equal Employment Opportunity Commission (4)."

(f) The principal office of the Commission shall be in or near the District of Columbia, but it may meet or exercise any or all its powers at any other place. The Commission may establish such regional or State offices as it deems necessary to accomplish the purpose of this title.

(g) The Commission shall have power—

(1) to cooperate with and, with their consent, utilize regional, State, local, and other agencies, both public and private, and individuals;

(2) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents the same witness and mileage fees as are paid to witnesses in the courts of the United States;

(3) to furnish to persons subject to this title such technical assistance as they may request to further their compliance with this title or an order issued thereunder;

(4) upon the request of (i) any employer, whose employees or some of them, or (ii) any labor organization, whose members or some of them, refuse or threaten to refuse to cooperate in effectuating the provisions of this title, to assist in such effectuation by conciliation or such other remedial action as is provided by this title;

(5) to make such technical studies as are appropriate to effectuate the purposes and policies of this title and to make the results of such studies available to the public;

(6) to refer matters to the Attorney General with recommendations for intervention in a civil action brought by an aggrieved party under section 706, or for the institution of a civil action by the Attorney General under section 707, and to advise, consult, and assist the Attorney General on such matters.

(h) Attorneys appointed under this section may, at the direction of the Commission, appear for and represent the Commission in any case in court.

(i) The Commission shall, in any of its educational or promotional activities, cooperate with other departments and agencies in the performance of such educational and promotional activities.

(j) All officers, agents, attorneys, and employees of the Commission shall be subject to the provisions of section 9 of the Act of August 2, 1939, as amended (the Hatch Act), notwithstanding any exemption contained in such section.

PREVENTION OF UNLAWFUL EMPLOYMENT PRACTICES

SEC. 706. (a) Whenever it is charged in writing under oath by a person claiming to be aggrieved, or a written charge has been filed by a member of the Commission where he has reasonable cause to believe a violation of this title has occurred (and such charge sets forth the facts upon which it is based) that an employer, employment agency, or labor organization has engaged in an unlawful employment practice, the Commission shall furnish such employer, employment agency, or labor organization (hereinafter referred to as the "respondent") with a copy of such charge and shall make an investigation of such charge, provided that such charge shall not be made public by the Commission. If the Commission shall determine, after such investigation, that there is reasonable cause to believe that the charge is true, the Commission shall endeavor to eliminate any such alleged unlawful employment practice by informal methods of conference, conciliation, and persuasion. Nothing said or done during and as a part of such endeavors may be made public by the Commission without the written consent of the parties, or used as evidence in a subsequent proceeding. Any officer or employee of the Commission, who shall make public in any manner whatever any information in violation of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned not more than one year.

(b) In the case of an alleged unlawful employment practice occurring in a State, or political subdivision of a State, which has a State or local law prohibiting the unlawful employment practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, no charge may be filed under subsection (a) by the person aggrieved before the expiration of sixty days after proceedings have been commenced under the State or local law, unless such proceedings have been earlier terminated, provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State or local law. If any requirement for the commencement of such proceedings is imposed by a State or local authority other than a requirement of the filing of a written and signed statement of the facts upon which the proceeding is based, the proceeding shall be deemed to have been commenced for the purposes of this subsection at the time such statement is sent by registered mail to the appropriate State or local authority.

(c) In the case of any charges filed by a member of the Commission alleging an unlawful employment practice occurring in a State or political subdivision of a State, which has a State or local law prohibiting the practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, the Commission shall, before taking any action with respect to such charge, notify the appropriate State or local officials and, upon request, afford them a reasonable time, but not less than sixty days (provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective day of such State or local law), unless a shorter period is requested, to act under such State or local law to remedy the practice alleged.

(d) A charge under subsection (a) shall be filed within ninety days after the alleged unlawful employment practice occurred, except that in the case of an unlawful employment practice with respect to which the person aggrieved has followed the procedure set out in subsection (b), such charge shall be filed by the person aggrieved within two hundred and ten days after the alleged unlawful employment practice occurred, or within thirty days after receiving notice that the State or local agency has terminated the proceedings under the State or local law, whichever is earlier, and a copy of such charge shall be filed by the Commission with the State or local agency.

(e) If within thirty days after a charge is filed with the Commission or within thirty days after expiration of any period of reference under subsection (c) (except that in either case such period may be extended to not more than sixty days upon a determination by the Commission that further efforts to secure voluntary compliance are warranted), the Commission has been unable to obtain voluntary compliance with this title, the Commission shall so notify the person aggrieved and a civil action may, within thirty days thereafter, be brought against the respondent named in the charge (1) by the person claiming to be aggrieved, or (2) if such charge was filed by a member of the Commission, by any person whom the charge alleges was aggrieved by the alleged unlawful employment practice. Upon application by the complainant and in such circumstances as the court may deem just, the court may appoint an attorney for such complainant and may authorize the commencement of the action without the payment of fees, costs, or security. Upon timely application, the court may, in its discretion, permit the Attorney General to intervene in such civil action if he certifies that the case is of general public importance. Upon request, the court may, in its discretion, stay further proceedings for not more than sixty days pending the termination of State or local proceedings described in subsection (b) or the efforts of the Commission to obtain voluntary compliance.

(f) Each United States district court and each United States court of a place subject to the jurisdiction of the United States shall have jurisdiction of actions brought under this title. Such an action may be brought in any judicial district in the State in which the unlawful employment practice is alleged to have been committed, in the judicial district in which the employment records relevant to such practice are maintained and administered, or in the judicial district in which the plaintiff would have worked but for the alleged unlawful employment practice, but if the respondent is not found within any such district, such an action may be brought within the judicial district in which the respondent has his principal office. For purposes of sections 1404 and 1406 of title 28 of the United States Code, the judicial district in which the respondent has his principal office shall in all cases be considered a district in which the action might have been brought.

(g) If the court finds that the respondent has intentionally engaged in or is intentionally engaging in an unlawful employment practice charged in the complaint, the court may enjoin the respondent from engaging in such unlawful employment practice, and order such affirmative action as may be appropriate, which may include reinstatement or hiring of employees, with or without back pay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice). Interim earnings or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the back pay otherwise allowable. No order of the court shall require the admission or reinstatement of an individual as a member of a union or the hiring, reinstatement, or promotion of an individual as an employee, or the payment to him of any back pay, if such individual was refused admission, suspended, or expelled or was refused employment or advancement or was suspended or discharged for any reason other than discrimination on account of race, color, religion, sex or national origin or in violation of section 704(a).

(h) The provisions of the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved

March 23, 1932 (29 U.S.C. 101–115), shall not apply with respect to civil actions brought under this section.

(i) In any case in which an employer, employment agency, or labor organization fails to comply with an order of a court issued in a civil action brought under subsection (e), the Commission may commence proceedings to compel compliance with such order.

(j) Any civil action brought under subsection (e) and any proceeding brought under subsection (i) shall be subject to appeal as provided in sections 1291 and 1292, title 28, United States Code.

(k) In any action or proceeding under this title the court, in its discretion, may allow the prevailing party, other than the Commission or the United States, a reasonable attorney's fee as part of the costs, and the Commission and the United States shall be liable for costs the same as a private person.

SEC. 707. (a) Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by this title, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights herein described, the Attorney General may bring a civil action in the appropriate district court of the United States by filing with it a complaint (1) signed by him (or in his absence the Acting Attorney General), (2) setting forth facts pertaining to such pattern or practice, and (3) requesting such relief, including an application for a permanent or temporary injunction, restraining order or other order against the person or persons responsible for such pattern or practice, as he deems necessary to insure the full enjoyment of the rights herein described.

(b) The district courts of the United States shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section, and in any such proceeding the Attorney General may file with the clerk of such court a request that a court of three judges be convened to hear and determine the case. Such request by the Attorney General shall be accompanied by a certificate that, in his opinion, the case is of general public importance. A copy of the certificate and request for a three-judge court shall be immediately furnished by such clerk to the chief judge of the circuit (or in his absence, the presiding circuit judge of the circuit) in which the case is pending. Upon receipt of such request it shall be the duty of the chief judge of the circuit or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge and another of whom shall be a district judge of the court in which the proceeding was instituted, to hear and determine such case, and it shall be the duty of the judges so designated to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited. An appeal from the final judgment of such court will lie to the Supreme Court.

In the event the Attorney General fails to file such a request in any such proceeding, it shall be the duty of the chief judge of the district (or in his absence, the acting chief judge) in which the case is pending immediately to designate a judge in such district is available to hear and determine the case, the chief judge of the district, or the acting chief judge, as the case may be, shall certify this fact to the chief judge of the circuit (or in his absence, the acting chief judge) who shall then designate a district or circuit judge of the circuit to hear and determine the case.

It shall be the duty of the judge designated pursuant to this section to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited.

EFFECT ON STATE LAWS

SEC. 708. Nothing in this title shall be deemed to exempt or relieve any person from any liability, duty, penalty, or punishment provided by any present or future law of any State or political subdivision of a State, other than any such law which purports to require or permit the doing of any act which would be an unlawful employment practice under this title.

INVESTIGATIONS, INSPECTIONS, RECORDS, STATE AGENCIES

SEC. 709. (a) In connection with any investigation of a charge filed under section 706, the Commission or its designated representative shall at all reasonable times have access to, for the purposes of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to unlawful employment practices covered by this title and is relevant to the charge under investigation.

(b) The Commission may cooperate with State and local agencies charged with the administration of State fair employment practices laws and, with the consent of such agencies, may for the purpose of carrying out its functions and duties under this title and within the limitation of funds appropriated specifically for such purpose, utilize the services of such agencies and their employees and, notwithstanding any other provision of law, may reimburse such agencies and their employees for services rendered to assist the Commission in carrying out this title. In furtherance of such cooperative efforts, the Commission may enter into written agreements with such State or local agencies and such agreements may include provisions under which the Commission shall refrain from processing a charge in any cases or class of cases specified in such agreements and under which no person may bring a civil action under section 706 in any cases or class of cases so specified, or under which the Commission shall relieve any person or class of persons in such State or locality from requirements imposed under this section. The Commission shall rescind any such agreement whenever it determines that the agreement no longer serves the interest of effective enforcment of this title.

(c) Except as provided in subsection (d), every employer, employment agency, and labor organization subject to this title shall (1) make and keep such records relevant to the determinations of whether unlawful employment practices have been or are being committed, (2) preserve such records for such periods, and (3) make such reports therefrom, as the Commission shall prescribe by regulation or order, after public hearing, as reasonable, necessary, or appropriate for the enforcement of this title or the regulations or orders thereunder. The Commission shall, by regulation, require each employer, labor organization, and joint labor-management committee subject to this title which controls an apprenticeship or other training program to maintain such records as are reasonably necessary to carry out the purpose of this title, including, but not limited to, a list of applicants who wish to participate in such program, including the chronological order in which such applications were received, and shall furnish to the Commission, upon request, a detailed description of the manner in which persons are selected to participate in the apprenticeship or other training program. Any employer, employment agency, labor organization, or joint labor-management committee which believes that the application to it of any regulation or order issued under this section would result in undue hardship may (1) apply to the Commission for an exemption from the application of such regulation or order, or (2) bring a civil action in the United States district court for the district where such records are kept. If the Commission or the court, as the case may be, finds that the application of the regulation or order to the employer, employment agency, or labor organization in question would impose an undue hardship, the Commission or the court, as the case may be, may grant appropriate relief.

(d) The provisions of subsection (c) shall not apply to any employer, employment agency, labor organization, or joint labor-management committee with respect to matters occurring in any State or political subdivision thereof which has a fair employment practice law during any period in which such employer, employment agency, labor organization, or joint labor-management committee is subject to such law, except that the Commission may require such notations on records which such employer, employment agency, labor organization, or joint labor-management committee keeps or is required to keep as are necessary because of differences in coverage or methods of enforcement between the State or local law and the provisions of this title. Where an employer is required by Executive Order 10925, issued March 6, 1961, or by any other Executive order prescribing fair employment practices for Government contractors and subcontractors, or by rules or regulations issued thereunder, to file reports relating to his employment practices with any Federal agency or committee, and he is substantially in compliance with such requirements, the Commission shall not require him to file additional reports pursuant to subsection (c) of this section.

(e) It shall be unlawful for any officer or employee of the Commission to make public in any manner whatever any information obtained by the Commisison pursuant to its authority under this section prior to the institution of any proceeding under this title involving such information. Any officer or employee of the Commission who shall make public in any manner whatever any information in violation of this subsection shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more than $1,000, or imprisoned not more than one year.

INVESTIGATORY POWERS

SEC. 710. (a) For the purposes of any investigation of a charge filed under the authority contained in section 706, the Commission shall have authority to examine witnesses under oath and to require the production of documentary evidence relevant or material to the charge under investigation.

(b) If the respondent named in a charge filed under section 706 fails or refuses to comply with a demand of the Commission for permission to examine or to copy evidence in conformity with the provisions of section 709(a), or if any person required to comply with the provisions of section 709 (c) or (d) fails or refuses to do so, or if any person fails or refuses to comply with a demand by the Commission to give testimony under oath, the United States district court for the district in which such person is found, resides, or transacts business, shall, upon application of the Commission, have jurisdiction to issue to such person an order requiring him to comply with the provisions of section 709 (c) or (d) or to comply with the demand of the Commission, but the attendance of a witness may not be required outside the State where he is found, resides, or transacts business and the production of evidence may not be required outside the State where such evidence is kept.

(c) Within twenty days after the service upon any person charged under section 706 of a demand by the Commission for the production of documentary evidence or for permission to examine or to copy evidence in conformity with the provisions of section 709(a), such person may file in the district court of the United States for the judicial district in which he resides, is found, or transacts business, and serve upon the Commission a petition for an order of such court modifying or setting aside such demand. The

time allowed for compliance with the demand in whole or in part as deemed proper and ordered by the court shall not run during the pendency of such petition in the court. Such petition shall specify each ground upon which the petitioner relies in seeking such relief, and may be based upon any failure of such demand to comply with the provisions of this title or with the limitations generally applicable to compulsory process or upon any constitutional or other legal right or privilege of such person. No objection which is not raised by such a petition may be urged in the defense to a proceeding initiated by the Commission under subsection (b) for enforcement of such a demand unless such proceeding is commenced by the Commission prior to the expiration of the twenty-day period, or unless the court determines that the defendant could not reasonably have been aware of the availability of such ground of objection.

(d) In any proceeding brought by the Commission under subsection (b), except as provided in subsection (c) of this section, the defendant may petition the court for an order modifying or setting aside the demand of the Commission.

NOTICES TO BE POSTED

SEC. 711. (a) Every employer, employment agency, and labor organization, as the case may be, shall post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment, and members are customarily posted a notice to be prepared or approved by the Commission setting forth excerpts from or, summaries of, the pertinent provisions of this title and information pertinent to the filing of a complaint.

(b) A willful violation of this section shall be punishable by a fine of not more than $100 for each separate offense.

VETERANS' PREFERENCE

SEC. 712. Nothing contained in this title shall be construed to repeal or modify any Federal, State, territorial, or local law creating special rights or preference for veterans.

RULES AND REGULATIONS

SEC. 713. (a) The Commission shall have authority from time to time to issue, amend, or rescind suitable procedural regulations to carry out the provisions of this title. Regulations issued under this section shall be in conformity with the standards and limitations of the Administrative Procedure Act.

(b) In any action or proceeding based on any alleged unlawful employment practice, no person shall be subject to any liability or punishment for or on account of (1) the commission by such person of an unlawful employment practice if he pleads and proves that the act or omission complained of was in good faith, in conformity with, and in reliance on any written interpretation or opinion of the Commission, or (2) the failure of such person to publish and file any information required by any provision of this title if he pleads and proves that he failed to publish and file such information in good faith, in conformity with the instructions of the Commission issued under this title regarding the filing of such information. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that (A) after such act or omission, such interpretation or opinion is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect, or (B) after publishing or filing the description and annual reports, such publication or filing is determined by judicial authority not to be in conformity with the requirements of this title.

FORCIBLY RESISTING THE COMMISSION OR ITS REPRESENTATIVES

SEC. 714. The provisions of section 111, title 18, United States Code, shall apply to officers, agents, and employees of the Commission in the performance of their official duties.

SPECIAL STUDY BY SECRETARY OF LABOR

SEC. 715. The Secretary of Labor shall make a full and complete study of the factors which might tend to result in discrimination in employment because of age and of the the economy and individuals affected. The Secretary of Labor shall make a report to the Congress not later than June 30, 1965, containing the result of such study and shall include in such report such recommendations for legislation to prevent arbitrary discrimination in employment because of age as he determines advisable.

EFFECTIVE DATE

SEC. 716. (a) This title shall become effective one year after the date of enactment.

(b) Notwithstanding subsection (a), sections of this title other than sections 703, 704, 706, and 707 shall become effective immediately.

(c) The President shall, as soon as feasible after the enactment of this title, convene one or more conferences for the purpose of enabling the leaders of groups whose members will be affected by this title to become familiar with the rights afforded and obligations imposed by its provisions, and for the purpose of making plans which will result in the fair and effective administration of this title when all of its provisions become effective. The President shall invite the participation in such conference or conferences of (1) the members of the President's Committee on Equal Employment Opportunity, (2) the members of the Commission on Civil Rights, (3) representatives of State and local agencies engaged in furthering equal employment opportunity, (4) representatives of private agencies engaged in furthering equal employment opportunity, and (5) representatives of employers, labor organizations, and employment agencies who will be subject to this title.

TITLE VIII—REGISTRATION AND VOTING STATISTICS

SEC. 801. The Secretary of Commerce shall promptly conduct a survey to compile registration and voting statistics in such geographic areas as may be recommended by the Commission on Civil Rights. Such a survey and compilation shall, to the extent recommended by the Commission on Civil Rights, only include a count of persons of voting age by race, color, and national origin, and determination of the extent to which such persons are registered to vote, and have voted in any statewide primary or general election in which the Members of the United States House of Representatives are nominated or elected, since January 1, 1960. Such information shall also be collected and compiled in connection with the Nineteenth Decennial Census, and at such other times as the Congress may prescribe. The provisions of section 9 and chapter 7 of title 13, United States Code, shall apply to any survey, collection, or compilation of registration and voting statistics carried out under this title: *Provided, however,* That no person shall be compelled to disclose his race, color, national origin, or questioned about his political party affiliation, how he voted, or the reasons therefore, nor shall any penalty be imposed for his failure or refusal to make such disclosure. Every person interrogated orally, by written survey or questionnaire or by any other means with respect to such information shall be fully advised with respect to his right to fail or refuse to furnish such information.

TITLE IX—INTERVENTION AND PROCEDURE AFTER REMOVAL IN CIVIL RIGHTS CASES

SEC. 901. Title 28 of the United States Code, section 1447(d), is amended to read as follows:

"An order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise, except that an order remanding a case to the State court from which it was removed pursuant to section 1443 of this title shall be reviewable by appeal or otherwise."

SEC. 902. Whenever an action has been commenced in any court of the United States seeking relief from the denial of equal protection of the laws under the fourteenth amendment to the Constitution on account of race, color, religion, or national origin, the Attorney General for or in the name of the United States may intervene in such action upon timely application if the Attorney General certifies that the case is of general public importance. In such action the United States shall be entitled to the same relief as if it had instituted the action.

TITLE X—ESTABLISHMENT OF COMMUNITY RELATIONS SERVICE

SEC. 1001. (a) There is hereby established in and as a part of the Department of Commerce a Community Relations Service (hereinafter referred to as the "Service"), which shall be headed by a Director who shall be appointed by the President with the advice and consent of the Senate for a term of four years. The Director is authorized to appoint, subject to the civil service laws and regulations, such other personnel as may be necessary to enable the Service to carry out its functions and duties, and to fix their compensation in accordance with the Classification Act of 1949, as amended. The Director is further authorized to procure services as authorized by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55(a)), but at rates for individuals not in excess of $75 per diem.

(b) Section 106(a) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2205(a)), is further amended by adding the following clause thereto:

"(52) Director, Community Relations Service."

SEC. 1002. It shall be the function of the Service to provide assistance to communities and persons therein in resolving disputes, disagreements, or difficulties relating to discriminatory practices based on race, color, or national origin which impair the rights of persons in such communities under the Constitution or laws of the United States or which affect or may affect interstate commerce. The Service may offer its services in cases of such disputes, disagreements, or difficulties whenever, in its judgment, peaceful relations among the citizens of the community involved are threatened thereby, and it may offer its services either upon its own motion or upon the request of an appropriate State or local official or other interested person.

SEC. 1003. (a) The Service shall, whenever possible, in performing its functions, seek and utilize the cooperation of appropriate State or local, public, or private agencies.

(b) The activities of all officers and employees of the Service in providing conciliation assistance shall be conducted in confidence and without publicity, and the Service shall hold confidential any information acquired in the regular performance of its duties upon the understanding that it would be so held. No officer or employee of the Service shall engage in the performance of investigative or prosecuting functions of any department or agency in any litigation arising out of a dispute in which he acted on behalf of the Service. Any officer or other employee of the Service, who shall make public in any manner whatever any information in violation of this subsection, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $1,000 or imprisoned not more than one year.

SEC. 1004. Subject to the provisions of sections 205 and 1003(b), the Director shall, on or before January 31 of each year, submit to

the Congress a report of the activities of the Service during the preceding fiscal year.

TITLE XI—MISCELLANEOUS

SEC. 1101. In any proceeding for criminal contempt arising under title II, III, IV, V, VI, or VII of this Act, the accused, upon demand therefor, shall be entitled to a trial by jury, which shall conform as near as may be to the practice in criminal cases. Upon conviction, the accused shall not be fined more than $1,000 or imprisoned for more than six months.

This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court. No person shall be convicted of criminal contempt hereunder unless the act or omission constituting such contempt shall have been intentional, as required in other cases of criminal contempt.

Nor shall anything herein be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

SEC. 1102. No person should be put twice in jeopardy under the laws of the United States for the same act or omission. For this reason, an acquittal or conviction in a prosecution for a specific crime under the laws of the United States shall bar a proceeding for criminal contempt, which is based upon the same act or omission and which arises under the provisions of this Act; and an acquittal or conviction in a proceeding for criminal contempt, which arises under the provisions of this Act, shall bar a prosecution for a specific crime under the laws of the United States based upon the same act or omission.

SEC. 1103. Nothing in this Act shall be construed to deny, impair, or otherwise affect any right or authority of the Attorney General or of the United States or any agency or officer thereof under existing law to institute or intervene in any action or proceeding.

SEC. 1104. Nothing contained in any title of this Act shall be construed as indicating an intent on the part of Congress to occupy the field in which any such title operates to the exclusion of State laws on the same subject matter, nor shall any provision of this Act be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this Act, or any provision thereof.

SEC. 1105. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 1106. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Approved July 2, 1964.

(Public Law 89–110, 89th Congress, S. 1564, August 6, 1965)

VOTING RIGHTS ACT OF 1965

An act to enforce the fifteenth amendment to the Constitution of the United States 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 shall be known as the "Voting Rights Act of 1965".

SEC. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

SEC. 3. (a) Whenever the Attorney General institutes a proceeding under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court shall authorize the appointment of Federal examiners by the United States Civil Service Commission in accordance with section 6 to serve for such period of time and for such political subdivisions as the court shall determine is appropriate to enforce the guarantees of the fifteenth amendment (1) as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees or (2) as part of any final judgment if the court finds that violations of the fifteenth amendment justifying equitable relief have occurred in such State or subdivision: *Provided,* That the court need not authorize the appointment of examiners if any incidents of denial or abridgement of the right to vote on account of race or color (1) have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(b) If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that a test or device has been used for the purpose or with the effect of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of tests and devices in such State or political subdivisions as the court shall determine is appropriate and for such period as it deems necessary.

(c) If in any proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that violations of the fifteenth amendment justifying equitable relief have occurred within the territory of such State or political subdivision, the court, in addition to such relief as it may grant, shall retain jurisdiction for such period as it may deem appropriate and during such period no voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced shall be enforced unless and until the court finds that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color: *Provided,* That such qualification, prerequisite, standard, practice, or procedure may be enforced if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such Attorney General certifies with respect to any political subdivision named in, or included within the scope of, determinations made under section 4(b) that (1) he has received complaints in writing from twenty or more residents of such political subdivision alleging that they have been denied the right to vote under color of law on account of race or color, and that he believes such complaints to be meritorious, or (2) that in his judgment (considering, among other factors, whether the ratio of nonwhite persons to white persons registered to vote within such subdivision appears to him to be reasonably attributable to violations of the fifteenth amendment or whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the fifteenth amendment), the appointment of examiners is otherwise necessary to enforce the guarantees of the fifteenth amendment, the Civil Service Commission shall appoint as many examiners for such subdivision as it may deem appropriate to prepare and maintain lists of persons eligible to vote in Federal, State, and local elections. Such examiners, hearing officers provided for in section 9(a), and other persons deemed necessary by the Commission to carry out the provisions and purposes of this Act shall be appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this Act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 118i), prohibiting partisan political activity: *Provided,* That the Commission is authorized, after consulting the head of the appropriate department or agency, to designate suitable persons in the official service of the United States, with their consent, to serve in these positions. Examiners and hearing officers shall have the power to administer oaths.

SEC. 7. (a) The examiners for each political subdivision shall, at such places as the Civil Service Commission shall by regulation designate, examine applicants concerning their qualifications for voting. An application to an examiner shall be in such form as the Commission may require and shall contain allegations that the applicant is not otherwise registered to vote.

(b) Any person whom the examiner finds, in accordance with instructions received under section 9(b), to have the qualifications prescribed by State law not inconsistent with the Constitution and laws of the United States shall promptly be placed on a list of eligible voters. A challenge to such listing may be made in accordance with section 9(a) and shall not be the basis for a prosecution under section 12 of this Act. The examiner shall certify and transmit such list, and any supplements as appropriate, at least once a month, to the offices of the appropriate election officials, with copies to the Attorney General and the attorney general of the State, and any such lists and supplements thereto transmitted during the month shall be available for public inspection on the last business day of the month and in any event not later than the forty-fifth day prior to any election. The appropriate State or local election official shall place such names on the official voting list. Any person whose name appears on the examiner's list shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from such list in accordance with subsection (d): *Provided,* That no person shall be entitled to vote in any election by virtue of this Act unless his name shall have been certified and transmitted on such a list to the offices of the appropriate election officials at least forty-five days prior to such election.

(c) The examiner shall issue to such person whose name appears on such a list a certificate evidencing his eligibility to vote.

(d) A person whose name appears on such a list shall be removed therefrom by an examiner if (1) such person has been successfully challenged in accordance with the procedure prescribed in section 9, or (2) he has been determined by an examiner to have lost his eligibility to vote under State law not inconsistent with the Constitution and the laws of the United States.

SEC. 8. Whenever an examiner is serving under this Act in any political subdivision, the Civil Service Commission may assign, at the request of the Attorney General, one or more persons, who may be officers of the United States, (1) to enter and attend at any place for holding an election in such subdivision for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and (2) to enter and attend at any place for tabulating the votes

cast at any election held in such subdivision for the purpose of observing whether votes cast by persons entitled to vote are being properly tabulated. Such persons so assigned shall report to an examiner appointed for such political subdivision, to the Attorney General, and if the appointment of examiners has been authorized pursuant to section 3(a), to the court.

SEC. 9. (a) Any challenge to a listing on an eligibility list prepared by an examiner shall be heard and determined by a hearing officer appointed by and responsible to the Civil Service Commission and under such rules as the Commission shall by regulation prescribe. Such challenge shall be entertained only if filed at such office within the State as the Civil Service Commission shall by regulation designate, and within ten days after the listing of the challenged person is made available for public inspection, and if supported by (1) the affidavits of at least two persons having personal knowledge of the facts constituting grounds for the challenge and (2) a certification that a copy of the challenge and affidavits have been served by mail or in person upon the person challenged at his place of residence set out in the application. Such challenge shall be determined within fifteen days after it has been filed. A petition for review of the decision of the hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the person petitioning for review but no decision of a hearing officer shall be reversed unless clearly erroneous. Any person listed shall be entitled and allowed to vote pending final determination by the hearing officer and by the court.

(b) The times, places, procedures, and form for application and listing pursuant to this Act and removals from the eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission and the Commission shall, after consultation with the Attorney General, instruct examiners concerning applicable State law not inconsistent with the Constitution and laws of the United States with respect to (1) the qualifications required for listing, and (2) loss of eligibility to vote.

(c) Upon the request of the application or the challenger or on its own motion the Civil Service Commission shall have the power to require by subpena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter pending before it under the authority of this section. In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a hearing officer, there to produce pertinent, relevant, and nonprivileged documentary evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

SEC. 10. (a) The Congress finds that the requirement of the payment of a poll tax as a precondition to voting (i) precludes persons of limited means from voting or imposes unreasonable financial hardship upon such persons as a precondition to their exercise of the franchise, (ii) does not bear a reasonable relationship to any legitimate State interest in the conduct of elections, and (iii) in some areas has the purpose or effect of denying persons the right to vote because of race or color. Upon the basis of these findings, Congress declares that the constitutional right of citizens to vote is denied or abridged in some areas by the requirement of the payment of a poll tax as a precondition to voting.

(b) In the exercise of the powers of Congress under section 5 of the fourteenth amendment and section 2 of the fifteenth amendment, the Attorney General is authorized and directed to institute forthwith in the name of the United States such actions, including actions against States or political subdivisions, for declaratory judgment or injunctive relief against the enforcement of any requirement of the payment of a poll tax as a precondition to voting, or substitute therefor enacted after November 1, 1964, as will be necessary to implement the declaration of subsection (a) and the purposes of this section.

(c) The district courts of the United States shall have jurisdiction of such actions which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

(d) During the pendency of such actions, and thereafter if the courts, notwithstanding this action by the Congress, should declare the requirement of the payment of a poll tax to be constitutional, no citizen of the United States who is a resident of a State or political subdivision with respect to which determinations have been made under subsection 4(b) and a declaratory judgment has not been entered under subsection 4(a), during the first year he becomes otherwise entitled to vote by reason of registration by State or local officials or listing by an examiner, shall be denied the right to vote for failure to pay a poll tax if he tenders payment of such tax for the current year to an examiner or to the appropriate State or local official at least forty-five days prior to election, whether or not such tender would be timely or adequate under State law. An examiner shall have authority to accept such payment from any person authorized by this Act to make an application for listing, and shall issue a receipt for such payment. The examiner shall transmit promptly any such poll tax payment to the office of the State or local official authorized to receive such payment under State law, together with the name and address of the applicant.

SEC. 11. (a) No person acting under color of law shall fail or refuse to permit any person to vote who is entitled to vote under any provision of this Act or is otherwise qualified to vote, or willfully fail or refuse to tabulate, count, and report such person's vote.

(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote, or intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any person for urging or aiding any person to vote or attempt to vote, or intimidate, threaten, or coerce any person for exercising any powers or duties under section 3(a), 6, 8, 9, 10, or 12(e).

(c) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration to vote or illegal voting, or pays or offers to pay or accepts payment either for registration to vote or for voting shall be fined not more than $10,000 or imprisoned not more than five years, or both: *Provided, however,* That this provision shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, or Delegates or Commissioners from the territories or possessions, or Resident Commissioner of the Commonwealth of Puerto Rico.

(d) Whoever, in any matter within the jurisdiction of an examiner or hearing officer knowingly and willfully falsifies or conceals a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

SEC. 12. (a) Whoever shall deprive or attempt to deprive any person of any right secured by section 2, 3, 4, 5, 7, or 10 or shall violate section 11(a) or (b), shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(b) Whoever, within a year following an election in a political subdivision in which an examiner has been appointed (1) destroys, defaces, mutilates, or otherwise alters the marking of a paper ballot which has been cast in such election, or (2) alters any official record of voting in such election tabulated from a voting machine or otherwise, shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(c) Whoever conspires to violate the provisions of subsection (a) or (b) of this section, or interferes with any right secured by section 2, 3, 4, 5, 7, 10, or 11 (a) or (b) shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(d) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 2, 3, 4, 5, 7, 10, 11, or subsection (b) of this section, the Attorney General may institute for the United States, or in the name of the United States, an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other order, and including an order directed to the State and State or local election officials to require them (1) to permit persons listed under this Act to vote and (2) to count such votes.

(e) Whenever in any political subdivision in which there are examiners appointed pursuant to this Act any persons allege to such an examiner within forty-eight hours after the closing of the polls that notwithstanding (1) their listing under this Act or registration by an appropriate election official and (2) their eligibility to vote, they have not been permitted to vote in such election, the examiner shall forthwith notify the Attorney General if such allegations in his opinion appear to be well founded. Upon receipt of such notification, the Attorney General may forthwith file with the district court an application for an order providing for the marking, casting, and counting of the ballots of such persons and requiring the inclusion of their votes in the total vote before the results of such election shall be deemed final and any force or effect given thereto. The district court shall hear and determine such matters immediately after the filing of such application. The remedy provided in this subsection shall not preclude any remedy available under State or Federal law.

(f) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether a person asserting rights under the provisions of this Act shall have exhausted any administrative or other remedies that may be provided by law.

SEC. 13. Listing procedures shall be terminated in any political subdivision of any

State (a) with respect to examiners appointed pursuant to clause (b) of section 6 whenever the Attorney General notifies the Civil Service Commision, or whenever the District Court for the District of Columbia determines in an action for declaratory judgment brought by any political subdivision with respect to which the Director of the Census has determined that more than 50 per centum of the nonwhite persons of voting age residing therein are registered to vote, (1) that all persons listed by an examiner for such subdivision have been placed on the appropriate voting registration roll, and (2) that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision, and (b), with respect to examiners appointed pursuant to section 3(a), upon order of the authorizing court. A political subdivision may petition the Attorney General for the termination of listing procedures under clause (a) of this section, and may petition the Attorney General to request the Director of the Census to take such survey or census as may be appropriate for the making of the determination provided for in this section. The District Court for the District of Columbia shall have jurisdiction to require such survey or census to be made by the Director of the Census and it shall require him to do so if it deems the Attorney General's refusal to request such survey or census to be arbitrary or unreasonable.

SEC. 14. (a) All cases of criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1995).

(b) No court other than the District Court for the District of Columbia or a court of appeals in any proceeding under section 9 shall have jurisdiction to issue any declaratory judgment pursuant to section 4 or section 5 or any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this Act or any action of any Federal officer or employee pursuant hereto.

(c)(1) The terms "vote" or "voting" shall include all action necessary to make a vote effective in any primary, special, or general election, including, but not limited to, registration, listing pursuant to this Act, or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election.

(2) The term "political subdivision" shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

(d) In any action for a declaratory judgment brought pursuant to section 4 or section 5 of this Act, subpenas for witnesses who are required to attend the District Court for the District of Columbia may be served in any judicial district of the United States: *Provided,* That no writ of subpena shall issue for witnesses without the District of Columbia at a greater distance than one hundred miles from the place of holding court without the permission of the District Court for the District of Columbia being first had upon proper application and cause shown.

SEC. 15. Section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), and amended by section 601 of the Civil Rights Act of 1960 (74 Stat. 90), and as further amended by section 101 of the Civil Rights Act of 1964 (78 Stat. 241), is further amended as follows:

(a) Delete the word "Federal" wherever it appears in subsections (a) and (c);

(b) Repeal subsection (f) and designate the present subsections (g) and (h) as (f) and (g), respectively.

SEC. 16. The Attorney General and the Secretary of Defense, jointly, shall make a full and complete study to determine whether, under the laws or practices of any State or States, there are preconditions to voting, which might tend to result in discrimination against citizens serving in the Armed Forces of the United States seeking to vote. Such officials shall, jointly, make a report to the Congress not later than June 30, 1966, containing the results of such study, together with a list of any States in which such preconditions exist, and shall include in such report such recommendations for legislation as they deem advisable to prevent discrimination in voting against citizens serving in the Armed Forces of the United States.

SEC. 17. Nothing in this Act shall be construed to deny, impair, or otherwise adversely affect the right to vote of any person registered to vote under the law of any State or political subdivision.

SEC. 18. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 19. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected there by.

Approved August 6, 1965.

RADIO AND TELEVISION REMARKS UPON SIGNING THE CIVIL RIGHTS BILL

(Broadcast from the East Room at the White House, July 2, 1964, at 6:45 p.m.)

My fellow Americans: I am about to sign into law the Civil Rights Act of 1964. I want to take this occasion to talk to you about what that law means to every American.

One hundred and eighty-eight years ago this week a small band of valiant men began a long struggle for freedom. They pledged their lives, their fortunes, and their sacred honor not only to found a nation, but to forge an ideal of freedom—not only for political independence, but for personal liberty—not only to eliminate foreign rule, but to establish the rule of justice in the affairs of men.

That struggle was a turning point in our history. Today in far corners of distant continents, the ideals of those American patriots still shape the struggles of men who hunger for freedom.

This is a proud triumph. Yet those who founded our country knew that freedom would be secure only if each generation fought to renew and enlarge its meaning. From the minutemen at Concord to the soldiers in Viet-Nam, each generation has been equal to that trust.

Americans of every race and color have died in battle to protect our freedom. Americans of every race and color have worked to build a nation of widening opportunities. Now our generation of Americans has been called on to continue the unending search for justice within our own borders.

We believe that all men are created equal. Yet many are denied equal treatment.

We believe that all men have certain unalienable rights. Yet many Americans do not enjoy those rights.

We believe that all men are entitled to the blessings of liberty. Yet millions are being deprived of those blessings—not because of their own failures, but because of the color of their skin.

The reasons are deeply imbedded in history and tradition and the nature of man. We can understand—without rancor or hatred—how this all happened.

But it cannot continue. Our Constitution, the foundation of our Republic, forbids it. The principles of our freedom forbid it. Morality forbids it. And the law I will sign tonight forbids it.

That law is the product of months of the most careful debate and discussion. It was proposed more than one year ago by our late and beloved President John F. Kennedy. It received the bipartisan support of more than two-thirds of the Members of both the House and the Senate. An overwhelming majority of Republicans as well as Democrats voted for it.

It has received the thoughtful support of tens of thousands of civic and religious leaders in all parts of this Nation. And it is supported by the great majority of the American people.

The purpose of the law is simple.

It does not restrict the freedom of any American, so long as he respects the rights of others.

It does not give special treatment to any citizen.

It does say the only limit to a man's hope for happiness, and for the future of his children, shall be his own ability.

It does say that there are those who are equal before God shall now also be equal in the polling booths, in the classrooms, in the factories, and in hotels, restaurants, movie theaters, and other places that provide service to the public.

I am taking steps to implement the law under my constitutional obligation to "take care that the laws are faithfully executed."

First, I will send to the Senate my nomination of LeRoy Collins to be Director of the Community Relations Service. Governor Collins will bring the experience of a long career of distinguished public service to the task of helping communities solve problems of human relations through reason and commonsense.

Second, I shall appoint an advisory committee of distinguished Americans to assist Governor Collins in his assignment.

Third, I am sending Congress a request for supplemental appropriations to pay for necessary costs of implementing the law, and asking for immediate action.

Fourth, already today in a meeting of my Cabinet this afternoon I directed the agencies of this Government to fully discharge the new responsibilities imposed upon them by the law and to do it without delay, and to keep me personally informed of their progress.

Fifth, I am asking appropriate officials to meet with representative groups to promote greater understanding of the law and to achieve a spirit of compliance.

We must not approach the observance and enforcement of this law in a vengeful spirit. Its purpose is not to punish. Its purpose is not to divide, but to end divisions—divisions which have all lasted too long. Its purpose is national, not regional.

Its purpose is to promote a more abiding commitment to freedom, a more constant pursuit of justice, and a deeper respect for human dignity.

We will achieve these goals because most Americans are law-abiding citizens who want to do what is right.

This is why the Civil Rights Act relies first on voluntary compliance, then on the efforts of local communities and States to secure the rights of citizens. It provides for the national authority to step in only when others cannot or will not do the job.

This Civil Rights Act is a challenge to all of us to go to work in our communities and our States, in our homes and in our hearts, to eliminate the last vestiges of injustice in our beloved country.

So tonight I urge every public official, every religious leader, every business and professional man, every workingman, every housewife—I urge every American—to join in this effort to bring justice and hope to all our people—and to bring peace to our land.

My fellow citizens, we have come now to a time of testing. We must not fail.

Let us close the springs of racial poison. Let us pray for wise and understanding hearts. Let us lay aside irrelevant differences and make our Nation whole. Let us hasten that day when our unmeasured strength and our unbounded spirit will be free to do the great works ordained for this Nation by the just and wise God who is the Father of us all.

Thank you and good night.

REMARKS IN THE CAPITOL ROTUNDA AT THE SIGNING OF THE VOTING RIGHTS ACT, AUGUST 6, 1965

Mr. Vice President, Mr. Speaker, Members of Congress, members of the Cabinet, distinguished guests, my fellow Americans:

Today is a triumph for freedom as huge as any victory that has ever been won on any battlefield. Yet to seize the meaning of this day, we must recall darker times.

Three and a half centuries ago the first Negroes arrived at Jamestown. They did not arrive in brave ships in search of a home for freedom. They did not mingle fear and joy, in expectation that in this New World anything would be possible to a man strong enough to reach for it.

They came in darkness and they came in chains.

And today we strike away the last major shackle of those fierce and ancient bonds. Today the Negro story and the American story fuse and blend.

And let us remember that it was not always so. The stories of our Nation and of the American Negro are like two great rivers. Welling up from that tiny Jamestown spring they flow through the centuries along divided channels.

When pioneers subdued a continent to the need of man, they did not tame it for the Negro. When the Liberty Bell rang out in Philadelphia, it did not toll for the Negro. When Andrew Jackson threw open the doors of democracy, they did not open for the Negro.

It was only at Appomattox, a century ago, that an American victory was also a Negro victory. And the two rivers—one shining with promise, the other dark-stained with oppression—began to move toward one another.

THE PROMISE KEPT

Yet, for almost a century the promise of that day was not fulfilled. Today is a towering and certain mark that, in this generation, that promise will be kept. In our time the two currents will finally mingle and rush as one great stream across the uncertain and the marvelous years of the America that is yet to come.

This act flows from a clear and simple wrong. Its only purpose is to right that wrong. Millions of Americans are denied the right to vote because of their color. This law will ensure them the right to vote. The wrong is one which no American, in his heart, can justify. The right is one which no American, true to our principles, can deny.

In 1957, as the leader of the majority in the United States Senate, speaking in support of legislation to guarantee the right of all men to vote, I said, "This right to vote is the basic right without which all others are meaningless. It gives people, people are individuals, control over their own destinies."

Last year I said, "Until every qualified person regardless of . . . the color of his skin has the right, unquestioned and unrestrained, to go in and cast his ballot in every precinct in this great land of ours, I am not going to be satisfied."

Immediately after the election I directed the Attorney General to explore, as rapidly as possible, the ways to ensure the right to vote.

And then last March, with the outrage of Selma still fresh, I came down to this Capitol one evening and asked the Congress and the people for swift and for sweeping action to guarantee to every man and woman the right to vote. In less than 48 hours I sent the Voting Rights Act of 1965 to the Congress. In little more than 4 months the Congress with overwhelming majorities, enacted one of the most monumental laws in the entire history of American freedom.

THE WAITING IS GONE

The Members of the Congress, and the many private citizens, who worked to shape and pass this bill will share a place of honor in our history for this one act alone.

There were those who said this is an old injustice, and there is no need to hurry. But 95 years have passed since the 15th amendment gave all Negroes the right to vote.

And the time for waiting is gone.

There were those who said smaller and more gradual measures should be tried. But they had been tried. For years and years they had been tried, and tried, and tried, and they had failed, and failed, and failed.

And the time for failure is gone.

There were those who said that this is a many-sided and very complex problem. But however viewed, the denial of the right to vote is still a deadly wrong.

And the time for injustice has gone.

This law covers many pages. But the heart of the act is plain. Wherever, by clear and objective standards, States and counties are using regulations, or laws, or tests to deny the right to vote, then they will be struck down. If it is clear that State officials still intend to discriminate, then Federal examiners will be sent in to register all eligible voters. When the prospect of discrimination is gone, the examiners will be immediately withdrawn.

And, under this act, if any county anywhere in this Nation does not want Federal intervention it need only open its polling places to all of its people.

THE GOVERNMENT ACTS

This good Congress, the 89th Congress, acted swiftly in passing this act. I intend to act with equal dispatch in enforcing this act.

And tomorrow at 1 p.m., the Attorney General has been directed to file a lawsuit challenging the constitutionality of the poll tax in the State of Mississippi. This will begin the legal process which, I confidently believe, will very soon prohibit any State from requiring the payment of money in order to exercise the right to vote.

And also by tomorrow the Justice Department, through publication in the Federal Register, will have officially certified the States where discrimination exists.

I have, in addition, requested the Department of Justice to work all through this weekend so that on Monday morning next, they can designate many counties where past experience clearly shows that Federal action is necessary and required. And by Tuesday morning, trained Federal examiners will be at work registering eligible men and women in 10 to 15 counties.

And on that same day, next Tuesday, additional poll tax suits will be filed in the States of Texas, Alabama, and Virginia.

And I pledge you that we will not delay, or we will not hesitate, or we will not turn aside until Americans of every race and color and origin in this country have the same right as all others to share in the process of democracy.

So, through this act, and its enforcement, an important instrument of freedom passes into the hands of millions of our citizens.

But that instrument must be used.

Presidents and Congresses, laws and lawsuits can open the doors to the polling places and open the doors to the wondrous rewards which await the wise use of the ballot.

THE VOTE BECOMES JUSTICE

But only the individual Negro, and all others who have been denied the right to vote, can really walk through those doors, and can use that right, and can transform the vote into an instrument of justice and fulfillment.

So, let me now say to every Negro in this country: You must register. You must vote. You must learn, so your choice advances your interest and the interest of our beloved Nation. Your future, and your children's future, depend upon it, and I don't believe that you are going to let them down.

This act is not only a victory for Negro leadership. This act is a great challenge to that leadership. It is a challenge which cannot be met simply by protests and demonstrations. It means that dedicated leaders must work around the clock to teach people their rights and their responsibilities and to lead them to exercise those rights and to fulfill those responsibilities and those duties to their country.

If you do this, then you will find, as others have found before you, that the vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.

THE LAST OF THE BARRIERS TUMBLE

Today what is perhaps the last of the legal barriers is tumbling. There will be many actions and many difficulties before the rights woven into law are also woven into the fabric of our Nation. But the struggle for equality must now move toward a different battlefield.

It is nothing less than granting every American Negro his freedom to enter the mainstream of American life: not the conformity that blurs enriching differences of culture and tradition, but rather the opportunity that gives each a chance to choose.

For centuries of oppression and hatred have already taken their painful toll. It can be seen throughout our land in men without skills, in children without fathers, in families that are imprisoned in slums and in poverty.

RIGHTS ARE NOT ENOUGH

For it is not enough just to give men rights. They must be able to use those rights in their personal pursuit of happiness. The wounds and the weaknesses, the outward walls and the inward scars which diminish achievement are the work of American society. We must all now help to end them—help to end them through expanding programs already devised and through new ones to search out and forever end the special handicaps of those who are black in a Nation that happens to be mostly white.

So, it is for this purpose—to fulfill the rights that we now secure—that I have already called a White House conference to meet here in the Nation's Capital this fall.

So, we will move step by step—often painfully but, I think, with clear vision—along the path toward American freedom.

It is difficult to fight for freedom. But I also know how difficult it can be to bend long years of habit and custom to grant it. There is no room for injustice anywhere in the American mansion. But there is always room for understanding toward those who see the old ways crumbling. And to them today I say simply this: It must come. It is right that it should come. And when it has, you will find that a burden has been lifted from your shoulders, too.

It is not just a question of guilt, although there is that. It is that men cannot live with a lie and not be stained by it.

DIGNITY IS NOT JUST A WORD

The central fact of American civilization—one so hard for others to understand—is that

freedom and justice and the dignity of man are not just words to us. We believe in them. Under all the growth and the tumult and abundance, we believe. And so, as long as some among us are oppressed—and we are part of that oppression—it must blunt our faith and sap the strength of our high purpose.

Thus, this is a victory for the freedom of the American Negro. But it is also a victory for the freedom of the American Nation. And every family across this great, entire, searching land will live stronger in liberty, will live more splendid in expectation, and will be prouder to be American because of the act that you have passed that I will sign today.

Thank you.

SPECIAL MESSAGE TO THE CONGRESS: THE AMERICAN PROMISE

(As delivered in person before a joint session March 15, 1965 at 9:02 p.m.)

Mr. Speaker, Mr. President, Members of the Congress:

I speak tonight for the dignity of man and the destiny of democracy.

I urge every member of both parties, Americans of all religions and of all colors, from every section of this country, to join me in that cause.

At times history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom. So it was at Lexington and Concord. So it was a century ago at Appomattox. So it was last week in Selma, Alabama.

There, long-suffering men and women peacefully protested the denial of their rights as Americans. Many were brutally assaulted. One good man, a man of God was killed.

There is no cause for pride in what has happened in Selma. There is no cause for self-satisfaction in the long denial of equal rights of millions of Americans. But there is cause for hope and for faith in our democracy in what is happening here tonight.

For the cries of pain and the hymns and protests of oppressed people have summoned into convocation all the majesty of this great Government—the Government of the greatest Nation on earth.

Our mission is at once the oldest and the most basic of this country: to right wrong, to do justice, to serve man.

In our time we have come to live with moments of great crisis. Our lives have been marked with debate about great issues; issues of war and peace, issues of prosperity and depression. But rarely in any time does an issue lay bare the secret heart of America itself. Rarely are we met with a challenge, not to our growth or abundance, our welfare or our security, but rather to the values and the purposes and the meaning of our beloved Nation.

The issue of equal rights for American Negroes is such an issue. And should we defeat every enemy, should we double our wealth and conquer the stars, and still be unequal to this issue, then we will have failed as a people and as a nation.

For with a country as with a person, "What is a man profited, if he shall gain the whole world, and lose his own soul?"

There is no Negro problem. There is no Southern problem. There is no Northern problem. There is only an American problem. And we are met here tonight as Americans—not as Democrats or Republicans—we are met here as Americans to solve that problem.

This was the first nation in the history of the world to be founded with a purpose. The great phrases of that purpose still sound in every American heart, North and South: "All men are created equal"—"government by consent of the governed"—"give me liberty or give me death." Well, those are not just clever words, or those are not just empty theories. In their name Americans have fought and died for two centuries, and tonight around the world they stand there as guardians of our liberty, risking their lives.

Those words are a promise to every citizen that he shall share in the dignity of man. This dignity cannot be found in a man's possessions; it cannot be found in his power or in his position. It really rests on his right to be treated as a man equal in opportunity to all others. It says that he shall share in freedom, he shall choose his leaders, educate his children, and provide for his family according to his ability and his merits as a human being.

To apply any other test—to deny a man his hopes because of his color or race, his religion or the place of his birth—is not only to do injustice, it is to deny America and to dishonor the dead who gave their lives for American freedom.

THE RIGHT TO VOTE

Our fathers believed that if this noble view of the rights of man was to flourish, it must be rooted in democracy. The most basic right of all was the right to choose your own leaders. The history of this country, in large measure, is the history of the expansion of that right to all of our people.

Many of the issues of civil rights are very complex and most difficult. But about this there can and should be no argument. Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty we have to ensure that right.

Yet the harsh fact is that in many places in this country men and women are kept from voting simply because they are Negroes.

Every device of which human ingenuity is capable has been used to deny this right. The Negro citizen may go to register only to be told that the day is wrong, or the hour is late, or the official in charge is absent. And if he persists, and if he manages to present himself to the registrar, he may be disqualified because he did not spell out his middle name or because he abbreviated a word on the application.

And if he manages to fill out an application he is given a test. The registrar is the sole judge of whether he passes this test. He may be asked to recite the entire Constitution, or explain the most complex provisions of State law. And even a college degree cannot be used to prove that he can read and write.

For the fact is that the only way to pass these barriers is to show a white skin.

Experience has clearly shown that the existing process of law cannot overcome systematic and ingenious discrimination. No law that we now have on the books—and I have helped to put three of them there—can ensure the right to vote when local officials are determined to deny it.

In such a case our duty must be clear to all of us. The Constitution says that no person shall be kept from voting because of his race or his color. We have all sworn an oath before God to support and to defend that Constitution. We must now act in obedience to that oath.

GUARANTEEING THE RIGHT TO VOTE

Wednesday I will send to Congress a law designed to eliminate illegal barriers to the right to vote.

The broad principles of that bill will be in the hands of the Democratic and Republican leaders tomorrow. After they have reviewed it, it will come here formally as a bill. I am grateful for this opportunity to come here tonight at the invitation of the leadership to reason with my friends, to give them my views, and to visit with my former colleagues.

I have had prepared a more comprehensive analysis of the legislation which I had intended to transmit to the clerk tomorrow but which I will submit to the clerks tonight. But I want to really discuss with you now briefly the main proposals of this legislation.

This bill will strike down restrictions to voting in all elections—Federal, State, and local—which have been used to deny Negroes the right to vote.

This bill will establish a simple, uniform standard which cannot be used, however ingenious the effort, to flout our Constitution.

It will provide for citizens to be registered by officials of the United States Government if the State officials refuse to register them.

It will eliminate tedious, unnecessary lawsuits which delay the right to vote.

Finally, this legislation will ensure that properly registered individuals are not prohibited from voting.

I will welcome the suggestions from all of the Members of Congress—I have no doubt that I will get some—on ways and means to strengthen this law and to make it effective. But experience has plainly shown that this is the only path to carry out the command of the Constitution.

To those who seek to avoid action by their National Government in their own communities; who want to and who seek to maintain purely local control over elections, the answer is simple:

Open your polling places to all your people.

Allow men and women to register and vote whatever the color of their skin.

Extend the rights of citizenship to every citizen of this land.

THE NEED FOR ACTION

There is no constitutional issue here. The command of the Constitution is plain.

There is no moral issue. It is wrong—deadly wrong—to deny any of your fellow Americans the right to vote in this country.

There is no issue of States rights or national rights. There is only the struggle for human rights.

I have not the slightest doubt what will be your answer.

The last time a President sent a civil rights bill to the Congress it contained a provision to protect voting rights in Federal elections. That civil rights bill was passed after 8 long months of debate. And when that bill came to my desk from the Congress for my signature, the heart of the voting provision had been eliminated.

This time, on this issue, there must be no delay, no hesitation and no compromise with our purpose.

We cannot, we must not, refuse to protect the right of every American to vote in every election that he may desire to participate in. And we ought not and we cannot and we must not wait another 8 months before we get a bill. We have already waited a hundred years and more, and the time for waiting is gone.

So I ask you to join me in working long hours—nights and weekends, if necessary—to pass this bill. And I don't make that request lightly. For from the window where I sit with the problems of our country I recognize that outside this chamber is the outraged conscience of a nation, the grave concern of many nations, and the harsh judgment of history on our acts.

WE SHALL OVERCOME

But even if we pass this bill, the battle will not be over. What happened in Selma is part of a far larger movement which reaches into every section and State of America. It is the effort of American Negroes to secure for themselves the full blessings of American life.

Their cause must be our cause too. Because it is not just Negroes, but really it is all of us, who must overcome the crippling legacy of bigotry and injustice.

And we shall overcome.

As a man whose roots go deeply into Southern soil I know how agonizing racial feelings are. I know how difficult it is to reshape the attitudes and the structure of our society.

But a century has passed, more than a hundred years, since the Negro was freed. And he is not fully free tonight.

It was more than a hundred years ago that Abraham Lincoln, a great President of another party, signed the Emancipation Proclamation, but emancipation is a proclamation and not a fact.

A century has passed, more than a hundred years, since equality was promised. And yet the Negro is not equal.

A century has passed since the day of promise. And the promise is unkept.

The time of justice has now come. I tell you that I believe sincerely that no force can hold it back. It is right in the eyes of man and God that it should come. And when it does, I think that day will brighten the lives of every American.

For Negroes are not the only victims. How many white children have gone uneducated, how many white families have lived in stark poverty, how many white lives have been scarred by fear, because we have wasted our energy and our substance to maintain the barriers of hatred and terror?

So I say to all of you here, and to all in the Nation tonight, that those who appeal to you to hold on to the past do so at the cost of denying you your future.

This great, rich, restless country can offer opportunity and education and hope to all: black and white, North and South, sharecropper and city dweller. These are the enemies: poverty, ignorance, disease. They are the enemies and not our fellow man, not our neighbor. And these enemies too, poverty, disease and ignorance, we shall overcome.

AN AMERICAN PROBLEM

Now let none of us in any sections look with prideful righteousness on the troubles in another section, or on the problems of our neighbors. There is really no part of America where the promise of equality has been fully kept. In Buffalo as well as in Birmingham, in Philadelphia as well as in Selma, Americans are struggling for the fruits of freedom.

This is one Nation. What happens in Selma or in Cincinnati is a matter of legitimate concern to every American. But let each of us look within our own hearts and our own communities, and let each of us put our shoulder to the wheel to root out injustice wherever it exists.

As we meet here in this peaceful, historic chamber tonight, men from the South, some of whom were at Iwo Jima, men from the North who have carried Old Glory to far corners of the world and brought it back without a stain on it, men from the East and from the West, are all fighting together without regard to religion, or color, or region, in Viet-Nam. Men from every region fought for us across the world 20 years ago.

And in these common dangers and these common sacrifices the South made its contribution of honor and gallantry no less than any other region of the great Republic—and in some instances, a great many of them, more.

And I have not the slightest doubt that good men from everywhere in this country, from the Great Lakes to the Gulf of Mexico, from the Golden Gate to the harbors along the Atlantic, will rally together now in this cause to vindicate the freedom of all Americans. For all of us owe this duty; and I believe that all of us will respond to it.

Your President makes that request of every American.

PROGRESS THROUGH THE DEMOCRATIC PROCESS

The real hero of this struggle is the American Negro. His actions and protests, his courage to risk safety and even to risk his life, have awakened the conscience of this Nation. His demonstrations have been designed to call attention to injustice, designed to provoke change, designed to stir reform.

He has called upon us to make good the promise of America. And who among us can say that we would have made the same progress were it not for his persistent bravery, and his faith in American democracy.

For at the real heart of battle for equality is a deep-seated belief in the democratic process. Equality depends not on the force of arms or tear gas but upon the force of moral right; not on recourse to violence but on respect for law and order.

There have been many pressures upon your President and there will be others as the days come and go. But I pledge you tonight that we intend to fight this battle where it should be fought; in the courts, and in the Congress, and in the hearts of men.

We must preserve the right of free speech and the right of free assembly. But the right of free speech does not carry with it, as has been said, the right to holler fire in a crowded theater. We must preserve the right to free assembly, but free assembly does not carry with it the right to block public thoroughfares to traffic.

We do have a right to protest, and a right to march under conditions that do not infringe the constitutional rights of our neighbors. And I intend to protect all those rights as long as I am permitted to serve in this office.

We will guard against violence, knowing it strikes from our hands the very weapons which we seek—progress, obedience to law, and belief in American values.

In Selma as elsewhere we seek and pray for peace. We seek order. We seek unity. But we will not accept the peace of stifled rights, or the order imposed by fear, or the unity that stifles protest. For peace cannot be purchased at the cost of liberty.

In Selma tonight, as in every—and we had a good day there—as in every city, we are working for just and peaceful settlement. We must all remember that after this speech I am making tonight, after the police and the FBI and the Marshals have all gone, and after you have promptly passed this bill, the people of Selma and the other cities of the Nation must still live and work together. And when the attention of the Nation has gone elsewhere they must try to heal the wounds and to build a new community.

This cannot be easily done on a battleground of violence, as the history of the South itself shows. It is in recognition of this that men of both races have shown such an outstandingly impressive responsibility in recent days—last Tuesday, again today.

RIGHTS MUST BE OPPORTUNITIES

The bill that I am presenting to you will be known as a civil rights bill. But, in a larger sense, most of the program I am recommending is a civil rights program. Its object is to open the city of hope to all people of all races.

Because all Americans just must have the right to vote. And we are going to give them that right.

All Americans must have the privileges of citizenship regardless of race. And they are going to have those privileges of citizenship regardless of race.

But I would like to caution you and remind you that to exercise these privileges takes much more than just legal right. It requires a trained mind and a healthy body. It requires a decent home, and the chance to find a job, and the opportunity to escape from the clutches of poverty.

Of course, people cannot contribute to the Nation if they are never taught to read or write, if their bodies are stunted from hunger, if their sickness goes untended, if their life is spent in hopeless poverty just drawing a welfare check.

So we want to open the gates to opportunity. But we are also going to give all our people, black and white, the help that they need to walk through those gates.

THE PURPOSE OF THIS GOVERNMENT

My first job after college was as a teacher in Cotulla, Tex., in a small Mexican-American school. Few of them could speak English, and I couldn't speak much Spanish. My students were poor and they often came to class without breakfast, hungry. They knew even in their youth the pain of prejudice. They never seemed to know why people disliked them. But they knew it was so, because I saw it in their eyes. I often walked home late in the afternoon, after the classes were finished, wishing there was more that I could do. But all I knew was to teach them the little that I knew, hoping that it might help them against the hardships that lay ahead.

Somehow you never forget what poverty and hatred can do when you see its scars on the hopeful face of a young child.

I never thought then, in 1928, that I would be standing here in 1965. It never even occurred to me in my fondest dreams that I might have the chance to help the sons and daughters of those students and to help people like them all over this country.

But now I do have that chance—and I'll let you in on a secret—I mean to use it. And I hope that you will use it with me.

This is the richest and most powerful country which ever occupied the globe. The might of past empires is little compared to ours. But I do not want to be the President who built empires, or sought grandeur, or extended dominion.

I want to be the President who educated young children to the wonders of their world. I want to be the President who helped to feed the hungry and to prepare them to be taxpayers instead of taxeaters.

I want to be the President who helped the poor to find their own way and who protected the right of every citizen to vote in every election.

I want to be the President who helped to end hatred among his fellow men and who promoted love among the people of all races and all religions and all parties.

I want to be the President who helped to end war among the brothers of this earth.

And so at the request of your beloved majority leader, the Senator from Illinois; the minority leader, Mr. McCulloch, and other Members of both parties, I came here tonight—not as President Roosevelt came down one time in person to veto a bonus bill, not as President Truman came down one time to urge the passage of a railroad bill—but I came down here to ask you to share this task with me and to share it with the people that we both work for. I want this to be the Congress, Republicans and Democrats alike, which did all these things for all these people.

Beyond this great chamber, out yonder in 50 States, are the people that we serve. Who can tell what deep and unspoken hopes are in their hearts tonight as they sit there and listen. We all can guess, from our own lives, how difficult they often find their own pursuit of happiness, how many problems each little family has. They look most of all to themselves for their futures. But I think that they also look to each of us.

Above the pyramid on the great seal of the United States it says—in Latin—"God has favored our undertaking."

God will not favor everything that we do. It is rather our duty to divine His will. But I cannot help believing that He truly understands and that He really favors the undertaking that we begin here tonight.

NOTE.—The address was broadcast nationally.

Mr. ROBERT C. BYRD. Mr. President, I yield now to the distinguished Senator from Illinois (Mr. STEVENSON).

Mr. STEVENSON. Mr. President, it is said that Lyndon Johnson was a difficult

man. I suspect that secretly he rather enjoyed that reputation. And now, even in death, he continues to frustrate those who try to capture him in words.

Lyndon Johnson was so large he defied normal description. Even those close to him saw only aspects of the man; it was impossible to see the entirety of such an enormous figure. Those of us who knew him only slightly came away with vivid impressions. My foremost impression is of a man whose whole approach to life and politics was always deeply personal, emotional, even sentimental.

To President Johnson, politics was never merely a matter of loyalty to abstract ideals. It was a matter of personalities—of real men, their problems, their families, and their lives.

He never thought of his constituents as a vast, faceless mass, to be measured by the Gallup poll and manipulated by Madison Avenue. He saw the American people as individuals and families, in real homes under real rooftops with real hopes and real difficulties. When he talked about them, he described them as "Molly and the babies"—a phrase that to sophisticates seemed naive, but to him represented the people he knew and served.

His approach to his colleagues in politics was similarly human, emotional, and sentimental. His was the politics not of abstractions, but of human encounter: the handshake; the hurried conversation in a hallway; the long, pleading telephone call, the personal favor, the friendly drink, the unexpected gesture of friendship or sympathy. If he was a shrewd and canny political animal, he was also a man who went to weddings and funerals and shed real tears.

To my father, his contemporary in American politics, President Johnson was not only correct and courteous, but generous and thoughtful. Though they sometimes differed on issues, they were always friends, who saw themselves as laborers in common for the public good. And after my father's death, President Johnson's kindness was directed toward our family. He came to the funeral in Bloomington, Ill. At the height of Mr. Johnson's difficulties during the Vietnam conflict, he took time out to unveil a bust of my father in the White House Cabinet Room. And though my father had been a critic of that conflict, the President spoke of him with warmth and magnanimity and showed our family the most genuine courtesy.

Lyndon Johnson was a product of the countryside and the small town. He brought to our highest national affairs the virtues of the small town; real, not synthetic emotion, and the human touch.

Others will elaborate upon his public achievements. I will close by offering my warmest respect and sympathy to Mrs. Johnson and all his family, and by quoting Stephen Spender's words about those who "were truly great." Spender speaks of:

> Those who in their lives fought for life, who wore at their hearts the fire's center.

Lyndon Johnson, in his life, fought for life. And in his tempestuous, achieving career, he stood near the fire's center.

It is tempting to say that losing President Johnson is like losing a part of our national landscape. But Lyndon Johnson was always too restless and fast-moving to be described as a mere landmark. Losing him is more like losing a part of the weather. We will miss him.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Washington.

Mr. MAGNUSON. Mr. President, it is with the deepest kind of sorrow that I stand here today. We are paying our tributes, making our eulogies, to a President of the United States. But I have also lost a friend.

It is a lucky man, after a good life, who can count his friends on the fingers of his hands. I am especially lucky, because I always could count Lyndon Johnson among mine.

Today, on this day of such mixed emotions, I am luckier than most because I can look back upon good memories and warm times. Lyndon Johnson and I came to Congress together more than three decades ago. We served on the same committees and went to war together in the Pacific. It was my great privilege that Lyndon Johnson stood up for me at my wedding and my bride's great privilege that Lady Bird Johnson stood for her. Those memories are my treasures now.

Life is not always kind and Lyndon Johnson took its thorns with its roses. He presided over this Nation at a time of great accomplishment and of great agony. Only history can be the final judge on those times.

But I have my own personal judgments about President Johnson—and there is no doubt in my mind about his place in history. Can any of us on this floor forget those heady days in 1964 when we approved more progressive legislation than perhaps any Congress in history?

It was Lyndon Johnson who saw medicare through to passage after two decades of bickering. Millions of Americans will never forget. But it only began there—a stream of accomplishments that uplifted that part of our Nation that had been held down so long.

If there is to be a memorial to Lyndon Baines Johnson, it seems clear to me what that memorial should be. Washington is ripe these days with rumors of the dismanteling of the great social programs enacted in the 1960's. Our memorial should be a simple one—to assure that what Lyndon Johnson did is not undone, that the memorial he erected is not torn down.

Now that the war that tortured him is all but over, let us turn ourselves to the priorities that Lyndon Johnson himself would have established. He set out to build a great society. And, at least he set its foundations.

Which of our Presidents did more for the impoverished, more for the ghetto dwellers and the underprivileged, more for the frustrated and the disenfranchised?

That is his legacy now, and a legacy we should devote our own energies to maintaining. We can, as he would have wished, build our fair and great Nation into a fairer and greater Nation.

Just over 10 years ago, when Lyndon Johnson was elevated to the Presidency on one of the saddest days in our Nation's history, he quietly urged: "Let us continue." He would urge the same thing today. As a friend—and as a believer—I make the pledge now to do what I can to continue.

Aside from his beloved land on the Pedernales, this place in which we now stand—the Senate—is the place that gave Lyndon Johnson his greatest sustenance. I would hope that here in this Senate his work will go on. Let us, his colleagues, not allow his dream to die. There still is so much to be done.

Mr. HUDDLESTON. Mr. President, the Nation has lost a dedicated and humane leader. President Johnson cared about people and their needs, and this was reflected in a lifetime of public service dedicated to providing his fellow citizens with better education, improved health care, equal rights, a cleaner environment, and many other amenities of the good life.

I believe history will remember Lyndon Johnson as one who demonstrated great concern for his fellow man—especially the "little man" born in poverty and want. To demonstrate such concern for the less fortunate is not always politically popular; but that does not deny the moral imperative to do so. That Lyndon Johnson sought to fulfill this moral imperative is a tribute to his courage and humanity.

President Johnson assumed the high office of President following a national tragedy, and not the least of his many accomplishments was his ability to take hold of the office and carry on the Nation's business during a very trying period. A lesser man might well have been overwhelmed by the magnitude of such responsibilities thrust upon him so suddenly, and in such trying times.

But President Johnson took firm hold of the reins of leadership and moved forward to some of his greatest accomplishments immediately after he became President. His leadership led to passage of legislation outlawing discrimination in places of public accommodation, programs to alleviate poverty, medicare, and health care for the aged, and a program for improving living conditions in Appalachia.

These are the things for which Lyndon Johnson will be remembered. They are his living monuments, and the Nation is highly indebted to him for providing the leadership and determination necessary to bring them about.

It has often been said that Lyndon Johnson's happiest days were spent right here in the U.S. Senate. That is easy to understand when you consider his many legislative accomplishments while serving in this body.

We in Kentucky have always felt a close kinship to Lyndon Johnson. Although he was a Texan by birth he had roots in Kentucky through both sides of his family. The President's grandmother, Elizah Bunton, was born in Russelville, Ky. and later moved to Texas. His mother was Rebecca Baines, whose maternal grandparents were natives of Kentucky.

But whether he is linked to Kentucky or to Texas, his real constituency was the Nation and he served it well.

I think all will agree that he was a dedicated American, who sought what he thought best for his country and his peo-

ple. It is hard to ask any more of a public servant, or of a man.

Mr. BELLMON. Mr. President, President Lyndon Johnson will principally be remembered by many for his role in the Vietnam war. Such narrow identity overlooks the fact that he was a courageous, effective President who was probably the alltime master of the legislative art.

Throughout his long career, he remained a southwesterner. He maintained his direct, sometimes blunt manner, which sometimes caused him problems after he went to the White House.

While I differed with him on occasion, it is my opinion that history will be kind to the record and the memory of President Lyndon Johnson. I feel that our world today would have been a vastly different and less desirable place had he not taken his courageous yet unpopular stand in Southeast Asia and persevered even at the cost of his personal political career.

Mr. HRUSKA. Mr. President, this Senator notes the passing of Lyndon Baines Johnson, 36th President of the United States, with sorrow and regret. I wish to extend my deepest sympathy to Lady Bird, her two daughters, and their children.

We of the Senate will never forget L. B. J. We will remember him as a man driven to achieve greatness by some inner power. We will remember him as a Senator who was perhaps one of the most skilled statesmen to walk and speak in our halls and chambers. We will remember him as a President who could cover 31,500 miles in a 17-day factfinding tour and still remain ready for more work.

He was, indeed, a leader, who as President Nixon has said of him, was a "partisan of principle." Those of us who knew him and sometimes disagreed with him in the Senate can attest to his unfailing principle and devotion to the Republic. He was a man who viewed America's future with optimism.

Although fate has chosen to take him from us at the age of 64, all of us have a responsibility to do justice to his expectations for America. He would have expected no less from us.

We of the Senate shall miss his principle. The Nation shall miss his guidance, expertise, and insight. The passing of a great man is like the stillness after thunder. This Nation is smaller today without Lyndon Johnson.

Mr. MONDALE. Mr. President, this Nation has suffered a tragic loss in the death of our 36th President, Lyndon Baines Johnson.

We have lost a strong man who, by sheer force of character and ability, exercised unparalleled influence over the history of this Nation in the last quarter century.

As Senate majority leader and President, he worked tirelessly to transform the 14th amendment's commitment to racial equality into a living national purpose.

He sponsored the greatest social reform since the New Deal—medicare, medicaid, and expanded social security benefits fo rthe elderly, aid to public education, a national commitment to end poverty and hunger.

And when he saw that the war in Southeast Asia had irrevocably divided the American people, he stepped aside in an unselfish effort to end the war and to unite the American people.

He left us an unfinished agenda for social justice—an end to hunger and malnutrition; decent housing for all American families; safe working conditions, a fair wage and a secure retirement for working men and women; real educational opportunities, and a chance in life for children of all backgrounds.

We will honor the memory of a man who cared deeply about the lives of the American people, who knew and hated poverty, and who longed for the peace which he tragically did not live to see.

Mr. HUGHES. Mr. President, I join with my colleagues and with Americans everywhere in bidding goodbye to a great President and in extending to his lovely wife and family my deepest sympathy.

To me, as to many other Americans, President Johnson was an enigma, but I never doubted his greatness, his devotion to his country, his determination to carry out what he believed to be the right things no matter what effort was required.

Having experienced both his generosity and his anger, I can personally attest to the fact that both were king size. We parted friendly relations over Vietnam. It was an honest difference of opinion that I have always regretted, but it had to be. But this in no sense diminished my admiration for this President's colossal record of service to his country—in civil rights, in medical care for the aged, in elementary and secondary education, in housing, in the alleviation of poverty, in raising the minimum wage, in pioneering environmental protection, and in countless other areas.

To me the most remarkable quality of Lyndon Johnson as President was not his strength as a decisionmaker, which was undeniable, or his skill as a leader—as in his relations with Congress—which was awesome, but in the fact that I always knew he cared, cared about people and the problems they have, including the run of the mill, the afflicted and the victims of discrimination.

And, of course, he built a mighty edifice of laws and administrative acts built on this capacity to care.

As the country is mourning the loss of this very complex and human President, it is reported that the people value programs he innovated and put through Congress with his incomparable skill and energy are now being dismantled and laid aside.

It appears to be true, but in my judgment, this is only a temporary phase. It is probably true that too much was attempted by the Johnson administration in too short a time to help too many people. But thank God, somebody cared enough to make the effort.

As I see it, the idea of the Great Society is not dead. It will rise again, in a different, more workable and lasting form, because the concept fundamentally is right and just and we are a nation of conscience.

And when this concept lives again, it seems to me that it will be the most splendid memorial that any President could have. It could be written as an epitaph that on a big scale, as with everything else he did, Lyndon Johnson cared.

Mr. HART. Mr. President, President Johnson lies in state today just as the war that caused him so much anguish appears to be coming to an end.

History has played a curious trick on us, giving us great cause to rejoice but compelling us at the same time to mourn and sorrow.

The tragedy of this day, January 24, lies in the timing of President Johnson's death.

He died almost precisely at the moment when the dust clouds of an unfortunate war appear to be subsiding. And now, as they subside, they reveal—for the first time to many—the memorials that will honor the name of Lyndon B. Johnson for many generations.

His true memorials stand among us.

They are those millions of black Americans who now vote because of Lyndon Johnson's ceaseless efforts and his devotion to democracy.

They are those millions of Americans who are better schooled today because of his determined pursuit of more educational funds.

They are those other millions who have achieved a greater measure of dignity in their old age because he pressed hard and long for medicare.

Those millions will continue to have a benign effect on the course of the Nation long after the Vietnam war is a footnote in the history books.

When Lyndon Johnson left office, he could look across this country and honestly tell himself, "Well, I fixed something."

That is a sentence, I suppose, that many politicians utter to themselves at one time or another. But Lyndon Johnson had the record to back it up.

If 30 years ago you had asked American blacks to guess the origin of this century's greatest civil rights President, not many of them would have named Texas.

His fervor for equality was not generated by political need, because I suspect he could have slid through in this area by making encouraging noises and symbolic gestures.

He did not.

He had identified the racial problem as one crucial to the survival of the Nation. And he moved. He moved with all the energy and skill at his command—and that was considerable.

As a consequence, we had the Omnibus Civil Rights Act of 1964. In retrospect, that one does not seem much. Its principal concept—one that seems rather quaintly anachronistic in 1973—was that blacks have the right to eat in restaurants and sleep in hotels.

But it forced the Nation to confront the problem. It set events in motion.

And a year later, President Johnson was back to Congress again, this time with the Voting Rights Act. It passed. But when it passed it did not seem as important as the bill that had gone before, for some reason. Perhaps because it was shorter, because it did not have as many titles, because it applied to fewer States.

But I think Lyndon Johnson knew what it would do. He knew it would change things, and not just in the South. Its ripples have now been felt in one way or another throughout the country. And I think we are the better for it, the stronger for it.

Late last year, while driving to a vacation in Mexico with two of my sons, the highway took us through a Mississippi town called Fayette.

It distresses me to admit that I could not immediately recall why the name rang a bell. Then, of course, it came. Fayette had a mayor named Charles Evers.

We stopped. We saw the town. We saw the mayor. We heard the history of the first black administration in the community's history. We talked to whites.

And it is reassuring to report that we could find no indication anywhere that democracy is a mistake.

Charles Evers knew who was primarily responsible for that concept of democracy. And he said he had made it a point frequently to call the L.B.J. ranch and thank the man he held most responsible.

As the years pass, we will all have more and more cause to reflect on Mr. Johnson's accomplishments. They will be about us for generations. And they will not be mere forgotten milestones on unremembered roads. They will be growing oaks that will soften our landscape and shade us for as far into the future as we can see now.

Yes, we will reflect on his career. And as we do, all of us, I think, will become more and more appreciative that he was here—and that he had the wisdom to fix some things that need fixing.

Mr. WILLIAMS. Mr. President, history is marked by islands of time on which are clustered several events of great magnitude which occur, coincidentally, within historical moments of each other; we are living through one of those time islands now.

Less than 1 month ago, our Nation was deeply saddened at the news that former President Harry S Truman had died. But, within weeks of that unhappy time, our spirits were lifted by reports that the awful ordeal in Southeast Asia might soon be at an end. And then, at virtually the same time that the dream of peace was being transformed into reality, we were shocked by the unexpected tragedy of the death of former President Lyndon Baines Johnson.

It is ironic that Lyndon Johnson died 2 days after the expiration of what would have been his second term as President. And it is a cruel irony indeed, that his death came shortly before a treaty to end the war in Vietnam was to be finally agreed to. There can be no doubt that Lyndon Johnson longed for an end to this war as fervently as anyone in this country.

Mr. President, I know I do not have to remind any Member of this body that Lyndon Johnson has left behind him a magnificent legacy of social progress for millions of Americans—and for millions more yet unborn. Virtually his entire life was dedicated to public service; it was a career marked by compassion for human needs, and a fierce dedication to making the promise of America a reality for all Americans.

Lyndon Johnson summed up his philosophy of government in a speech he made near the beginning of his full term as President in 1964, when he said:

> I want a happy nation, not a harassed people—a people who love instead of hate—a people who are fearless instead of fearful—men with pride in their ancestry and hope for their posterity—but humble before their God and concerned always with the wants and needs of their fellow human beings.

Mr. President, Lyndon Johnson's life in itself was an embodiment of the American experience. His ancestors helped settle the West, and he grew up living close to the land. He started work as a construction worker, went on to become a teacher, and was introduced to National Government as a congressional staff member during the depths of the depression. He went on, of course, to become one of the most powerful leaders this body has ever had, and then to the highest office in American political life.

Those of us who were privileged to serve in the Senate when Lyndon Johnson was majority leader, and later when he was Vice President and then President, know very well that he was a grand master of the political process. The politics he practiced was sometimes rough, usually colorful, and almost always effective. He knew better than any of us how to pass legislation, and he used his skill to its utmost to compile one of the most magnificent legislative records in our Nation's history.

Lyndon Johnson knew the needs of average Americans, and the legislation he worked for was addressed to those needs. He was an ardent supporter of the kind of economic reforms begun by Franklin Roosevelt's New Deal, and he was one of the first Members of Congress to recognize the urgent need for legislation to erase discrimination in all phases of American life.

When the tragedy in Dallas left Lyndon Johnson heir to the Presidency, he was scrupulously loyal to the programs he inherited from John F. Kennedy. And when he won a great mandate to his own term in the White House, he consolidated his dreams for America in a program he called "The Great Society"; it was a program he described this way:

> The Great Society asks not only how much, but how good; not only how to create wealth but how to use it; not only how fast we are going, but where we are going.

Lyndon Johnson was more successful than probably any President—with the possible exception of his hero, F. D. R.—in getting his program enacted into law. As one who was privileged to play some part in achieving passage of that great and visionary program, I can only say that it was a unique and memorable experience. The great legislation on education, civil rights, economic opportunity, health care for the elderly, environmental quality, and housing and urban development, which was passed during those years, stands today as a monument to Lyndon Johnson's Presidency.

Mr. President, perhaps the most fitting description we can attribute to Lyndon Baines Johnson is to say simply that he cared deeply about all the people of our country, and did all in his power to make their lives better. I join today with my colleagues in expressing the deepest sense of personal loss at his death, and extending my sincerest condolences to the Johnson family.

Mr. FONG. Mr. President, I join my colleagues in paying tribute to former President Lyndon B. Johnson, whose sudden death this week at age 64, shocked all of us.

It was my privilege to know Lyndon Johnson as majority leader of the Senate, as Vice President, and as President. I was always impressed by his warmth and charm and friendliness to me, and I am deeply saddened by his death. America is the poorer to lose such a dynamic elder statesman. We had hoped to have the benefit of his counsel for many years to come.

To capsulize the life and achievements of this dynamic and complex man through his 31 years of public service in the legislative and executive branches of our National Government is difficult indeed. This we can say: our Nation owes him much.

Certainly those who lived through the horror of the assassination of President John F. Kennedy will always be grateful to Lyndon Johnson for the masterly manner in which he promptly and firmly took hold of the reins of government. We could have had chaos and turmoil. Instead we had order and continuity and inspiration. Through his courage, strength, and skill, Lyndon Johnson rallied the American people to weather the tragedy an assassin's bullet had inflicted upon us. His conduct and leadership during those difficult circumstances were exemplary.

Lyndon Johnson leaves a record of tremendous achievements and some disappointments, the most notable of course his failure to end the war in Vietnam that he inherited. He felt he had done everything he possibly could, including sacrificing a bid for a second elective term, to no avail. Yet it is a mark of the man that he would not settle for a peace that would only be surrender in disguise.

On those other issues that remain unfinished and controversial, only time and future events will give us the necessary perspective and tell us whether he was right or wrong. At this time, however, there is no doubt that in the death of Lyndon Johnson, our Nation has lost a leader whose life was marked by enormous energy, vitality, and a capacity for leadership few men possess.

We know he was a master of the legislative process as his effective tenure as majority leader of the Senate attests. And, as President, his knowledge of Congress and Congressmen enabled him to push to enactment a record number of new domestic programs.

The Civil Rights Act of 1964 and the Voting Rights Act of 1965 stand as noble monuments to his tireless work as President in behalf of all Americans.

Imbued with a deep-rooted love of America, he was a man in the familiar tradition of our country, rising from

humble beginnings to the highest elective offices in the land. And it is to his everlasting credit that he never forgot his humble origins. Undoubtedly his zeal for wiping out poverty and his strong support of better education for all had their roots in his early life. Those American citizens disadvantaged by color, race, or poverty knew that in Lyndon Johnson they had a stanch champion.

Born and raised in the dirt-poor hill country of central Texas, Lyndon Johnson knew what it was for people to scratch for a living. But he also knew that in America a person could get an education and work his way up. Throughout his public career, he strove mightily to widen that opportunity for those Americans in need.

Lyndon Johnson was a big man from big country. Six feet two inches tall and large of frame, he came from Texas, our largest State until Alaska entered the Union. He thought big. He planned big. His horizons were so big they had no finite limits. He dreamed big dreams for America and he labored tirelessly to make those dreams come true.

It was this capacity for dreaming big and thinking big that enabled Lyndon Johnson to embrace enthuiastically the idea of statehood for Alaska and Hawaii. While others clung to a United States of America with only contiguous States, Lyndon Johnson saw the feasibility of accepting noncontiguous Alaska and mid-Pacific Hawaii. Lyndon Johnson was one of the architects of statehood for Alaska and Hawaii. I am sure I speak for all citizens of Hawaii when I say the people of the 50th State will always have a special aloha for Lyndon Johnson.

Just as Lyndon Johnson led the drive for statehood for Alaska and Hawaii in 1959, so in 1960, he made possible enactment of legislation to establish in Hawaii the Center for Cultural and Technical Interchange between East and West. He agreed that Hawaii, a crossroads between the United States and Asian-Pacific lands, should be the site of a Federal institution supported by the people of America to promote understanding between our people and our neighbors in Asia and the Pacific. The East-West Center has been in operation for more than a decade in the work he envisioned.

Many years ago, when ground-breaking ceremonies were scheduled for the East-West Center, President and Mrs. Johnson agreed to attend and they invited Mrs. Fong and myself to fly to Hawaii with them and join in the ceremonies. The aircraft assigned us had only two sleeping bunks. President Johnson insisted that Mrs. Fong and I take one of the bunks and he and Mrs. Johnson would take the other. We, of course, demurred and tried to persuade them to keep both bunks. But in his customary generous and warm-hearted way, President Johnson would not take "No" for an answer. He and Mrs. Johnson gave up one bunk so that we could be comfortable. It is such acts of kindness that we recall on this sad occasion.

It is little wonder that in 1964, Hawaii gave Lyndon Johnson an overwhelming vote of thanks and confidence. In his election campaign, 79 percent of Hawaii's voters cast their ballots for Lyndon Johnson.

We in Hawaii are very, very sorry to lose such a stanch friend and we bid him a sad aloha.

My wife Ellyn joins me in extending to Mrs. Johnson, to daughters Lynda and Luci, and to their families our deepest condolences in their bereavement. We know how proud he was of them and how much comfort he derived from their love and loyalty.

Mr. CHURCH. Mr. President, the death of former President Lyndon Johnson leaves a great void, nowhere felt more poignantly than in this Capital.

For it was in Washington that Lyndon Johnson pursued his remarkable career during most of his adult life. And it was here in Washington that his friends were legion, his talents most appreciated and best understood.

As a man, Lyndon Johnson was bigger than life; as a Senator, he was bigger than Texas; as majority leader of the Senate, he soon became the second biggest man in the Government. Only the Presidency itself was cut to fit his size.

The irony is that the people never knew Lyndon Johnson for what he really was, a man of warmth who cared deeply about the dispossessed. The public could not know the private Lyndon Johnson, so pungent, volatile, folksy, and sentimental.

I will remember him for these intensely human qualities; for the leadership he gave to good causes such as civil rights; for the landmark legislation he pulled through Congress, medicare for the elderly and better education for the young.

His life, so full of struggle, was buoyed by the constant companionship and encouragement of his faithful wife, Lady Bird. She matched his energies and shared his ideals. To her, their children, and grandchildren, my wife, Bethine, and I extend our heartfelt sympathy.

Though we differed on the question of the war, my regard for Lyndon Johnson never faltered. He was a giant of a man, and I will miss him.

Mr. MUSKIE. Mr. President, Lyndon Johnson was, in many ways, larger than life. In a political career spanning nearly four decades, he exemplified so many of the attributes commonly associated with his beloved State of Texas—flamboyance and pride, coupled with enormous charm and a canny perception of the frailties and strengths of those with whom he worked.

All of us who worked closely with him marvelled at his energy, respected his vigorous dedication and were amazed by his tenacity and persuasive qualities. During his 12 years as majority leader, we could be sure that when Lyndon Johnson promised a night-long session, we would be at our desks through the night. He was totally absorbed in his work, and I suspect that if it had been within his power, he would have created 25-hour work days.

His personality enveloped the Senate, and it will be a rare leader who will run the Senate Lyndon's way again.

He proved here that he was master in the art of the possible, but he also demonstrated that he had dreams and the courage and talent to make many of those dreams reality.

After the tragedy in Dallas, Lyndon Johnson was thrust without warning into the Nation's highest office. He met the challenge with characteristic energy, vision, and remarkable strength of leadership. And he presided with great personal dignity over the most tumultuous and troubling period in recent American history.

He understood that continuity was vital to the country and the world, vital to demonstrate the durability of our institutions and the stability of our society and our political mechanisms. President Johnson's first message to Congress began with the ringing:

We shall continue.

And he did continue. His mastery of the intricacies of the Senate and Congress' responsiveness to programs begun by President Kennedy provided some momentum, but his ultimate success came for his own deep commitment to the American system and to its political institutions.

Lyndon Johnson was a big man: in body, in vision, and in ambition. His ambition stretched far beyond himself to his country. He dreamed not just of a new society, but of a Great Society, one that dealt justly and shared its riches widely with all its citizens.

The simple, inescapable fact was that this big man cared, and he cared intensely, about the farmer in Iowa, the fisherman in Massachusetts, and the rancher in Texas, and the disadvantaged of all colors, all of whom shared the same hopes and harbored the same fears. It was the task of political leaders, Johnson said in 1964, to make Americans aware of their fundamental unity of interest, purposes and belief. And it was his highest ambition "to satisfy the simple wants of the people." He demanded a better quality of life for those Americans, he saw ringed into ghettos of indifference, of prejudice, of ignorance.

A distinguishing quality of a great free society is its freedom to experiment, freedom to make mistakes, freedom to change direction, to back away from failure and to enlarge on success. President Johnson had the courage to risk uncertain results in his determination to find bold new ways of reducing domestic problems of staggering complexity and magnitude—problems stemming from quiet words—poverty—hunger—education—opportunity.

Most importantly, Lyndon Johnson made a commitment to those American society had treated unfairly. "We shall overcome," he said. And he put those words into action, enacting sweeping civil rights reforms which America is still building on today in order to make this a truly just society.

When history judges Lyndon Johnson, I am certain that that effort will not be forgotten.

All of us who knew him have personal recollections of his unique personality. I came to know his bite and his bark, his warmth and his charm, his icy disapproval and his overgenerous praise. He

was the most fascinating human being I have known in my political life.

So many of us shared with him the tragedy of the war which marked his Presidency so indelibly. I was always conscious of his agonizing desire to know what was right; and now history must write the final judgment.

Mr. HOLLINGS. Mr. President, I was both surprised and saddened to learn of the untimely passing of Lyndon Baines Johnson. Coming so closely as it does to the death of another of the architects of modern times—Harry S Truman—President Johnson's passing leaves a certain silence on our tongues as well as a pain in our hearts. The words to express any judgment on the tumultuous events of the Johnson years come slowly. So close are we to the events themselves that we are denied the luxury of perspective and judgment. It remains for the future to determine the outcome of the many fateful decisions it was Lyndon Johnson's destiny to make.

As Congressman, Senator, majority leader, Vice President, and finally President of the United States, Lyndon Johnson was a man of true compassion. He cared greatly about people. At the pinnacle of power, he never forgot the underprivileged and downtrodden. Indeed, once he found himself in a position to really make a difference, he bent his every effort to improving the lives of those who needed help. No President was more passionately committed to improving the health and education and housing of the American people. None was more convinced of the essential equality of men. And none did more to insure that every American—regardless of race—enjoyed the blessings of liberty and democracy.

Lyndon Johnson was—more than most men—a son of the soil. Time and again throughout his life, he returned to the Texas hill country for sustenance and reinvigoration. From his early experiences with friends and neighbors who had to struggle to survive, he drew his fundamental faith in the goodness of people.

He knew that given a chance, most Americans would work long and hard to vindicate the hopes and dreams of those who built America. He knew the American dream was reality because he lived it.

His experiences as a young man developed in the future President a sincere and intense love of country. Lyndon Johnson was a patriot. He was proud of America, and he did what he believed was right for his country. Never a prisoner of party, Johnson was—as President Nixon observed so well—a partisan of principle. As majority leader of the U.S. Senate, Johnson developed a fine working relationship with President Dwight Eisenhower. It was a case of two men rising above party and dedicating themselves to the greater good.

Many of President Johnson's decisions were highly controversial. None, of course, knew this better than the President himself. I think immediately of the tough decisions on Vietnam. The wisdom of some of those decisions will long be debated. But one thing is certain—President Johnson made his decisions with the well-being of his country uppermost in mind. When he realized in 1968 that his continuance in office might make it even more difficult to achieve a peace, he decided to forgo the Presidency by not running again. It must have been a difficult decision for a proud man to make—but he stuck with it because he believed it was the right thing to do.

Probably my most vivid and enduring memory of the Johnson Presidency is the leadership given in the wake of John F. Kennedy's assassination. In a time of confusion and fear, Johnson provided direction and assurance. He assumed the reins of government with confidence; he provided a program; and he immediately got down to the business of first calming—and then moving—a nation. His address to the Congress just a few days after the assassination is among the most moving and eloquent addresses in all the annals of the Presidency. It did credit to Johnson, and Johnson did credit to the Nation.

Now, in this Chamber that he loved so much, we mourn the passing of another of the giants. He was a controversial man in difficult times, but Lyndon Johnson never recoiled from either controversy or difficulty. He was more than willing to have his case submitted to posterity. He died confident in the belief that history would vindicate his actions. I am sure that history will smile upon much of the Johnson legacy, and I am consoled by the thought that this true patriot kept his confidence and pride in country to the very end. Mr. President, I join the Nation in mourning the passing of Lyndon Johnson, and I extend my condolences to the Johnson family.

Mr. SYMINGTON. Mr. President, those of us who enjoyed the friendship of our late President Lyndon B. Johnson knew of his incredible capacity for hard work, his rare natural gift of leadership, his determination to carry out the programs he felt wise and good for the people, especially the little people, of America.

No American, no citizen of any country at any time in history, has ever done more to improve the lot of millions of his fellow men and women.

A large part of his great success as a statesman resulted from his fortunate marriage. The inspiring lady who stood by his side for so many years was equally responsible for the love story that has become a saga in the history of the country they both loved so well.

To her, to the daughters he loved so ardently, and to his family, speaking for his legion of friends in Missouri, I extend my heartfelt sympathy.

Mr. McCLELLAN. Mr. President, Lyndon Baines Johnson is dead—and we are all diminished by his passing. Today, the Nation mourns a lost leader—and I have lost a friend. Coming so soon and so unexpectedly after the death of Harry S Truman, the only other living former Chief Executive, Lyndon Johnson's death leaves a sorrowful void in American life.

It is altogether fitting that we pay tribute to him in this Chamber. Lyndon Johnson loved the Senate. Here he spent some of the happiest and most rewarding years of his life—as Senator from Texas, member of the Committee on Appropriations, where we served together from 1956 to 1961, majority leader and, finally, as Vice President. Few men have known and understood the heart and mind of this body so well.

Many of us here today knew him as a colleague and were proud to call him our friend. We all have memories of this tall Texan, who often seemed to embody in himself all the exuberance associated with his native State. Sometimes, both as a colleague and as President, we disagreed with him—but I am firmly convinced that none doubted his sincerity or his conviction that whatever he was doing was in the best interests of the American people.

Lyndon Johnson's life was a fulfillment of the American dream. When he summoned the Nation to a war on poverty, he knew the enemy at first hand. He had been born in a three-room house in the back-country hills of Texas. When he introduced legislation to improve our schools, it was based upon his own experience. A hard-won education had set him on the path to leadership.

Lyndon Johnson was a son of the frontier. This is not so much a geographic place as it is a symbol—a symbol of America's confidence that beyond the moment, over the horizon, the world will be brighter, the future better.

The United States has become a more populous and far more urbanized nation, but Lyndon Johnson labored to preserve the heritage of the frontier. Open country, clear skies, clean streams, equality of opportunity, the dignity of the individual, the commitment to justice for all—are derived from this legacy.

Lyndon Johnson believed that political unrest, economic uncertainty, and social upheaval have not dulled the values that our historical experience has taught us.

I am reminded of something that Lyndon Johnson once wrote in a forward to "The Texas Rangers," a book by his good friend and fellow Texan, Dr. Walter P. Webb, where he recalled that one Ranger had defined courage as "a man who keeps on coming on."

Lyndon Johnson said:

> You can slow a man like that, but you can't defeat him—the man who keeps on coming on is either going to get there himself, or make it possible for a later man to reach the goal.

In these challenging and perilous times, free men everywhere might profitably consider this motto. We cannot be certain we will reach and fulfill the goals of our society or the ideals upon which our system stands. But we can, by dedication and commitment, be the kind of people who "keep coming on."

Mr. President, Lyndon Baines Johnson was such a man.

Mr. HATHAWAY. Mr. President, Lyndon Johnson's life was a chronicle of great achievement. Like all men who are doers, he knew the taste of both victory and defeat; of great satisfaction and deep despair.

He will be remembered most for his

passionate commitment to social justice; for his efforts to redeem our national pledge of equal justice and protection under law.

While the great personages of the world will eulogize him, the lowly will recall him as one who, with unprecedented zeal, sought to better educate our young; feed our undernourished, improve the condition of our poor, and eliminate the barriers to equal opportunity in our society.

Lyndon Johnson envisioned a great society for America, one in which the promises set forth by our Founding Fathers will finally be fulfilled.

This vision is his legacy to us. He pointed the way and led us part way down the path. It is now incumbent on us who labor in these halls he once trod to honor him in the manner most appropriate to this body—by continuing his efforts to build a country "with liberty and justice for all."

Mr. PERCY. Mr. President, I join with my Senate colleagues here today and Americans from every part of the country in mourning the death of President Lyndon Baines Johnson. In the short time since the President's death, I have been remembering my personal encounters with him and rereading the accounts of his life—from his boyhood in the Texas hills to the zenith of his career in the White House. In my opinion, no single sentence has captured the whole of the man's personality and accomplishment more effectively than the comment his wife made when she was recounting their whirlwind courtship and marriage. She said:

Sometimes Lyndon simply takes your breath away.

Lyndon Johnson's astonishing career in the political arena did, indeed, take away the breath of all who followed it. As a young Congressman, he carefully watched and absorbed the way the political process operates in the Congress. Under the tutelage of such political greats as President Franklin Roosevelt and House Speaker Sam Rayburn, young Congressman Johnson developed into the greatest politician of them all.

As he rose through the ranks in the Congress until he became the powerful Senate majority leader, he learned the political art of bargaining and compromise as no other man had done. And as his influence grew, so did his compassion and his understanding of the average citizen and his needs.

There is no need to recount here the circumstances of his accession to the Presidency. But it is good to remember that he presided over the country during that difficult, painful time with an uncommon grace and a strength which enabled all of us to move out of our anguish over President Kennedy's death and move forward to accomplish so much of the program he had hoped to achieve.

Lyndon Johnson took the reins of Government and channeled our energy toward solving the massive social problems that had come to a head in the early 1960's. As was his wont, he took on the issues with gusto, sending to the Congress for consideration and action more social legislation than any President had ever offered. Out of this highly productive time came the most important civil rights legislation ever enacted in this country. He saw the need for quality housing and fought for legislation that would make that possible. He knew the needs of the elderly and the poor of this country, and he offered the medicare program as a solution.

It is safe to say that no President, not even his teacher and hero Franklin D. Roosevelt, compiled a greater record of domestic legislation than Lyndon Johnson.

It would be less than honest in any discussion of President Johnson not to mention the Vietnam war, which was to divide our Nation and end one of the most extraordinary political careers in our history. I, along with many other Americans, am sorry that President Johnson did not live to see the end of this war. I did not agree with his policies in Indochina, but I believed him when he said that no man living wished more profoundly for an end to the war than he did.

Lyndon Johnson was a powerful man. Although he has been far from the public eye on all but the rarest occasions since he left the White House just 4 years ago, we shall all miss the presence which once dominated our lives. He was a good man, who did what he believed was right in every situation, both when the public, whose admiration he desired so intensely, was with him and, in the end, when it was turned against him. His devotion to principle should be a lesson to every one of us here.

It took a man of Lyndon Johnson's imagination and magnitude to call for the creation of a great society. If he did not see the fulfillment of his dream of a great society; if that dream was shattered by the sheer profundity of the problems all Americans faced; if, indeed, the great society he longed for took second place while he waged a war that fewer and fewer Americans believed was right, he should have—and I deeply hope he did—take pride, great pride, in the fact that he made this country better for his efforts.

Mr. President, Mrs. Percy and our children, to whom the entire Johnson family was always very kind, join me in extending to Mrs. Johnson and her children and grandchildren our deepest sympathy in this time of sorrow. I hope that they can take some measure of comfort in the realization that their unfailing devotion to him was returned in full measure.

Mr. FANNIN. Mr. President, Lyndon B. Johnson was a remarkable man who worked mightily to improve the Nation he loved.

His life itself was a fulfillment of the American dream—from humble origins to schoolteacher to Congressman to Senator to Senate Leader to Vice President to President.

He was—and I say this with greatest admiration and respect—perhaps the most effective politician in recent American history.

For himself and for the Nation he set lofty goals and he had the capacity to bring about the means he believed would achieve these goals.

He sought to wipe out discrimination, to eradicate poverty, to advance medical care, and to improve education in America.

Abroad, he vowed to keep America's commitment to help defend free nations against aggression.

Once committed to these goals, President Johnson remained steadfast even when he was abandoned by former supporters when the going got rough.

As a member of the opposition party I often differed with President Johnson regarding his programs for achieving national goals, but I certainly agreed with him on the objectives.

As President Nixon has observed, it is especially saddening that Mr. Johnson passed away on the eve of the announcement that a peace agreement has been reached in Vietnam. President Johnson sacrificed his political life in his determination to bring the Vietnam war to a conclusion. It is ironic that on this day when we celebrate the reaching of a peace agreement we also mourn the death of the man who suffered and struggled so long to resolve this conflict.

In my experience with President Johnson he was always very cordial. He was a man who lived and enjoyed life to the fullest.

Mr. President, I mourn the passing of this man whose brand is on such a long and important segment of American history. I join the Senate and my fellow Americans in extending condolences to Mrs. Johnson and members of the family.

Mr. YOUNG. Mr. President, this is a sad day for the Senate of the United States. Death has taken one of our great men of this country, President Lyndon Baines Johnson.

He was one who for most of his life served as a devoted, dedicated, and able public servant. He was one of our ablest and best liked majority leaders of the Senate.

President Johnson was the most personable and likable President in my time. He was the easiest to contact and visit with. Part of this was because we were so closely associated for many years while he was in the Senate. Following his years as a great leader of the Senate, he was to be elected Vice President of the United States, during which time he endeared himself to Members of the Senate even more—if that were possible.

No President ever was responsible for getting more domestic programs enacted by Congress. He fought very hard for many of them, even though they were not always popular in his own State, because he believed they were right and necessary.

President Johnson was the closest to agriculture and rural America of any President I have ever known. He was a man of the soil and this had much to do with his overall philosophy of life.

He succeeded to the Presidency at a most difficult time when we were already halfway into the war in Vietnam. He inherited many top government officials who were very war minded. Largely because of this, he got deeply involved in the war in Vietnam and I cannot help but believe this had much to do with the decisions he later made. I am sure this kindly, considerate man wanted more

than anyone to end our involvement in this unpopular war.

I share the sadness of all of the Members of the Senate in the passing of this great man.

I cannot help but feel that history will deal kindly with his long record as a public servant, and particularly in his capacity as President of the United States.

Patricia and I extend our deepest sympathy to his beloved wife, Lady Bird, and all of his wonderful family.

Mr. BROCK. Mr. President, I deeply regret the passing of former President Johnson.

While our Nation's flag is still at half-mast in mourning the passing of former President Truman, we have lost another leader.

Lyndon Johnson was a unique man of the Congress. While his Nation honored him by electing him Vice President and President, it was in the Senate that his mastery of the political process was displayed most keenly.

Thrust into the Presidency by the tragedy of assassination, he led the Nation through many troubled days. History will record his strength and ability under the most difficult circumstances.

My deepest sympathy goes to his family and many friends.

Mr. JAVITS. Mr. President, "The greatest civil rights President since Lincoln," said Roy Wilkins of Lyndon Johnson. High praise from the head of the NAACP to the first southerner to sit in the White House since reconstruction, but those of us who served in this body during the midsixties and who worked with him to enact landmark civil rights legislation would agree.

President Johnson did not originate the comprehensive 1964 act, he inherited it—the work of many civil rights advocates and the legacy of President Kennedy—he made it his first legislative priority. He urged, pleaded, cajoled, demanded, and implored the Congress—and his commitment and leadership played a large part in winning the votes we needed for cloture and passage. He also provided the moral leadership which moved the American people not simply to accept, but to demand the civil rights revolution of the sixties. The phrase may be cliche now, but those of us who were present at the joint session of Congress on March 15, 1965, will never forget the words of the President still shocked by Selma: "We shall overcome." We knew then, for he had promised in the language of the movement itself, that his commitment was moral as well as political, that he understood personally the cause of the black Americans who had suffered so much and that his determination to see justice done was formidable. We passed the Voting Rights Act, and he enforced it to the hilt.

His initiatives in the war on poverty, his advocacy of medicare and medicaid, the Job Corps, the Headstart program, and his support of large-scale Federal aid to education are all major milestones in American history. They reflect a deep and real concern for people, especially the poor and disadvantaged.

His responsibility in the Vietnam war will be better understood, especially by those who differed with him, as an intense loyalty, according to his lights, to the principle of self-determination of peoples, which he held most dear.

When history is written, I believe the greatest achievements of his administration will be the Civil Rights Acts of 1964, 1965, and 1968. Just last month, in addressing a convocation at the Johnson Library in Austin, President Johnson spoke with pride of these achievements, and with hope for the future of racial harmony in America. When we do achieve complete equality of opportunity for black and white, rich and poor, it will be in large measure due to the progress we made during Lyndon Johnson's Presidency.

Mr. HARTKE. Mr. President, with the passing of Lyndon Baines Johnson the Nation and the world have lost a most courageous and energetic leader. The final clouded and stormy years of his Presidency cannot belie a life of service to the American people. President Johnson took great strides toward full racial equality for all Americans. He focused our attention on the persistent problems of poverty and left us an enduring dream of a better America. History will long remember President Johnson as one of the powerful political figures in our Nation, but today let us remember him as spokesman for the underprivileged and the neglected.

Mr. COOK. Mr. President, for the second time in a period of weeks our Nation is steeped in mourning over the passing of a great leader. The sudden and untimely death of former President Lyndon Baines Johnson is a tremendous loss to our great society which he worked so diligently to improve. His contributions to domestic projects in America will have an impact on all of our lives for many years to come.

A forceful leader, Lyndon Johnson was able to set aside parochialism and partisanship as he attempted to apply the doctrines of equity and fairness across the entire spectrum of American society. He met every challenge with dedication and forthrightness and never acted other than to promote the best interests of all people. When finally beset by a nation in turmoil, he chose to dedicate all his energies to the resolution of internal and foreign conflicts rather than to engage in partisan political activity. This was perhaps one of the most difficult decisions ever made by a Chief Executive of the United States. That action typified the devotion to duty which Lyndon Johnson obviously felt. The memory of his leadership and spirit will continue to serve as an inspiration to the American people.

Mr. INOUYE. Mr. President, the death of Lyndon Baines Johnson marks the passing of a great and a good man and the loss of a personal friend. He left his deep imprint upon this body, upon our Nation's Capital, and upon our country. Lyndon Johnson was a big man who felt strongly about the Senate, about our Government, and about our Nation.

It was also very difficult, if not impossible, not to feel strongly about Lyndon Johnson. I did and I liked him, respected him, and admired him. I admired his tremendous energy, knowledge, and drive. But most of all, I admired his deep commitment to the principle of human equality.

The steps which our Nation took under his tireless prodding toward making it possible for all of our people to walk upright in full participation and citizenship truly marked a second proclamation of emancipation. It was, therefore, particularly appropriate that his last major public appearance was to be at ceremonies for the opening of his civil rights papers this past month.

At that time he said:

> We know there is injustice. We know there is intolerance. We know there is discrimination and suspicion and division among us.
>
> But there is a larger truth. We have proved that great progress is possible.

And he added:

> We know that much remains to be done.

Despite his achievements in this field of endeavor—achievements unequalled in modern history—Lyndon Johnson was not satisfied. A mark of his greatness, and of the depth of his concern, was his unwillingness to rest on the laurels of half-way measures and half-met goals.

And although the road to his envisioned Great Society proved to be a very long and difficult one, it must be said of Lyndon Johnson that he had the courage to embark upon it. He not only had the courage to begin that journey but the will to drive ever forward even when the going proved stormy and rough. His was not the dedication of the fainthearted. His was not the patriotism of the summer soldier.

It is my firm belief that the trail which he blazed, the benchmarks to progress which he erected thereon, will remain long and beyond the efforts of lesser men who flee that field of endeavor in a denial of responsibility and in a search for escape from conflict.

Lyndon Johnson had a voracious appetite for involvement and for action. As he once remarked:

> To hunger for use and to go unused is the worst hunger of all.

While even he was not able to shape all of history's forces to his indomitable will he has left us a rich legacy indeed. Enriched by his presence, warmed by his friendship, we are much saddened by his passing. The Halls of this Congress, the streets of this city, and the highways and byways of this Nation, will not see the equal of this man for many a year.

Mr. BURDICK. Mr. President, words cannot do justice to the accomplishments of Lyndon Johnson as Congressman, Senator, Vice President, and President of the United States.

His true monument will not be one of stone. It will be in the way his dreams and achievements touch the daily life of American citizens. Because of Lyndon Johnson and his works, our elderly look forward to increased financial security and improved health care; millions of young people can give thanks for better educational opportunities; members of minority groups can hold their heads high; and residents of the most under-

developed areas of the country have been given some hope for improved lives.

Through the years he held steadfast to his belief that this country was one that should offer opportunity for all people, rural and city, black and white, young and old.

And Lyndon Johnson was the true friend of the farmer throughout his career. He had firsthand knowledge of the hazards and problems farmers face. He strongly supported rural electrification, farm commodity price supports, soil and water conservation, and the programs of the Farmers Home Administration. He believed in the development of rural areas and communities as well as the rebirth of urban areas.

The problems of people shaped the course of Lyndon Johnson's life and in return his labor and energy and vision helped shape the lives of millions of his countrymen for the better.

We must make sure that these accomplishments are not obscured by the tragedy of a war which he tried vainly to bring to a conclusion.

My heartfelt sympathies go out today to that great lady, Mrs. Johnson, and to her family.

Mr. BAKER. Mr. President, former President Lyndon Johnson was a man of great actions and great expectations. He was one of the most energetic and effective Presidents this Nation has ever known—a skilled legislative leader and a strong Chief Executive who worked untiringly to translate his beliefs into solid accomplishments.

In both triumph and tragedy, President Johnson was a man satisfied with nothing less than attempting to move the Nation at the same hectic pace he required of himself. He was an ambitious man in the best sense of the word. He set great goals and committed his time and his talents to their fulfillment.

As a champion of the disadvantages, Lyndon Johnson had few equals. He helped bring about the enactment of the greatest volume of social reform legislation in the Nation's history. He acted boldly and with compassion in the fields of job training, education, poverty relief, health care, civil rights, urban development, and care for the aged. If he fell short of achieving his Great Society, it was not for a lack of good intentions.

President Johnson was a man characterized by his commitments. As Senate majority leader during President Eisenhower's administration, he played an important and responsible role as the leader of the loyal opposition. He was a dedicated partisan who rose above partisanship to meet his commitments to the Nation.

As Vice President under President John Kennedy, Lyndon Johnson was dedicated to an activist role. Serving as an international good will ambassador, Chairman of the National Aeronautics and Space Council, and a spokesman for the National Government, he helped to further elevate the office of the Vice-Presidency.

Thrust into the Presidency at a time of tragedy, President Johnson accomplished a smooth changeover in the national leadership which encouraged and inspired his fellow citizens. He carried out his commitment to the unfinished work of his predecessor and went beyond in attempting to fashion a society dedicated to his concepts of social reform. At the same time, he dedicated himself to other commitments abroad with the same intensity. That he never accepted limitations of what he felt could be accomplished through the exercise of national power was the source of his greatest achievements and his greatest sorrows.

Lyndon Johnson stood by his commitments to what he believed to be the best interests of his Nation, even in time of great national conflict over his foreign and domestic programs. In the end he laid down his career to help seek a peaceful settlement of that most perplexing conflict in Southeast Asia.

The passing of such a renowned national leader is always a somber experience, but it is especially sad at this instance. We are now achieving that peace abroad which eluded President Johnson and which he so sincerely sought when he stepped down.

President Johnson deserves to be remembered as something more than the last casualty of the Vietnam era. With the coming of peace, the Nation will have the opportunity for a more objective evaluation of this man and his administration.

He showed us what could be accomplished through Government action—and what could never be accomplished through Government action. He showed us what Government could do for the people—and we learned what people, and nations, must do for themselves. If we have not yet achieved the Great Society, we can work to build a better society—and perhaps this commitment will be Lyndon Johnson's most fitting memorial.

Mr. MONTOYA. Mr. President, we are gathered today to pay homage to a great man. A man who we all respected and one whom many of us here knew personally.

For all of us, the death of Lyndon Baines Johnson is a profoundly saddening event.

But for me, the death of this great man is especially poignant. I was proud to know President Johnson as a friend. I spent many hours in his company at his home where I learned to know him as a warm and compassionate man.

The public record of President Johnson's administration was a true reflection of the private record of the man.

President Johnson, during a career in public office that spanned more than three decades and reached the apex of American political life, never forgot his humble origins in the hill country of Texas. He never forgot the people back home—and for him "back home" meant all of the United States, while the people meant all the people.

During his long career, President Johnson was often faced with decisions that would make a smaller man shrink away and allow the tides of history to carry him along.

But confronted with the giant and enormously complex problems of America in the 1950's, as Senate majority leader, and the 1960's as Vice President and President, President Johnson took the bull by the horns and sought solutions instead of procrastination. He was a man who recognized that problems must be solved, not merely identified.

His response to the problems facing America was a galaxy of legislation that reflected all the best things in him and his dreams for America.

An end to poverty, equality for all Americans, better social security benefits and increased medical care were goals that motivated President Johnson.

These goals sprung from the innermost depths of President Johnson. But without his political acumen and plain commonsense, they would have remained little more than goals and dreams for millions of Americans.

The legislation that President Johnson sponsored and saw passed stands as a true and honest memorial to him.

Although in recent years, President Johnson had lived a private life, he was always ready to offer his wise counsel when it was sought. He stood like rock anchoring an important part of America's social fabric.

My family and the people of New Mexico join with me simply to say to President Johnson: Vaya con Dios. We will miss you.

Mr. JACKSON. Mr. President, I wish to join my Senate colleagues today in tribute and heartfelt remembrance of Lyndon Johnson. It was my good fortune to serve with him in the House as well as here in the Senate and to witness his steady and remarkable growth as a skilled and dynamic legislative leader. As majority leader of the Senate he knew how to get things done. He was a master of the legislative process—he consulted, he urged, he prodded, he beguiled, and the Senate responded. He was the greatest legislative leader in all our history.

I can think of few men who so completely embodied those qualities we think of as quintessentially American. Like America itself, he proceeded on the basis of large dreams, and tried to move the country toward them with boundless energy.

Lyndon Johnson assumed the Presidency in a traumatic and difficult hour. But he rose to the challenge. Under his administration, our Nation moved to correct social injustice, improve health care, advance educational opportunity, expand conservation efforts and launch new environmental programs. Tragically, the division in this country over the unfortunate and long-drawn-out Vietnam war tended to obscure Lyndon Johnson's great domestic achievements.

Certainly, Lyndon Johnson was a controversial figure. But the debate over the wisdom of his policies became for many an opportunity to abandon constructive criticism for harassment and abuse. Few of our Presidents had to endure this kind of purely personal animosity.

It is tragic that Lyndon Johnson could not have lived 48 hours longer to see the Vietnam agreement.

Lyndon Johnson was a strong man who put his own indelible stamp of leadership on everything he did. I believe history will judge him a great President.

Mr. DOMINICK. Mr. President, having

served in the House and Senate for 8 years while Lyndon Johnson was Vice President and President, I have many bright memories of him and of his lovely wife whether we were in agreement or disagreement on specific issues.

President and Mrs. Johnson came to Colorado on one occasion about a year after the 1964 Civil Rights Act had passed with my strong support. We drove through a fine residential area of Denver to which many blacks had moved following the passage by the State Legislature in 1959 while I was serving there. Mrs. Johnson was so pleased with the area and we discussed at length the upward surge which I believed the 1964 Civil Rights Act would insure for the minorities opportunities which we both thought was imperative.

President Johnson was a great believer in this wonderful country of ours, he was a man of great vitality and enthusiasm; a man fashioned by the New Deal and still trying to put those ideas into effective programs.

He went out of his way to help all Members of the Senate in the Indochina situation and went to extraordinary length to persuade the membership of the rightness of the course in which he had embarked in Vietnam.

The country will miss his experience and his strength as we continue our course through history.

My deep sympathy is extended to Mrs. Johnson and his fine family.

Mr. BAYH. Mr. President, great men do not live placid lives; they never enjoy the luxury of general acclamation. To the contrary, the conditions in which good men are elevated to greatness are inevitably marked by difficult decision-making amid sharp disagreement.

Lyndon Baines Johnson was a good man; a compassionate soul who sought power not for itself, but as the means of improving the lot of others.

But he was more than a good man. Without doubt Lyndon Johnson was a great man; a courageous individual who did not run from the hard decisions. Instead he was a noble leader who set as his high purpose the goal of sharing among all our people the fruits of our national wealth.

Racial discrimination affronted his deep moral sense that all people, regardless of color, deserved individual dignity and respect. Ignoring the pleas of those who urged him to "go slow," Lyndon Johnson moved rapidly and forcefully to extend civil rights to all Americans.

It hurt Lyndon Johnson to know that there were children who were hungry in this country and abroad. He sought to feed them, and while welcoming progress never stopped striving to do better.

Lyndon Johnson could not accept the existence of poverty in the world's wealthiest Nation. With characteristic forcefulness and conviction he declared war on poverty and sought to mobilize the American people to win that war.

The inadequacy and sometimes prohibitive cost of medical care for older Americans ran counter to Lyndon Johnson's conception of what was fair and just. The situation demanded more than lipservice, and Lyndon Johnson provided the leadership which made medicare a reality.

Lyndon Johnson never took for granted the precious freedom that we are privileged to live with in this Nation. He wanted to prevent any erosion of that freedom, and to share it with others. This required hard decisions, decisions for which he was later vilified by some. There were some of us in this body who disagreed with some of those decisions, but no one who ever knew this great man doubted for an instant the sincerity and high purpose with which he made those decisions.

And those of us who had the opportunity to know Lyndon Johnson remember well that his desire for peace was as strong as his desire for justice and freedom. If anyone ever doubted the utter selflessness and decency of Lyndon Johnson those doubts were certainly dispelled when he forswore another term as President in the hope that his standing aside might hasten the peace he so desperately wanted to give to his countrymen.

There was much speculation when Lyndon Johnson left office about how history would view his Presidency. That speculation has been renewed with his sudden, shocking death.

I know that if history is fair and just, room will have to be made in the litany of great Presidents for Lyndon Baines Johnson.

For the purpose he gave his countrymen;

For the dream of a better life for the poor, the hungry;

For the courage to stand firmly and with unflinching resolve against racial discrimination;

For the commitment to bring decent housing, adequate education, and hope to all Americans;

For the unyielding devotion to democracy and freedom—the ideals we hold most dear;

For all of these things, and for much more, Lyndon Johnson unquestionably deserves to be recognized as a great man, indeed, as a great President.

And it would be shortsighted to cite only his Presidency as evidence of his greatness.

In the other body and then in this Chamber Lyndon Johnson clearly demonstrated the qualities of decency and courage which were to mark his Presidency. He made his mark and he made it indelible. When, in 1965, President Johnson told a joint session of the Congress that "We shall overcome" he was not a newcomer to civil rights. Majority Leader Johnson was pushing for civil rights in 1957 when the first modern Civil Rights Act was passed.

The earnestness of his commitment to freedom, manifest in his resolve as President, was evidenced more than two decades earlier when he left the relatively safe Halls of Congress to take a naval commission in World War II. Suffice to say that he was decorated with a Silver Star for personal courage.

Through three decades of public service Lyndon Johnson never wavered from his commitment to helping others. He never showed anything but the greatest courage and uncompromising decency.

He was a great man because of that courage and decency. Perhaps, as important in honoring his memory, let us remember that before he was anything else, before he was a Congressman, a Senator, a Vice President, a President, before all else Lyndon Johnson was a good man.

If I may be permitted a personal note, Mr. President, I am reluctant to let my reflection on this towering personality rest with Lyndon Johnson, the public man. Mrs. Bayh and I had the opportunity, for which we will be forever grateful, to know Lyndon Johnson and his dear wife, Lady Bird, his daughters Lynda and Luci and their husbands, on a treasured, personal basis.

President and Mrs. Johnson had a beautiful marriage; two strong people who gave and took strength and love from each other. The goodness which lay behind the public Lyndon Johnson was very much a part of the private Lyndon Johnson. And it is shared by Lady Bird. Never have I known anyone who cared so deeply for the well-being of others as did Lyndon Johnson. He could personalize and despair over the hunger, hopelessness, and illness of thousands of anonymous people, who for others were only statistics.

This Nation has not only lost a great leader. The community of man has lost a noble soul whose most fitting epitath may well be, "He cared and he tried."

Marvella joins me in extending to Lady Bird and her daughters a sympathy which is so rooted in our hearts that words are inadequate for its expression. Your loss is our loss; your sadness is our sadness—and the Nation's.

Many memorials will be erected to Lyndon Baines Johnson. But it may be said rightfully that no memorial will be as fitting nor as important as the ultimate victory over the social and human evils whose eradication was his life's work.

Mr. EAGLETON. Mr. President, all Americans mourn the passing of Lyndon B. Johnson, 36th President of the United States.

It was the fate of this man to stand at the center of one of the more turbulent periods in our history. We are still too close to its promises, its conflicts, and its tragedies to fairly judge his place in history. No doubt, as with other Presidents of stature, his reputation will rise and fall with the changing perspectives of succeeding generations.

But these things we do know.

Lyndon Johnson was a large man who dreamed large dreams. He wanted to care for the ill and the elderly. He wanted to educate the young. He wanted to provide decent housing for the poor and training for the unemployed. And he wanted to assure black Americans the rights and opportunities that would enable them to move into the mainstream of our national life.

In short, he wanted to lead the American people into a great and united and just society.

And President Johnson acted upon his dreams. No President ever pursued with more vigor and persistence those policies and programs he believed to be right.

As a result he achieved the enactment

of the most comprehensive program of social legislation in our history.

Aid to education, civil rights, medicare, low-cost housing, the war on poverty—each of these landmark measures and others bore the stamp of his concern and his determination.

President Johnson loved this country, and he spent his life in its service—as Congressman, Senator, Vice President, and President.

For all of this he deserved in life—and deserves now in death—the respect and gratitude of his countrymen.

We will honor him most truly by keeping alive his vision of the Great Society and by preserving and building on the best of what he began.

Mr. NUNN. Mr. President, we are gathered here today for the second time in less than 30 days to pay homage to a fellow Senator who went on to lead our Nation at one of its most troubled times. In both instances, Harry Truman and Lyndon Johnson had to step in to lead this Nation upon the untimely death of a President.

Lyndon B. Johnson demonstrated to an anxious world that he was a singular man, of unique ability, who had prepared himself to assume the monumental role of Chief Executive at a moment's notice.

Although I have been in the U.S. Senate for only a brief time, I have developed a new dimension of respect and admiration for Lyndon B. Johnson. He is revered as the strongest leader in the history of the U.S. Senate.

I received a long telegram from former President Johnson and Lady Bird on the night of my election, reflecting not only his congratulations, but also an intimate knowledge of the campaign in Georgia. His love of political life and his deep consideration for those battling in this arena were prominent among the many traits which made him the most effective legislator in modern history and led him to the zenith of power in this Nation.

History will indelibly record his deep love for this Nation, his total dedication to his fellow man, and his great faith in the future of America.

Mr. CANNON. Mr. President, it was with great sadness that this Nation received the death of former President Lyndon Baines Johnson. This remarkable man was one of America's most outstanding Presidents, and as we here assembled know and appreciate fully, he was the greatest legislative leader in our history.

The years that President Johnson spent in the White House were troubled years, beset by war and domestic strife. Yet his was a tremendous legacy measured by a distinguished list of accomplishments for the education, the health and the civil rights of all Americans. Race, regionalism, public education, housing, and medical care found in him a tireless worker for the common good.

Lyndon Baines Johnson was the majority leader when I came to the Senate in 1959 and he was an awesome and inspiring figure during the years we served together in that body. I knew him as a most powerful leader, compiling one of the most successful records in this body.

He knew the intricacies of every piece of legislation that passed through his desk. From his leadership came the passage of the first civil rights bill to pass the Senate in 82 years. On a personal level, he took me under his wing and gave me encouragement as I aimed for committee assignments on which I felt I could most contribute.

Lyndon Johnson will not only be remembered for carrying out with zeal and with force the programs of his predecessor John Fitzgerald Kennedy. He soared even beyond these dreams as he established himself as the greatest proponent of social reform legislation in modern times. And although the tragedy of Vietnam overshadowed in public view his many and great accomplishments in the domestic field, I am convinced history will judge him as having acted with forthrightness and courage in fulfilling our international obligations. It is for this reason that I am especially saddened that Lyndon Johnson could not have lived to see the final end of this long and tragic Indochina war, a cause toward which he aimed every moment during his Presidency.

PRESIDENT JOHNSON A HUMANITARIAN

Mr. SCHWEIKER. Mr. President, I would like to join all Pennsylvanians, and all Americans, in expressing the profound loss we feel over the sudden death of President Lyndon B. Johnson.

During his long tenure as U.S. Senator from Texas, Senate majority leader, Vice President, and our Nation's 36th President, Lyndon Johnson made a significant mark on the policies and progress of America.

His sense of compassion for all Americans, his determination to make this country a more decent place for all citizens, and his sensitive sense of social justice resulted in national leadership to move our country forward with important domestic programs. His image of a Great Society included equality and prosperity for everyone, and he utilized his vast governmental experience and leadership to encourage all to join him in this effort.

In carrying on debate over what programs are most effective to accomplish these goals, and over what units of government are in the best position to provide meaningful services to our communities, we must never forget the goals and aspirations that inspired President Johnson to formulate his Great Society programs. Although times and conditions change, the overriding concern for the health and welfare of all citizens remains paramount, and President Johnson's leadership and compassion in this area still stands out as an example for every legislator and every citizen.

In recent years, the memory of the work of Lyndon Johnson has tended to be concentrated on Vietnam, and his involvement in this tragic war. With the ending of this conflict this week, it is particularly appropriate for us to remember the great domestic leadership and social consciousness of President Johnson.

The Nation mourns a great humanitarian and a great leader.

Mr. McCLURE. Mr. President, twice in the past month, the American people have endured the tragic death of a former leader. In the case of Lyndon Johnson, it is particularly sad that he did not live to see an end to the Vietnamese conflict—the war which plagued his years in the Presidency.

If I were to pick one quality which best characterized Lyndon Johnson, the public servant, it would be this: More than any other man in our time, he understood the necessity for cooperation between the White House and Capitol Hill. What achievements history accords the Johnson administration were due almost solely to this quality and his ability to use the political process. First as Senate leader working with a Republican President, then as a President facing a sometimes hostile Congress, he understood the meaning of the words cooperation and bipartisan. Our country is the better for it.

Like all of those in Washington who have viewed the political process and seen its relationship to our personal freedoms, I salute the man who understood it better than anyone else. I also want to express my sadness at his passing.

Mr. GURNEY. Mr. President, for a man who loves his country, there can be no higher calling than public service. Lyndon Johnson loved his country, and for 37 years he served it to the best of his ability—as a congressional aide, a youth program administrator, a Congressman, a Senator, a Vice President and, finally as the 36th President of the United States. While there were some who questioned his policies over the years, which is always true of any strong, dynamic leader, no one could question his dedication, his commitment to doing what he believed was right for America. For this he will be well remembered.

Amidst all the hue and cry about what was wrong with America, President Johnson stood for what is right about America—its ideals, its dreams, it hopes and its commitment to freedom, not only in this country but around the world. At home, he strove to make the American dream a reality, and abroad, he fought to give others a chance to share our dream. His efforts on behalf of the cause of freedom in which he so deeply believed deserve the highest praise.

In remembering him today, we should not forget President Johnson's contributions as a Senator and as Senate majority leader. In the latter capacity, he was extremely effective; some say he was the most outstanding in the Senate history. Yet he never let partisanship interfere with what he believed to be the best interest of the country. At times of crisis during the Eisenhower years, Lyndon Johnson was there to offer support and to help unite the country.

Indeed, President Johnson was a uniter; he pulled the Nation together after the assassination of the late President John F. Kennedy and he gave up the Presidency rather than see the coun-

try further divided over the war in Southeast Asia.

I am sure, that were he alive, there would be no one happier about what happened at Paris yesterday than President Johnson. When the history books are written, I think they will show that his determination to prevent a Communist takeover of South Vietnam laid the groundwork for the honorable settlement that has now been secured.

That is no small accomplishment. Rather, it is a fitting legacy for a man who loved his country—and the cause of freedom—as much as Lyndon Johnson. His advice and counsel will be sorely missed.

Mr. MANSFIELD. Mr. President, I ask that the RECORD remain open for 15 days so that those of our colleagues who have not had the opportunity to make their remarks today can do so within that period.

The PRESIDING OFFICER (Mr. SCOTT of Virginia). Without objection, it is so ordered.

PAYMENT OF EXPENSES WITH RESPECT TO ATTENDANCE AT THE FUNERAL OF FORMER PRESIDENT LYNDON B. JOHNSON

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader and myself I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 34) was considered and agreed to as follows:

S. RES. 34

Resolved, That the Sergeant at Arms of the Senate shall take such steps as may be necessary to carry out the provisions of Senate Resolution 24, 93d Congress, agreed to January 23, 1973, and necessary expenses in carrying out such resolution shall be paid out of the contingent fund of the Senate.

HARRY S TRUMAN

Mr. COOK. Mr. President, it is with deep regret that I note the passing of the late President from Missouri, Harry S Truman. In the brief but abundant history of our great Nation, there are few who have served with such dedication, tenacity, and consistency. During his life, Mr. Truman served his country in many pursuits; as a soldier during the First World War, as a judge, as a U.S. Senator, as Vice President, and President of the United States. Throughout all these endeavors, the skill, judgment, candidness, and conscious dedication which he displayed were qualities of a fine individual and a great leader, which this Nation will sorely miss.

Mr. GURNEY. Mr. President, in this time of tough decisions, it is most fitting to honor the memory of a man who, as the 33d President of the United States, had to make some of the toughest decisions any man has had to make.

President Harry S Truman became a symbol for many Americans—a symbol of America's emergence as a full fledged world power. He rose from humble beginnings to the highest office in the land—in the finest American tradition. Prior to becoming President he served his country with distinction—as an Army officer, a judge, a Senator, and, for a brief time, as Vice President. After assuming the Presidency, he served with even greater distinction in a period beset by crises.

It took a man of courage to make the decision to use the atomic bomb; it took a man of vision to implement the Marshall plan; it took a man of wisdom to check Communist aggression in Greece and Turkey and to formulate the Truman doctrine, and it took a man of strength to deal with the conflicting pressures of the Korean war—the first war ever fought under the nuclear shadow. Indeed, President Truman was a man of ample courage, vision, wisdom, and strength—and the record he compiled during 7 years in the White House is testimony to that.

Historians are already writing up President Truman as one of our best Presidents. Certainly, his contributions are manifold and he became recognized around the world as a stalwart in the struggle for freedom. Some may question his judgment on this or that issue, but no one can deny that President Truman was a dedicated man who loved his country and who served it well. At age 60, he did not have to accept the Vice Presidency, knowing as he did that he was likely to become President under the most difficult of circumstances, but when duty called he responded. That is the mark of statesmanship, and from the day he took office to the day he died, President Truman was every inch a statesman. His presence will be sorely missed, but his record should shine brightly in the annals of history. We can all learn from what he did.

RECOGNITION OF SENATOR ROBERT C. BYRD ON FRIDAY, JANUARY 26

Mr. ROBERT C. BYRD. Mr. President I ask unanimous consent that on Friday, following the remarks of the distinguished Senator from Alabama (Mr. ALLEN) I be recognized for not to exceed 15 minutes.

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

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res. 163) designating the week commencing January 28, 1973, as "International Clergy Week in the United States," and for other purposes.

The enrolled joint resolution was subsequently signed by the Acting President pro tempore (Mr. CLARK).

POSTPONEMENT OF HEARINGS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the distinguished Senator from Georgia (Mr. TALMADGE).

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

STATEMENT BY SENATOR TALMADGE

The hearings on the boxcar shortage scheduled for tomorrow, January 25, have been postponed until 10:00 a.m. Monday, January 29 because of the death of President Johnson. The hearings are being held by the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of the Committee on Agriculture and Forestry in Room 324, Russell Office Building. Anyone wishing to testify should contact the Committee Clerk as soon as possible.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for Friday, January 26, is as follows:

The Senate will convene at 12 o'clock meridian. After the two leaders or their designees have been recognized under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes and in the order stated: Mr. MCCLELLAN, Mr. JACKSON, Mr. NUNN, Mr. STENNIS, Mr. ALLEN, and Mr. ROBERT C. BYRD.

At the conclusion of the aforesaid special orders, there will be a period for the transaction of routine morning business not to exceed 45 minutes, with statements therein limited to 5 minutes, after which the Senate will go into executive session to consider the nomination of Mr. Elliot Richardson to be Secretary of Defense.

There will be no vote on the nomination on Friday. That vote will occur on Monday next at 2:30 p.m., and it will be a yea-and-nay vote.

ADJOURNMENT UNTIL FRIDAY, JANUARY 26, 1973

Mr. MANSFIELD. Mr. President, I move that the Senate stand in adjournment, under the previous order, until 12 o'clock meridian Friday next.

The motion was agreed to; and at 2:31 p.m. the Senate adjourned until Friday, January 26, 1973.

(The Senate, preceded by the Secretary of the Senate, Mr. Francis R. Valeo, and the Sergeant at Arms, Mr. William H. Wannall, proceeded to the rotunda of the Capitol to attend the memorial services for the late President Lyndon B. Johnson.)

HOUSE OF REPRESENTATIVES—*Wednesday, January 24, 1973*

The House met at 12 o'clock noon.

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

Yea, though I walk through the valley of the shadow of death, I will fear no evil, for Thou art with me.—Psalm 23: 4.

O God and Father of us all, in deep sadness of heart we lift our spirits unto Thee as we journey through the valley of the shadow of death with the family of our beloved Lyndon Baines Johnson. We thank Thee for his long and distinguished service to his State and our country, for his contribution as a Member of this body, as Senator, as Vice President, and for his leadership as President of our Republic.

We are grateful for his integrity of mind, his sincerity of heart, his seeking the best ways to do the best things, for his dedication to freedom among men and to justice for men and for his efforts on behalf of peace in our world.

Grant unto his family and friends the comfort of Thy presence and the assurance of Thy love. Strengthen them with courage and faith for the days that lie ahead.

O Lord, we are most grateful for the coming peace to our world. May it continue forever and ever and ever. 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. Arrington, one of its clerks, announced that the Senate had passed a resolution of the following title as follows:

S. RES. 24

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Honorable Lyndon B. Johnson, a former President of the United States, and a former Representative and former Senator from the State of Texas.

Resolved, That in recognition of his illustrious statesmanship, his leadership in national and world affairs, his distinguished public service to his State and his Nation, and as a mark of respect to one who has held such eminent public station in life, the Presiding Officer of the Senate appoint a committee to consist of all of the Members of the Senate to attend the funeral of the former President.

Resolved, That the Senate hereby tender its deep sympathy to the members of the family of the former President in their sad bereavement.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the former President.

The message also announced that the Senate had passed without amendment a joint and concurrent resolution of the House of the following titles:

H.J. Res. 163. Joint resolution designating the week commencing January 28, 1973, as "International Clergy Week in the United States", and for other purposes; and

H. Con. Res. 90. Concurrent resolution authorizing the remains of former President Lyndon B. Johnson to lie in state in the rotunda of the Capitol.

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

S. 421. An act to provide that appointments to the Office of Director of the Cost of Living Council shall be subject to confirmation by the Senate.

NATIONAL VOCATIONAL EDUCATION WEEK

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the joint resolution (H.J. Res. 136) to provide for the designation of the week of February 11 to 17, 1973, as "National Vocational Education Week," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

There being no objection, the Clerk read the joint resolution, as follows:

H.J. RES. 136

Whereas the well-being of the citizens of the United States depends to a great extent on education and training that prepares people for entry and advancement in the work force; and

Whereas the educational system of the Nation is the only such institution in our society available to all people; and

Whereas since 1917 the Federal Government has recognized the importance of vocational education and has enacted authorizing legislation, appropriated Federal funds, and provided technical assistance to the States to assist in the development of vocational education programs; and

Whereas profound sociological, economic, and technological changes in our society are bringing about rapid changes in the structure and nature of the work force and are placing new and additional responsibilities on the educational system; and

Whereas graduates of vocational education programs enter the work force much easier and progress much faster than those who enter employment without the benefit of vocational education; and

Whereas the outstanding efforts of professional educators, legislators, citizen advisory groups, taxpayers, and many other individuals are contributing substantially to the development of a competent and efficient labor supply for the future through the process and product of vocational education: Now therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation: (1) declaring the week of February 11 to 17, 1973, to be "National Vocational Education Week"; (2) inviting the Governors of the States and the heads of local governments to issue similar proclamations; and (3) calling on the people of the United States to become better acquainted with the services available through vocational education.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJOURNMENT TO FRIDAY, JANUARY 26, 1973

Mr. McFALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Friday, January 26.

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

There was no objection.

FUNERAL ARRANGEMENTS FOR FORMER PRESIDENT LYNDON BAINES JOHNSON

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

Mr. McFALL. Mr. Speaker, I take this time to make a brief announcement with respect to the funeral arrangements for former President Johnson.

Members who plan to attend the services in Washington, at 10 a.m. Thursday, at the National City Christian Church should contact the Sergeant at Arms with respect to tickets and transportation. Only a limited number of tickets are available for the House delegation. Bus transportation to these services will depart from New Jersey Avenue, between the Longworth and Cannon Office Buildings, at 9:10 tomorrow morning and will return to the Capitol after the services.

Members appointed to attend the services in Texas should also contact the Sergeant at Arms with respect to transportation. I understand that the scheduling of transportation to Texas is such that it will not be possible for Members going on that flight to attend the services at the National City Christian Church.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman from California yield?

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

Mr. GERALD R. FORD. Mr. Speaker, it was my understanding that some arrangements were made with the Speaker and with the majority leader and myself for a briefing by Dr. Kissinger on Friday. Does the gentleman from California wish to make an announcement to that effect?

Mr. McFALL. I would state to the gentleman from Michigan that there will be an announcement to that effect, but

I would like to discuss that matter with the gentleman from Michigan, especially concerning the place of that meeting. Following that, I will make an announcement in just a few moments on that subject.

Mr. GERALD R. FORD. I thank the gentleman.

APPOINTMENT OF DELEGATION TO ATTEND FUNERAL SERVICES FOR FORMER PRESIDENT LYNDON BAINES JOHNSON IN WASHINGTON, D.C.

The SPEAKER. The Speaker appoints himself and the entire membership of the House to attend the funeral services for former President Lyndon Baines Johnson which are to be held this afternoon, at 2:30 p.m., in the rotunda of the Capitol.

The Chair suggests that all Members attending these services should take their places in that portion of the rotunda set aside for the House delegation not later than 2:15 p.m.

The Chair appoints the entire membership of the House to attend the funeral services for former President Lyndon Baines Johnson which are to be held in the National City Christian Church, Washington, D.C., on Thursday morning, at 10 a.m.

APPOINTMENT OF MEMBERS TO ATTEND FUNERAL SERVICES FOR FORMER PRESIDENT LYNDON BAINES JOHNSON IN TEXAS

The SPEAKER. The Chair appoints the following Members of the House to attend the funeral services for former President Lyndon Baines Johnson which are to be held in Texas on Thursday afternoon: The Speaker, Mr. MCFALL, Mr. GERALD R. FORD, Mr. ARENDS, Mr. PATMAN, Mr. MAHON, Mr. POAGE, Mr. FISHER, Mr. TEAGUE of Texas, Mr. BURLESON of Texas, Mr. BROOKS, Mr. WRIGHT, Mr. YOUNG of Texas, Mr. CASEY of Texas, Mr. GONZALEZ, Mr. ROBERTS, Mr. PICKLE, Mr. E DE LA GARZA, Mr. WHITE, Mr. ECKHARDT, Mr. KAZEN, Mr. PRICE of Texas, Mr. COLLINS, Mr. ARCHER, Miss JORDAN, Mr. MILFORD, Mr. STEELMAN, Mr. CHARLES WILSON of Texas, Mr. ROONEY of New York, Mr. HAYS, Mr. STEED, Mr. DORN, Mr. FOUNTAIN, Mr. LANDRUM, Mr. SISK, Mr. BRADEMAS, Mr. RANDALL, Mr. TAYLOR of North Carolina, Mr. ANDERSON of Illinois, Mr. PEPPER, Mr. ROONEY of Pennsylvania, Mr. FOLEY, Mr. HANLEY, Mr. STOKES, and Mr. JONES of Oklahoma.

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

Mr. MCFALL. Mr. Speaker, with reference to the meeting to be held on Friday that the minority leader discussed, that will be held on Friday at 3 o'clock in the Ways and Means Committee room and will be a briefing. I would be glad to yield to the minority leader concerning this.

Mr. GERALD R. FORD. I appreciate the gentleman from California's yielding. As I understand the arrangements that were discussed last night with the Speaker and with the majority leader and myself, with the White House, Dr. Kissinger and General Haig will be available beginning at 3 o'clock or shortly thereafter to brief the Members of the House on both sides of the aisle on the negotiations and the agreement that has now been initialed and will be signed on Saturday of this week.

Mr. MCFALL. Mr. Speaker, I would say to the minority leader the only problem is the matter of the meeting place, and that will be in the Ways and Means Committee room, rather than in the Chamber of the House.

COMPOSITION OF COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. MCFALL. Mr. Speaker, I offer a unanimous consent resolution (H. Res. 158), and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 158

Resolved, That during the Ninety-third Congress the Committee on Agriculture shall be composed of thirty-six members;

The Committee on Appropriations shall be composed of fifty-five members;

The Committee on Armed Services shall be composed of forty-three members;

The Committee on Banking and Currency shall be composed of thirty-nine members;

The Committee on Education and Labor shall be composed of thirty-eight members;

The Committee on Foreign Affairs shall be composed of forty members;

The Committee on Government Operations shall be composed of forty-one members;

The Committee on House Administration shall be composed of twenty-six members;

The Committee on Interior and Insular Affairs shall be composed of forty-one members;

The Committee on Interstate and Foreign Commerce shall be composed of forty-three members;

The Committee on the Judiciary shall be composed of thirty-eight members;

The Committee on Merchant Marine and Fisheries shall be composed of thirty-nine members;

The Committee on Post Office and Civil Service shall be composed of twenty-six members;

The Committee on Public Works shall be composed of thirty-nine members;

The Committee on Science and Astronautics shall be composed of thirty members; and

The Committee on Veterans' Affairs shall be composed of twenty-six members.

Mr. MCFALL (during the reading). I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO STANDING COMMITTEES

Mr. MILLS of Arkansas. Mr. Speaker, I offer a privileged resolution (H. Res. 159), and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 159

Resolved, That the following-named Members, Delegates, and Resident Commissioner be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on Agriculture: W. R. Poage (chairman), Texas; Frank A. Stubblefield, Kentucky; Thomas S. Foley, Washington; E (Kika) de la Garza, Texas; Joseph P. Vigorito, Pennsylvania; Walter B. Jones, North Carolina; B. F. Sisk, California; Bill Alexander, Arkansas; John R. Rarick, Louisiana; Ed Jones, Tennessee; John Melcher, Montana; Dawson Mathis, Georgia; Bob Bergland, Minnesota; Frank E. Denholm, South Dakota; Spark M. Matsunaga, Hawaii; George E. Brown, Jr., California; David R. Bowen, Mississippi; Charles Rose, North Carolina; Jerry Litton, Missouri; Bill Gunter, Florida.

Committee on Appropriations: George H. Mahon (chairman), Texas; Jamie L. Whitten, Mississippi; John J. Rooney, New York; Robert L. F. Sikes, Florida; Otto E. Passman, Louisiana; Joe L. Evins, Tennessee; Edward P. Boland, Massachusetts; William H. Natcher, Kentucky; Daniel J. Flood, Pennsylvania; Tom Steed, Oklahoma; George E. Shipley, Illinois; John M. Slack, West Virginia; John J. Flynt, Jr., Georgia; Neal Smith, Iowa; Robert N. Giaimo, Connecticut; Julia Butler Hansen, Washington; Joseph P. Addabbo, New York; John J. McFall, California; Edward J. Patten, New Jersey; Clarence D. Long, Maryland; Sidney R. Yates, Illinois; Bob Casey, Texas; Frank E. Evans, Colorado; David R. Obey, Wisconsin; Edward R. Roybal, California; Louis Stokes, Ohio; J. Edward Roush, Indiana; K. Gunn McKay, Utah; Tom Bevill, Alabama; Edith Green, Oregon; Robert O. Tiernan, Rhode Island; Bill Chappell, Jr., Florida; Bill D. Burlison, Missouri.

Committee on Armed Services: F. Edward Hébert (chairman), Louisiana; Melvin Price, Illinois; O. C. Fisher, Texas; Charles E. Bennett, Florida; Samuel S. Stratton, New York; Otis G. Pike, New York; Richard H. Ichord, Missouri; Lucien N. Nedzi, Michigan; Wm. J. Randall, Missouri; Charles H. Wilson, California; Robert L. Leggett, California; Floyd V. Hicks, Washington; Richard C. White, Texas; Bill Nichols, Alabama; Jack Brinkley, Georgia; Robert H. Mollohan, West Virginia; Dan Daniel, Virginia; G. V. (Sonny) Montgomery, Mississippi; Harold Runnels, New Mexico; Les Aspin, Wisconsin; Ronald V. Dellums, California; Mendel J. Davis, South Carolina; James R. Jones, Oklahoma; Patricia Schroeder, Colorado.

Committee on Banking and Currency: Wright Patman (chairman), Texas; William A. Barrett, Pennsylvania; Leonor K. (Mrs. John B.) Sullivan, Missouri; Henry S. Reuss, Wisconsin; Thomas L. Ashley, Ohio; William S. Moorhead, Pennsylvania; Robert G. Stephens, Jr., Georgia; Fernand J. St Germain, Rhode Island; Henry B. Gonzalez, Texas; Joseph G. Minish, New Jersey; Richard T. Hanna, California; Tom S. Gettys, South Carolina; Frank Annunzio, Illinois; Thomas M. Rees, California; James M. Hanley, New York; Frank J. Brasco, New York; Edward I. Koch, New York; William R. Cotter, Connecticut; Parren J. Mitchell, Maryland; Walter E. Fauntroy, District of Columbia; Andrew Young, Georgia; John Joseph Moakley, Massachusetts; Fortney H. (Pete) Stark, Jr., California.

Committee on the District of Columbia: Charles C. Diggs, Jr. (chairman), Michigan; Donald M. Fraser, Minnesota; W. S. (Bill) Stuckey, Jr., Georgia; Donald V. Dellums, California; Thomas M. Rees, California; Brock Adams, Washington; Walter E. Fauntroy, District of Columbia; James J. Howard,

New Jersey; James R. Mann, South Carolina; Romano L. Mazzoli, Kentucky; Les Aspin, Wisconsin; Charles B. Rangel, New York; John Breckinridge, Kentucky; Fortney H. (Pete) Stark, Jr., California.

Committee on Education and Labor: Carl D. Perkins (chairman), Kentucky; Frank Thompson, Jr., New Jersey; John H. Dent, Pennsylvania; Dominick V. Daniels, New Jersey; John Brademas, Indiana; James G. O'Hara, Michigan; Augustus F. Hawkins, California; William D. Ford, Michigan; Patsy T. Mink, Hawaii; Lloyd Meeds, Washington; Phillip Burton, California; Joseph M. Gaydos, Pennsylvania; William (Bill) Clay, Missouri; Shirley Chisholm, New York; Mario Biaggi, New York; Ella T. Grasso, Connecticut; Romano L. Mazzoli, Kentucky; Herman Badillo, New York; Ike F. Andrews, North Carolina; William Lehman, Florida; Jaime Benitez, Puerto Rico.

Committee on Foreign Affairs: Thomas E. Morgan (chairman), Pennsylvania; Clement J. Zablocki, Wisconsin; Wayne L. Hays, Ohio; L. H. Fountain, North Carolina; Dante B. Fascell, Florida; Charles C. Diggs, Jr., Michigan; Robert N. C. Nix, Pennsylvania; Donald M. Fraser, Minnesota; Benjamin S. Rosenthal, New York; John C. Culver, Iowa; Lee H. Hamilton, Indiana; Abraham Kazen, Jr., Texas; Lester L. Wolff, New York; Jonathan B. Bingham, New York; Gus Yatron, Pennsylvania; Roy A. Taylor, North Carolina; John W. Davis, Georgia; Ogden R. Reid, New York; Michael Harrington, Massachusetts; Leo J. Ryan, California; Charles Wilson, Texas.

Committee on Government Operations: Chet Holifield (chairman), California; Jack Brooks, Texas; L. H. Fountain, North Carolina; Robert E. Jones, Alabama; John E. Moss, California; Dante B. Fascell, Florida; Henry S. Reuss, Wisconsin; Torbert H. Macdonald, Massachusetts; William S. Moorhead, Pennsylvania; Wm. J. Randall, Missouri; Benjamin S. Rosenthal, New York; Jim Wright, Texas; Fernand J. St Germain, Rhode Island; John C. Culver, Iowa; Floyd V. Hicks, Washington; Don Fuqua, Florida; John Conyers, Jr., Michigan; Bill Alexander, Arkansas; Bella S. Abzug, New York; Harold D. Donohue, Massachusetts; James V. Stanton, Ohio; Leo J. Ryan, California.

Committee on House Administration: Wayne L. Hays (chairman), Ohio; Frank Thompson, Jr., New Jersey; John H. Dent, Pennsylvania; Lucien N. Nedzi, Michigan; John Brademas, Indiana; Kenneth J. Gray, Illinois; Augustus F. Hawkins, California; Tom S. Gettys, South Carolina; Bertram L. Podell, New York; Frank Annunzio, Illinois; Joseph M. Gaydos, Pennsylvania; Ed Jones, Tennessee; Robert H. Mollohan, West Virginia; Edward I. Koch, New York; Dawson Mathis, Georgia.

Committee on Interior and Insular Affairs: James A. Haley (chairman), Florida; Roy A. Taylor, North Carolina; Harold T. Johnson, California; Morris K. Udall, Arizona; Phillip Burton, California; Thomas S. Foley, Washington; Robert W. Kastenmeier, Wisconsin; James G. O'Hara, Michigan; Patsy T. Mink, Hawaii; Lloyd Meeds, Washington; Abraham Kazen, Jr., Texas; Robert G. Stephens, Jr., Georgia; Joseph P. Vigorito, Pennsylvania; John Melcher, Montana; Teno Roncalio, Wyoming; Jonathan B. Bingham, New York; John F. Seiberling, Ohio; Harold Runnels, New Mexico; Yvonne Brathwaite Burke, California; Antonio Borja Won Pat, Guam; Wayne Owens, Utah; Ron de Lugo, Virgin Islands; James R. Jones, Oklahoma.

Committee on Internal Security: Richard H. Ichord (chairman), Missouri; Claude Pepper, Florida; Richardson Preyer, North Carolina; Robert F. Drinan, Massachusetts; Mendel J. Davis, South Carolina.

Committee on Interstate and Foreign Commerce: Harley O. Staggers (chairman), West Virginia; Torbet H. Macdonald, Massachusetts; John Jarman, Oklahoma; John E. Moss, California; John D. Dingell, Michigan; Paul G. Rogers, Florida; Lionel Van Deerlin, California; J. J. Pickle, Texas; Fred B. Rooney, Pennsylvania; John M. Murphy, New York; David E. Satterfield III, Virginia; Brock Adams, Washington; W. S. (Bill) Stuckey, Jr., Georgia; Peter N. Kyros, Maine; Bob Eckhardt, Texas; Richardson Preyer, North Carolina; Bertram L. Podell, New York; Henry Helstoski, New Jersey; James W. Symington, Missouri; Charles J. Carney, Ohio; Ralph H. Metcalfe, Illinois; Goodloe E. Byron, Maryland; William R. Roy, Kansas; John Breckinridge, Kentucky.

Committee on the Judiciary: Peter W. Rodino, Jr. (chairman), New Jersey; Harold D. Donohue, Massachusetts; Jack Brooks, Texas; Robert W. Kastenmeier, Wisconsin; Don Edwards, California; William L. Hungate, Missouri; John Conyers, Jr., Michigan; Joshua Eilberg, Pennsylvania; Jerome R. Waldie, California; Walter Flowers, Alabama; James R. Mann, South Carolina; Paul S. Sarbanes, Maryland; John F. Seiberling, Ohio; George E. Danielson, California; Robert F. Drinan, Massachusetts; Charles B. Rangel, New York; Barbara Jordan, Texas; Ray Thornton, Arkansas; Elizabeth Holtzman, New York; Wayne Owens, Utah; Edward Mezvinsky, Iowa.

Committee on Merchant Marine and Fisheries: Leonor K. (Mrs. John B.) Sullivan (chairman), Missouri; Frank M. Clark, Pennsylvania; Thomas L. Ashley, Ohio; John D. Dingell, Michigan; Thomas N. Downing, Virginia; Paul G. Rogers, Florida; Frank A. Stubblefield, Kentucky; John M. Murphy; New York; Walter B. Jones, North Carolina; Robert L. Leggett, California; Mario Biaggi, New York; Glenn M. Anderson, California; E (Kika) de la Garza, Texas; Peter N. Kyros, Maine; Ralph H. Metcalfe, Illinois; John B. Breaux, Louisiana; Fred B. Rooney, Pennsylvania; Bob Eckhardt, Texas; Paul S. Sarbanes, Maryland; Bo Ginn, Georgia; Gerry E. Studds, Massachusetts; David R. Bowen, Mississippi.

Committee on Post Office and Civil Service: Thaddeus J. Dulski (chairman), New York; David N. Henderson, North Carolina; Morris K. Udall, Arizona; Dominick V. Daniels, New Jersey; Robert N. C. Nix, Pennsylvania; James M. Hanley, New York; Charles H. Wilson, California; Jerome R. Waldie, California; Richard C. White, Texas; William D. Ford, Michigan; Frank J. Brasco, New York; William (Bill) Clay, Missouri; Patricia Schroeder, Colorado; John Joseph Moakley, Massachusetts; William Lehman, Florida.

Committee on Public Works: John A. Blatnik (chairman), Minnesota; Robert E. Jones, Alabama; John C. Kluczynski, Illinois; Jim Wright, Texas; Kenneth J. Gray, Illinois; Frank M. Clark, Pennsylvania; Harold T. Johnson, California; Wm. Jennings Bryan Dorn, South Carolina; David N. Henderson, North Carolina; Ray Roberts, Texas; James J. Howard, New Jersey; Glenn M. Anderson, California; Robert A. Roe, New Jersey; Teno Roncalio, Wyoming; Mike McCormack, Washington; James V. Stanton, Ohio; Bella S. Abzug, New York; John B. Breaux, Louisiana; Gerry E. Studds, Massachusetts; Yvonne Brathwaite Burke, California; Bo Ginn, Georgia; Dale Milford, Texas.

Committee on Rules: Ray J. Madden, (chairman), Indiana; James J. Delaney, New York; Richard Bolling, Missouri; B. F. Sisk, California; John Young, Texas; Claude Pepper, Florida; Spark M. Matsunaga, Hawaii; Morgan F. Murphy, Illinois; Gillis W. Long, Louisiana; Clem Rogers McSpadden, Oklahoma.

Committee on Science and Astronautics: Olin E. Teague (chairman), Texas; Ken Hechler, West Virginia; John W. Davis, Georgia; Thomas N. Downing, Virginia; Don Fuqua, Florida; James W. Symington, Missouri; Richard T. Hanna, California; Walter Flowers, Alabama; Robert A. Roe, New Jersey; William R. Cotter, Connecticut; Mike McCormack, Washington; Bob Bergland, Minnesota; J. J. Pickle, Texas; George E. Brown, Jr., California; Dale Milford, Texas; Ray Thornton, Arkansas; Bill Gunter, Florida.

Committee on Standards of Official Conduct: Melvin Price (chairman), Illinois; Olin E. Teague, Texas; F. Edward Hébert, Louisiana; Chet Holifield, California; John J. Flynt, Jr., Georgia; Thomas S. Foley, Washington.

Committee on Veterans' Affairs: Wm. Jennings Bryan Dorn (chairman), South Carolina; Olin E. Teague, Texas; James A. Haley, Florida; Thaddeus J. Dulski, New York; Ray Roberts, Texas; David E. Satterfield III, Virginia; Henry Helstoski, New Jersey; Don Edwards, California; G. V. (Sonny) Montgomery, Mississippi; Charles J. Carney, Ohio; George E. Danielson, California; Ella T. Grasso, Connecticut; Lester L. Wolff, New York; Jack Brinkley, Georgia; Charles Wilson, Texas.

Committee on Ways and Means: Wilbur D. Mills (chairman), Arkansas; Al Ullman, Oregon; James A. Burke, Massachusetts; Martha W. Griffiths, Michigan; Dan Rostenkowski, Illinois; Phil M. Landrum, Georgia; Charles A. Vanik, Ohio; Richard H. Fulton, Tennessee; Omar Burleson, Texas; James C. Corman, California; William J. Green, Pennsylvania; Sam M. Gibbons, Florida; Hugh L. Carey, New York; Joe D. Waggonner, Jr., Louisiana; Joseph E. Karth, Minnesota.

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO STANDING COMMITTEES

Mr. GERALD R. FORD. Mr. Speaker, I offer a privileged resolution (H. Res. 160) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 160

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Agriculture: Charles M. Teague, California; William C. Wampler, Virginia; George A. Goodling, Pennsylvania; Robert B. (Bob) Mathias, California; Wiley Mayne, Iowa; John M. Zwach, Minnesota; Robert Price, Texas; Keith G. Sebelius, Kansas; Wilmer (Vinegar Bend) Mizell, North Carolina; Paul Findley, Illinois; LaMar Baker, Tennessee; Charles Thone, Nebraska; Steven D. Symms, Idaho; Edward Young, South Carolina; James P. Johnson, Colorado; Edward R. Madigan, Illinois.

Committee on Appropriations: Clarence E. Miller, Ohio; Earl B. Ruth, North Carolina; Victor V. Veysey, California.

Committee on Armed Services: William G. Bray, Indiana; Leslie C. Arends, Illinois; Bob Wilson, California; Charles S. Gubser, California; Carleton J. King, New York; William L. Dickinson, Alabama; John E. Hunt, New Jersey; G. William Whitehurst, Virginia; C. W. Bill Young, Florida; Floyd D. Spence, South Carolina; Walter E. Powell, Ohio; Robert Price, Texas; David C. Treen, Louisiana; William L. Armstrong, Colorado; George M. O'Brien, Illinois; Robin L. Beard, Tennessee; Donald J. Mitchell, New York; Marjorie S.

Holt, Maryland; Robert W. Daniel, Jr., Virginia.

Committee on Banking and Currency: William B. Widnall, New Jersey; Albert W. Johnson, Pennsylvania; J. William Stanton, Ohio; Ben B. Blackburn, Georgia; Gary Brown, Michigan; Lawrence G. Williams, Pennsylvania; Chalmers P. Wylie, Ohio; Margaret M. Heckler, Massachusetts; Philip M. Crane, Illinois; John M. Rousselot, California; Stewart B. McKinney, Connecticut; Bill Frenzel, Minnesota; Angelo D. Roncallo, New York; John B. Conlan, Arizona; Clair W. Burgener, California; Matthew J. Rinaldo, New Jersey.

Committee on District of Columbia: Ancher Nelsen, Minnesota; William H. Harsha, Ohio; Joel T. Broyhill, Virginia; Gilbert Gude, Maryland; Vernon W. Thomson, Wisconsin; Henry P. Smith, III, New York; Earl F. Landgrebe, Indiana; Stewart B. McKinney, Connecticut; Steven D. Symms, Idaho; William M. Ketchum, California; Gene Taylor, Missouri.

Committee on Education and Labor: Albert H. Quie, Minnesota; John M. Ashbrook, Ohio; Alphonzo Bell, California; John N. Erlenborn, Illinois; John Dellenback, Oregon; Marvin L. Esch, Michigan; Edwin D. Eshleman, Pennsylvania; William A. Steiger, Wisconsin; Earl F. Landgrebe, Indiana; Orval Hansen, Idaho; Edwin B. Forsythe, New Jersey; Jack F. Kemp, New York; Peter A. Peyser, New York; David Towell, Nevada; Ronald A. Sarasin, Connecticut; Robert J. Huber, Michigan.

Committee on Foreign Affairs: William S. Mailliard, California; Peter H. B. Frelinghuysen, New Jersey; William S. Broomfield, Michigan; H. R. Gross, Iowa; Edward J. Derwinski, Illinois; Vernon W. Thomson, Wisconsin; Paul Findley, Illinois; John Buchanan, Alabama; J. Herbert Burke, Florida; Guy Vander Jagt, Michigan; Robert H. Steele, Connecticut; Pierre S. (Pete) du Pont, Delaware; Charles W. Whalen, Jr., Ohio; Robert B. (Bob) Mathias, California; Edward G. Biester, Jr., Pennsylvania; Larry Winn, Jr., Kansas; Benjamin A. Gilman, New York; Tennyson Guyer, Ohio.

Committee on Government Operations: Frank Horton, New York; John N. Erlenborn, Illinois; John W. Wydler, New York; Clarence J. Brown, Ohio; Guy Vander Jagt, Michigan; Gilbert Gude, Maryland; Paul N. McCloskey, Jr., California; John Buchanan, Alabama; Sam Steiger, Arizona; Gary Brown, Michigan; Charles Thone, Nebraska; Richard W. Mallary, Vermont; Stanford E. Parris, Virginia; Ralph S. Regula, Ohio; Andrew J. Hinshaw, California; Alan Steelman, Texas; Joel M. Pritchard, Washington; Robert P. Hanrahan, Illinois.

Committee on House Administration: William L. Dickinson, Alabama; Samuel L. Devine, Ohio; James C. Cleveland, New Hampshire; James Harvey, Michigan; Orval Hansen, Idaho; Philip M. Crane, Illinois; John Ware, Pennsylvania; Bill Frenzel, Minnesota; Charles E. Wiggins, California; James F. Hastings, New York; Harold V. Froehlich, Wisconsin.

Committee on Interior and Insular Affairs: John P. Saylor, Pennsylvania; Craig Hosmer, California; Joe Skubitz, Kansas; Sam Steiger, Arizona; Don H. Clausen, California; Philip E. Ruppe, Michigan; John N. Happy Camp, Oklahoma; Manuel Lujan, Jr., New Mexico; John Dellenback, Oregon; Keith G. Sebelius, Kansas; Ralph S. Regula, Ohio; Alan Steelman, Texas; Joseph J. Maraziti, New Jersey; David Towell, Nevada; James G. Martin, North Carolina; William M. Ketchum, California; Paul W. Cronin, Massachusetts.

Committee on Internal Security: John M. Ashbrook, Ohio; Roger H. Zion, Indiana; J. Herbert Burke, Florida; Tennyson Guyer, Ohio.

Committee on Interstate and Foreign Commerce: Samuel L. Devine, Ohio; Ancher Nelsen, Minnesota; James T. Broyhill, North Carolina; James Harvey, Michigan; Tim Lee Carter, Kentucky; Clarence J. Brown, Ohio; Dan Kuykendall, Tennessee; Joe Skubitz, Kansas; James F. Hastings, New York; James M. Collins, Texas; Louis Frey, Jr., Florida; John Ware, Pennsylvania; John Y. McCollister, Nebraska; Richard G. Shoup, Montana; Barry M. Goldwater, Jr., California; Norman F. Lent, New York; H. John Heinz, III, Pennsylvania; William H. Hudnut, III, Indiana; Samuel H. Young, Illinois.

Committee on Judiciary: Edward Hutchinson, Michigan; Robert McClory, Illinois; Henry P. Smith, III, New York; Charles W. Sandman, Jr., New Jersey; Tom Railsback, Illinois; Charles E. Wiggins, California; David W. Dennis, Indiana; Hamilton Fish, Jr., New York; Lawrence Coughlin, Pennsylvania; Wiley Mayne, Iowa; Lawrence J. Hogan, Maryland; William J. Keating, Ohio; M. Caldwell Butler, Virginia; William S. Cohen, Maine; Trent Lott, Mississippi; Harold V. Froehlich, Wisconsin; Carlos J. Moorhead, California.

Committee on Merchant Marine and Fisheries: James R. Grover, Jr., New York; William S. Mailliard, California; Charles A. Mosher, Ohio; Philip E. Ruppe, Michigan; George A. Goodling, Pennsylvania; William G. Bray, Indiana; Paul N. McCloskey, Jr., California; Gene Snyder, Kentucky; Robert H. Steele, Connecticut; Edwin B. Forsythe, New Jersey; Pierre S. du Pont, Delaware; William O. Mills, Maryland; William S. Cohen, Maine; Trent Lott, Mississippi; David C. Treen, Louisiana; Joel M. Pritchard, Washington.

Committee on Post Office and Civil Service: H. R. Gross, Iowa; Edward J. Derwinski, Illinois; Albert W. Johnson, Pennsylvania; Lawrence J. Hogan, Maryland; John H. Rousselot, California; Elwood Hillis, Indiana; Walter E. Powell, Ohio; William O. Mills, Maryland; Richard W. Mallary, Vermont; Andrew J. Hinshaw, California; L. A. (Skip) Bafalis, Florida.

Committee on Public Works: William Harsha, Ohio; James R. Grover, Jr., New York; James C. Cleveland, New Hampshire; Don H. Clausen, California; Gene Snyder, Kentucky; Roger H. Zion, Indiana; John Paul Hammerschmidt, Arkansas; Wilmer (Vinegar Bend) Mizell, North Carolina; LaMar Baker, Tennessee; E. G. Shuster, Pennsylvania; William F. Walsh, New York; Thad Cochran, Mississippi; L. A. (Skip) Bafalis, Florida; James D. Abdnor, South Dakota; Robert P. Hanrahan, Illinois; Gene Taylor, Missouri.

Committee on Rules: Del Clawson, California.

Committee on Science and Astronautics: Charles A. Mosher, Ohio; Alphonzo Bell, California; John W. Wydler, New York; Larry Winn, Jr., Kansas; Louis Frey, Jr., Florida; Barry M. Goldwater, Jr., California; Marvin L. Esch, Michigan; Lawrence Coughlin, Pennsylvania; John N. Happy Camp, Oklahoma; John B. Conlan, Arizona; Stanford E. Parris, Virginia; Paul W. Cronin, Massachusetts; James G. Martin, North Carolina.

Committee on Standards of Official Conduct: James H. (Jimmy) Quillen, Tennessee; Lawrence G. Williams, Pennsylvania; Edward Hutchinson, Michigan; Carleton J. King, New York; Floyd D. Spence, South Carolina; John E. Hunt, New Jersey.

Committee on Veterans' Affairs: John Paul Hammerschmidt, Arkansas; John P. Saylor, Pennsylvania; Charles M. Teague, California; Margaret M. Heckler, Massachusetts; John M. Zwach, Minnesota; Chalmers P. Wylie, Ohio; Elwood Hillis, Indiana; Joseph J. Maraziti, New Jersey; James Abdnor, South Dakota; Robert J. Huber, Michigan; William F. Walsh, New York.

Committee on Ways and Means: Herman T. Schneebeli, Pennsylvania; Harold R. Collier, Illinois; Joel T. Broyhill, Virginia; Barber B. Conable, Jr., New York; Charles E. Chamberlain, Michigan; Jerry L. Pettis, California; John J. Duncan, Tennessee; Donald G. Brotzman, Colorado; Donald D. Clancy, Ohio; Bill Archer, Texas.

Mr. GERALD R. FORD (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF HEARINGS ON GENERAL TAX REFORM PRECEDED BY 1-DAY HEARING ON INTEREST EQUALIZATION TAX ACT

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

Mr. MILLS of Arkansas. Mr. Speaker, today an announcement is being made by the Committee on Ways and Means of a hearing on Tuesday, January 30, on the administration's request to extend the Interest Equalization Tax Act, and following that, on Monday, February 5, commencement of our discussion of general tax reform beginning with invited panels on Monday, February 5, through Friday, February 9, resuming again Monday, February 19, through Friday, February 23, and with the public witnesses to commence their statements on Monday, February 26.

Mr. Speaker, I ask unanimous consent that the entire announcement may be included in the RECORD at this point.

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

There was no objection.

CHAIRMAN WILBUR D. MILLS, DEMOCRAT, OF ARKANSAS, COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, ANNOUNCES EXTENSIVE PANEL DISCUSSIONS AND PUBLIC HEARINGS ON TAX REFORM, TO BE PRECEDED BY A 1-DAY PUBLIC HEARING ON ADMINISTRATION PROPOSAL TO EXTEND INTEREST EQUALIZATION TAX ACT

Chairman Wilbur D. Mills (D., Ark.), Committee on Ways and Means, U.S. House of Representatives, today announced the plans of the Committee to conduct extensive panel discussions and public hearings on the subject of tax reform. This will be preceded by a one-day public hearing on extension of the Interest Equalization Tax Act.

It will be recalled that Chairman Mills has stated on numerous occasions, both on the Floor of the House of Representatives, and in speeches and press conferences, that general tax reform would be the first order of major business for the Committee on Ways and Means in the 93d Congress. All interested individuals and organizations therefore should be prepared to testify on the day on which they may be scheduled. Chairman Mills indicated that these tax reform hearings will cover all areas of the Internal Revenue Code.

The chronological order and dates of these hearings will be as follows:

First, the Committee will conduct a one-day public hearing on Tuesday, January 30, 1973, on the Administration request to extend the Interest Equalization Tax Act for two years through March 31, 1975. The cut-off date for requests to be heard on this is Friday, January 26, 1973, as more fully set forth later in this release.

Upon completion of the Committee consideration of the extension of the Interest

Equalization Tax Act, on Monday, February 5, 1973, the Committee will begin general tax reform panel discussions consisting of invited tax specialists involving many broad areas of the Internal Revenue Code. These panel discussions will run from Monday, February 5 through Friday, February 9, and then continue from Monday, February 19 through Friday, February 23.

Finally, presentation of testimony from the interested public on the subject of broad tax reform will begin on Monday, February 26, and continue until completed. The cutoff date for requests to be heard on tax reform is Friday, February 16, 1973, as more fully specified later in this release.

Set forth below are the necessary details with regard to the interest Equalization tax hearing as well as the general tax reform panel discussions and hearings.

INTEREST EQUALIZATION TAX ACT HEARING

This public hearing will be a one-day hearing only, to be conducted on Tuesday, January 30, 1973, starting at 10:00 a.m. in the Main Committee Hearing Room in the Longworth House Office Building.

The first witness at this public hearing will be the Honorable Paul A. Volcker, Under Secretary of the Treasury for Monetary Affairs, to be followed by receipt of testimony from public witnesses.

All interested persons and organizations must designate one spokesman to represent them where they have the same general interest. Any interested person or organization desiring to do so may file a written statement for inclusion in the printed record of the hearing in lieu of a personal appearance.

The cutoff date for requests to be heard is no later than the close of business Friday, January 26, 1973. The requests should be directed to John M. Martin, Jr., Chief Counsel, Committee on Ways and Means, Room 1102 Longworth House Office Building, Washington, D.C. 20515, telephone number (202) 225-3625. Because of the shortness in time in which to make requests to be heard, it will be necessary to advise the Committee by telephone (preferably), or telegram, as to interest in appearing before the Committee, using the telephone number or address indicated immediately above, so that arrangements can be made at that time for the appearance.

If it is feasible, it is requested that the witness supply the Committee on Tuesday, January 30 at 9:00 a.m. with seventy-five (75) copies of any written statement he may have prepared for his presentation. Persons submitting a written statement in lieu of a personal appearance should submit at least three copies for that purpose by the close of business Tuesday.

This one-day hearing will be followed by an executive session on this subject on Wednesday, January 31.

TAX REFORM PANEL DISCUSSIONS AND PUBLIC HEARINGS

I. Panel discussions

Beginning on Monday, February 5, the Committee on Ways and Means will begin two weeks of Panel discussions on selected areas of tax reform. The participants in these panel discussions will include only those witnesses who have been specially invited by the Committee, but the hearing room will be open for anyone who may wish to attend the hearing. These witnesses have already been contacted individually and the panels constituted. These panel discussions will take place beginning on Monday, February 5, run through Friday, February 9, and then continue on Monday, February 19, and conclude on Friday, February 23. A day-by-day schedule of these panel discussions follows:

Monday, February 5—Objectives and Approaches to Tax Reform and Simplification.

Tuesday, February 6—Capital Gains and Losses.

Wednesday, February 7—Tax Treatment of Capital Recovery (Investment Credit, Accelerated Depreciation and Amortization).

Thursday, February 8—Tax Treatment of Real Estate.

Friday, February 9—Natural Resources.

Monday, February 19—Estate and Gift Tax Revision.

Tuesday, February 20—Farm Operations; Minimum Tax and Tax Shelter Devices.

Wednesday, February 21—Taxation of Foreign Income.

Thursday, February 22—Pensions, Profit Sharing, and Deferred Compensation.

Friday, February 23—An Alternative to Tax-Exempt State and Local Bonds.

A list of the panelists will be released at a later date.

II. Tax reform public hearnigs

The second phase of the public hearing on tax reform will begin immediately upon the conclusion of the panel discussions—on Monday, February 26. While the panel discussions will involve only the above enumerated specific areas of tax reform, the second phase of the hearing will not be confined to those areas, but will encompass all areas of the Internal Revenue Code, particularly concentrating on the following major subjects:

Major Topics Included in Tax Hearings for General Public Witnesses

(NOTE: These subjects are *not* necessarily listed in the order in which they will be heard by the Committee.)

I. Estate and Gift Tax Revision.—This category would include but is not limited to proposals for taxing gains at death, a carryover basis of property transferred at death and other alternative treatment for transfers at death, unification of estate and gift taxes, transfers involving generation skipping, changes in the unlimited contribution deduction, increasing the size of the marital deduction, changing estate and gift tax rates and exemptions, problems of liquidity of paying estate and gift taxes, and the estate and gift tax treatment of life insurance.

II. Treatment of Capital Recovery for Tax Purposes.—This includes but is not limited to proposals with respect to the investment tax credit, additional first year depreciation allowance, accelerated depreciation (including the 20-percent variance allowed under ADR) and the amortization provisions having expiration dates (rehabilitation—low-income rental, pollution control, railroad rolling stock, coal mine safety equipment and on-the-job training and child care facilities), and amortization of railroad grading and tunnel bores.

III. Taxation of Capital Gains and Losses.—This category would include but is not limited to a discussion of the holding period for capital gains, the alternative tax for individuals, the level of exclusion (and possibility of varying it with the period the asset is held), the capital gains tax rate for corporations, capital loss carrybacks and carryovers, and the tax treatment of timber, cattle, coal and iron ore royalties and patents. (For tax treatment of lump sum pension treatment, see category below on pension and profit sharing plans.)

IV. Tax Treatment of Real Estate.—This category would include but is not limited to depreciation method and life (including any distinction for this purpose between borrowings and equity), recapture rules for excess depreciation and the treatment of interest and taxes during the period of construction.

V. Natural Resources.—This category includes but is not limited to the rate of percentage depletion, intangible drilling expense and the deduction for development and other exploration costs.

VI. Farm Operations.—This includes but is not limited to the treatment of development costs in the case of fruits and other food products with long development periods, the deduction of farm losses, and so-called hobby loss operations.

VII. Personal Property Leasing.

VIII. Treatment of Interest Deductions.—This includes but is not limited to consideration of the present provision providing a limitation on the extent to which investment interest can be taken as a deduction, the interest deduction for home mortgages, etc.

IX. Tax Treatment of Limited Partnerships.—This includes, for example, considerations involving the basis for nonrecourse loans.

X. Minimum Tax.—This includes but is not limited to a consideration of the exemption level, the rate of tax, the allowance of a deduction for the regular or individual corporate income tax, and the possibility of adding other preference items to the base of the tax.

XI. Tax Treatment of Employee Stock Options.

XII. An Election To Issue Taxable Bonds with a Federal Subsidy as an Alternative to Tax-Exempt State and Local Bonds.

XIII. Taxation of Foreign Income.—This includes but is not limited to consideration of the foreign tax credit (including consideration of the per-country and overall limitations), the deferral of income of controlled foreign subsidiaries, the tax treatment of Western Hemisphere Trade Corporations, whether the present exclusion of "gross-up" on dividends of less developed country corporations should be continued, tax exemptions of ships under foreign flags, DISC corporations, the exclusion of income earned in U.S. possessions and the exemption for income earned abroad by U.S. citizens.

XIV. Pension and Profit Sharing Plans and Other Deferred Compensation.—This includes but is not limited to vesting, eligibility requirements (age and service) and portability, funding and termination insurance, deductions in the case of self-employed, closely held corporations, subchapter S corporations, and professional corporations, tax treatment of lump sum pension and profit sharing payments and deferred compensation plans of exempt organizations and governmental units.

XV. Tax Treatment of Political Contributions.—This includes but is not limited to the tax treatment of gifts of appreciated property and earnings on funds held by political organizations.

XVI. Corporate Tax Provisions Not Included Specifically Elsewhere.

XVII. Special Industry Tax Problems.—This includes but is not limited to the bank holding company tax provisions, the tax treatment of cooperatives, the tax treatment of financial institutions (including mutual savings and savings and loan associations, and credit unions) and the tax treatment of subchapter S (or small) corporations.

XVIII. Tax Treatment of Other Items Specially Affecting Individuals.—This is intended to include but is not limited to converting deductions into credits, possible consideration of deductions outside of the standard deduction (for example, the medical expense deduction, the deduction for nonbusiness casualty losses, etc.), limitations and modifications of existing deductions, withholding on dividends and interest, the dividend exclusion, the exclusion of group term insurance, the exclusion of sick pay, and the tax treatment of losses on nonbusiness guarantees.

XIX. Tax Treatment of Foundations and Charitable Contributions.

XX. Tax Simplification.—The intent here at this point is to deal with proposals for simplification in the tax law without major substantive changes in the underlying provisions. Areas in which the staffs have already done a considerable amount of work toward tax simplification include the pres-

ent annuity rule, the retirement income credit, the sick pay exclusion, moving expense deduction, section 367 (advance approval for tax-free exchanges involving foreign corporations), child care deduction, accumulation trust (throwback provisions) and the so-called deadwood or tax simplification bill introduced in the last Congress by Chairman Mills. Tax simplification proposals presented in the public testimony, of course, need not be limited to these areas.

(NOTE: The foregoing list of subjects is not necessarily in the order in which they will be considered.)

The second phase of this public hearing is open to all persons and organizations interested in presenting testimony to the Committee on any one, some, or all of the foregoing subjects, or other areas, including, for example, subjects involved in tax bills reported from the Committee in the 92nd Congress but which did not become law.

Witnesses who will be testifying on more than one major subject will be listed in the category of "general witnesses" and will be heard at the beginning of this phase of the hearing. In cases where a witness wishes to concentrate his testimony on one major subject, but comment in a lesser way on other subjects, he will be scheduled under the major subject and can submit his statement for the record on the minor areas.

Administration witnesses will be scheduled at the end of the hearings.

Details for submission of requests to be heard

Cutoff Date for Requests to be Heard—Requests to be heard must be submitted by no later than the close of business Friday, February 16, 1973. As previously indicated, individuals and organizations desiring to testify on most or all of the subjects listed herein will be heard at the beginning of this phase of the hearing, i.e., "general testimony" will be the first category to be heard.

All requests should be submitted to John M. Martin, Jr., Chief Counsel, Committee on Ways and Means, Room 1102 Longworth House Office Building, Washington, D.C. 20515 (telephone: (202) 225-3625). Notification will be made as promptly as possible after the cutoff date as to when witnesses have been scheduled to appear. Once the witness has been advised of his date of appearance, it is not possible for this date to be changed. If a witness finds that he cannot appear on that day, he may wish to either substitute another spokesman in his stead or file a written statement for the record of the hearing in lieu of a personal appearance.

Coordination of Testimony—In view of the heavy schedule of the Committee ahead and the limited time available to the Committee to conduct this hearing, it is requested and it is most important that all persons and organizations with the same general interest designate one spokesman to represent them so as to conserve the time of the Committee and the other witnesses, prevent repetition and assure that all aspects of the subjects being discussed at this hearing can be given appropriate attention.

The Committee will be pleased to receive from any interested organization or person a written statement for consideration for inclusion in the printed record of the hearing in lieu of a personal appearance. These statements will be given the same full consideration as though the statements had been presented in person. In such cases, a minimum of three copies of the statement should be submitted by a date to be specified later.

Allocation of Time of Witnesses—Because of the Committee's heavy legislative schedule, which will limit the total time available to the Committee in which to conduct these hearings, and to assure fairness to all witnesses and all points of view, it will be necessary to allocate time to witnesses for the presentation of their direct oral testimony. If the witness wishes to present a long and detailed statement to the Committee, it will be necessary for him to confine his oral presentation to a summary of his views while submitting a detailed written statement for the Committee members' consideration and for inclusion in the record of the hearing.

Contents of Requests to be Heard—The request to be heard *must* contain the following information, otherwise delay may result in the proper processing of a request:

(1) the name, address and capacity in which the witness will appear;

(2) the list of persons or organizations the witness represents and in the case of associations and organizations their total membership and where possible a membership list;

(3) the amount of time the witness desires in which to present his direct oral testimony (not including answers to questions of Committee members);

(4) an indication of whether or not the witness is supporting or opposing any specific proposal or proposals on which he desires to testify; and

(5) a topical outline or summary of the comments and recommendations which the witness proposes to make.

Submission of Prepared Written Statements—With respect to oral testimony, the rules of the Committee require that prepared statements be submitted to the Committee office no later than 48 hours prior to the scheduled appearance of the witness. Seventy-five (75) copies of the written statements would be required in this instance; an additional seventy-five (75) copies may be submitted for distribution to the press and the interested public on the witness' date of appearance.

Any interested organization or person may submit a written statement in lieu of a personal appearance for consideration for inclusion in the printed record of the hearing. Such statements should be submitted by a date to be specified later, in triplicate. An additional seventy-five (75) copies of written statements for the printed record will be accepted for distribution to the press and the interested public if submitted before the final day of the public hearing.

Format of All Written Statements—It is very important that all prepared statements contain a *summary* of the testimony and recommendations and that throughout the statement itself pertinent subject headings be used.

Re-submission of Requests to be Heard where Request Already Made—If a prospective witness has already submitted a request to be heard on any of the subjects covered by this hearing, the request should be resubmitted furnishing the above information and otherwise conforming to the rules set forth for conducting this hearing.

AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, all of us are overjoyed that a cease-fire will go into effect at 7 p.m. Saturday in Vietnam and that a peace agreement has been achieved.

After learning the provisions of the peace agreement, I personally am convinced that the peace President Nixon has negotiated is one which will last.

We must "win the peace" in Vietnam. As President Nixon told the Nation last night—

Ending the war is only the first step toward building the peace.

Careful perusal of the provisions in the peace agreement hammered out by Henry Kissinger in Paris should give every American reason to believe that the fighting may indeed have ended in Indochina.

The struggle now will be one for political control, and I hope it will not flare into renewed military conflict between North and South Vietnam.

I am sure all Members of the House will be interested in studying the provisions of the Vietnam peace agreement, and so I will insert them in the RECORD at this point. I am also inserting the text of the President's speech to the Nation:

TEXT OF A RADIO AND TELEVISION ADDRESS BY THE PRESIDENT ON AN AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM

I have asked for this radio and television time for the purpose of announcing that we have today concluded an agreement to end the war and bring peace with honor in Vietnam and Southeast Asia.

The following statement is being issued at this moment in Washington and in Hanoi:

"At 12:30 p.m. Paris time today, January 23, 1973, The Agreement on Ending the War and Restoring Peace in Vietnam was initialed by Dr. Henry Kissinger on behalf of the United States and Special Advisor Le Duc Tho on behalf of the Democratic Republic of Vietnam.

"The Agreement will be formally signed by the Parties participating in the Paris Conference on Vietnam on January 27, 1973, at the International Conference Center in Paris. The cease-fire will take effect at 2400 Greenwich Mean Time January 27, 1973.

"The United States and the Democratic Republic of Vietnam express the hope that this Agreement will ensure stable peace in Vietnam and contribute to the preservation of lasting peace in Indochina and Southeast Asia."

Throughout the years of negotiations, we have insisted on peace with honor. In my addresses of January 25 and May 8, I set forth the goals that we considered essential to peace with honor. In the settlement that has now been agreed to, the conditions that I laid down then have all been met:

A cease-fire, internationally supervised, will begin at 7:00 p.m. this Saturday, January 27, Washington time.

Within 60 days from this Saturday, all Americans held prisoner throughout Indochina will be released. There will be the fullest possible accounting for all those who are missing in action.

During the same 60-day period, all American forces will be withdrawn from South Vietnam.

The people of South Vietnam have been guaranteed the right to determine their own future without outside interference.

By joint agreement, the full text of the Agreement and of the protocols to carry it out will be released tomorrow.

Throughout the negotiations, we have been in the closest consultation with President Thieu and other representatives of the Republic of Vietnam. This settlement meets the goals and has the full support of President Thieu and the Government of the Republic of Vietnam, as well as that of our other allies who are effected.

The United States will continue to recognize the Government of the Republic of Vietnam as the sole legitimate government of South Vietnam.

We shall continue to aid South Vietnam within the terms of the Agreement, and we shall support efforts by the people of South Vietnam to settle their problems peacefully among themselves.

We must recognize that ending the war is only the first step toward building the peace.

All parties must now see to it that this is a peace that lasts, a peace that heals—and a peace that not only ends the war in Southeast Asia, but contributes to the prospects of peace in the world.

This will mean that the terms of the Agreement must be scrupulously adhered to. We shall do everything the Agreement requires of us, and we shall expect the other parties to do everything it requires of them. We shall also expect other interested nations to help ensure that the Agreement is carried out and the peace maintained.

As this long and difficult war ends, I would like to address a few special words to each of those who have been parties to the conflict.

To the people and the Government of South Vietnam:

By your courage, by your sacrifice, you have won the precious right to determine your own future. You have developed the strength to defend that right. We look forward to working with you in the future, friends in peace as we have been allies in war.

To the leaders of North Vietnam:

As we have ended the war through negotiations, let us build a peace of reconciliation. For our part, we are prepared to make a major effort to help achieve that goal. But just as reciprocity was needed to end the war, so too will it be needed to build and strengthen the peace.

To the other major powers that have been involved, even indirectly;

Now is the time for mutual restraint, so that the peace we have achieved can be kept.

And finally, to the American people:

Your steadfastness in supporting our insistence on peace with honor has made peace with honor possible. I know that you would not have wanted that peace jeopardized.

With our secret negotiations at the sensitive stage they were in during this recent period, for me to have discussed publicly our efforts to secure peace would not only have violated our understanding with North Vietnam; it would have seriously harmed and possibly destroyed the chances for peace. Therefore, I know that you now can understand why, during these past several weeks, I have not made any public statements about those efforts. The important thing was not to talk about peace, but to get peace—and to get the right kind of peace. This we have done.

Now that we have achieved an honorable agreement, let us be proud that America did not settle for a peace that would have betrayed our allies, that would have abandoned our prisoners of war, or that would have ended the war for us but would have continued the war for the 50 million people of Indochina.

Let us be proud of the two and a half million young Americans who served in Vietnam—who served with honor and distinction in one of the most selfless enterprises in the history of nations.

Let us be proud of those who sacrificed—who gave their lives—so that the people of South Vietnam might live in freedom and so that the world might live in peace.

In particular, I would like to say a word to some of the bravest people I have ever met: the wives, the children, the families, of our prisoners of war and of the missing in action.

When others called on us to settle on any terms, you had the courage to stand for the right kind of peace, so that those who died and those who suffered would not have died and suffered in vain, and so that where this generation knew war the next generation could know peace.

Nothing means more to me now than the fact that your long vigil is coming to an end.

Just yesterday, a great American died.

In his life, President Johnson endured the vilification of those who sought to portray him as a man of war. But there was nothing he cared about more deeply than achieving a lasting peace in the world.

I remember the last time I talked with him, just the day after New Year's. He spoke then of his concern with bringing peace, and with making it the right kind of peace, and I was grateful that he once again expressed his support for my efforts to gain such a peace.

No one would have welcomed this peace more than he. And I know he would join me in asking—for those who died, and for those who live—let us consecrate this moment by resolving together to make the peace we have achieved a peace that will last.

FACT SHEET: BASIC ELEMENTS OF VIETNAM AGREEMENT

MILITARY PROVISIONS

Cease-fire

Internationally supervised cease-fire throughout South and North Vietnam, effective at 7:00 pm EST, Saturday, January 27, 1973.

American Forces

Release within 60 days of all American servicemen and civilians captured and held throughout Indochina, and fullest possible accounting for missing in action.

Return of all United States forces and military personnel from South Vietnam within 60 days.

Security of South Vietnam

Ban on infiltration of troops and war supplies into South Vietnam.

The right to unlimited military replacement aid for the Republic of Vietnam.

Respect for the Demilitarized Zone.

Reunification only by peaceful means, through negotiation between North and South Vietnam without coercion or annexation.

Reduction and demobilization of Communist and Government forces in the South.

Ban on use of Laotian or Cambodian base areas to encroach on sovereignty and security of South Vietnam.

Withdrawal of all foreign troops from Laos and Cambodia.

POLITICAL PROVISIONS

Joint United States—Democratic Republic of Vietnam statement that the South Vietnamese people have the right to self-determination.

The Government of the Republic of Vietnam continues in existence, recognized by the United States, its constitutional structure and leadership intact and unchanged.

The right to unlimited economic aid for the Republic of Vietnam.

Formation of a non-governmental National Council of National Reconciliation and Concord, operating by unanimity, to organize elections as agreed by the parties and to promote conciliation and implementation of the Agreement.

INDOCHINA

Reaffirmation of the 1954 and 1962 Geneva Agreements on Cambodia and Laos.

Respect for the independence, sovereignty, unity, territorial integrity and neutrality of Cambodia and Laos.

Ban on inflation of troops and war supplies into Cambodia and Laos.

Ban on use of Laotian and Cambodian base areas to encroach on sovereignty and security of one another and of other countries.

Withdrawal of all foreign troops from Laos and Cambodia.

In accordance with traditional United States policy, U.S. participation in postwar reconstruction efforts throughout Indochina.

With the ending of the war, a new basis for U.S. relations with North Vietnam.

CONTROL AND SUPERVISION

An International Commission of Control and Supervision, with 1160 international supervisory personnel, to control and supervise the elections and various military provisions of the Agreement.

An International Conference within 30 days to guarantee the Agreement and the ending of the war.

Joint Military Commissions of the parties to implement appropriate provisions of the Agreement.

[To be signed at the International Conference Center, Paris, Saturday morning, Paris time, January 27, 1973]

AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM

The Parties participating in the Paris Conference on Vietnam,

With a view to ending the war and restoring peace in Vietnam on the basis of respect for the Vietnamese people's fundamental national rights and the South Vietnamese people's right to self-determination, and to contributing to the consolidation of peace in Asia and the world,

Have agreed on the following provisions and undertake to respect and to implement them:

CHAPTER I—THE VIETNAMESE PEOPLE'S FUNDAMENTAL NATIONAL RIGHTS

Article 1

The United States and all other countries respect the independence, sovereignty, unity, and territorial integrity of Vietnam as recognized by the 1954 Geneva Agreements on Vietnam.

CHAPTER II—CESSATION OF HOSTILITIES — WITHDRAWAL OF TROOPS

Article 2

A cease-fire shall be observed throughout South Vietnam as of 2400 hours G.M.T., on January 27, 1973.

At the same hour, the United States will stop all its military activities against the territory of the Democratic Republic of Vietnam by ground, air and naval forces, wherever they may be based, and end the mining of the territorial waters, ports, harbors, and waterways of the Democratic Republic of Vietnam. The United States will remove, permanently deactivate or destroy all the mines in the territorial waters, ports, harbors, and waterways of North Vietnam as soon as this Agreement goes into effect.

The complete cessation of hostilities mentioned in this Article shall be durable and without limit of time.

Article 3

The parties undertake to maintain the cease-fire and to ensure a lasting and stable peace.

As soon as the cease-fire goes into effect:

(a) The United States forces and those of the other foreign countries allied with the United States and the Republic of Vietnam shall remain in-place pending the implementation of the plan of troop withdrawal. The Four-Party Joint Military Commission described in Article 16 shall determine the modalities.

(b) The armed forces of the two South Vietnamese parties shall remain in-place. The Two-Party Joint Military Commission described in Article 17 shall determine the areas controlled by each party and the modalities of stationing.

(c) The regular forces of all services and arms and the irregular forces of the parties in South Vietnam shall stop all offensive activities against each other and shall strictly abide by the following stipulations:

All acts of force on the ground, in the air, and on the sea shall be prohibited;

All hostile acts, terrorism and reprisals by both sides will be banned.

Article 4

The United States will not continue its military involvement or intervene in the internal affairs of South Vietnam.

Article 5

Within sixty days of the signing of this Agreement, there will be a total withdrawal from South Vietnam of troops, military advisers, and military personnel, including

technical military personnel and military personnel associated with the pacification program, armaments, munitions, and war material of the United States and those of the other foreign countries mentioned in Article 3(a). Advisers from the above-mentioned countries to all paramilitary organizations and the police force will also be withdrawn within the same period of time.

Article 6

The dismantlement of all military bases in South Vietnam of the United States and of the other foreign countries mentioned in Article 3(a) shall be completed within sixty days of the signing of this Agreement.

Article 7

From the enforcement of the cease-fire to the formation of the government provided for in Articles 9(b) and 14 of this Agreement, the two South Vietnamese parties shall not accept the introduction of troops, military advisers, and military personnel including technical military personnel, armaments, munitions, and war material into South Vietnam.

The two South Vietnamese parties shall be permitted to make periodic replacement of armaments, munitions and war material which have been destroyed, damaged, worn out or used up after the cease-fire, on the basis of piece-for-piece, of the same characteristics and properties, under the supervision of the Joint Military Commission of the two South Vietnamese parties and of the International Commission of Control and Supervision.

CHAPTER III—THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS, AND CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

Article 8

(a) The return of captured military personnel and foreign civilians of the parties shall be carried out simultaneously with and completed not later than the same day as the troop withdrawal mentioned in Article 5. The parties shall exchange complete lists of the above-mentioned captured military personnel and foreign civilians on the day of the signing of this Agreement.

(b) The parties shall help each other to get information about those military personnel and foreign civilians of the parties missing in action, to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of the remains, and to take any such other measures as may be required to get information about those still considered missing in action.

(c) The question of the return of Vietnamese civilian personnel captured and detained in South Vietnam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21(b) of the Agreement on the Cessation of Hostilities in Vietnam of July 20, 1954. The two South Vietnamese parties will do so in a spirit of national reconciliation and concord, with a view to ending hatred and enmity, in order to ease suffering and to reunite families. The two South Vietnamese parties will do their utmost to resolve this question within ninety days after the cease-fire comes into effect.

CHAPTER IV—THE EXERCISE OF THE SOUTH VIETNAMESE PEOPLE'S RIGHT TO SELF-DETERMINATION

Article 9

The Government of the United States of America and the Government of the Democratic Republic of Vietnam undertake to respect the following principles for the exercise of the South Vietnamese people's right to self-determination:

(a) The South Vietnamese people's right to self-determination is sacred, inalienable, and shall be respected by all countries.

(b) The South Vietnamese people shall decide themselves the political future of South Vietnam through genuinely free and democratic general elections under international supervision.

(c) Foreign countries shall not impose any political tendency or personality on the South Vietnamese people.

Article 10

The two South Vietnamese parties undertake to respect the cease-fire and maintain peace in South Vietnam, settle all matters of contention through negotiations, and avoid all armed conflict.

Article 11

Immediately after the cease-fire, the two South Vietnamese parties will:

Achieve national reconciliation and concord, end hatred and enmity, prohibit all acts of reprisal and discrimination against individuals or organizations that have collaborated with one side or the other;

Ensure the democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work, right to property ownership, and right to free enterprise.

Article 12

(a) Immediately after the cease-fire, the two South Vietnamese parties shall hold consultations in a spirit of national reconciliation and concord, mutual respect, and mutual non-elimination to set up a National Council of National Reconciliation and Concord of three equal segments. The Council shall operate on the principle of unanimity. After the National Council of National Reconciliation and Concord has assumed its functions, the two South Vietnamese parties will consult about the formation of councils at lower levels. The two South Vietnamese parties shall sign an agreement on the internal matters of South Vietnam as soon as possible and do their utmost to accomplish this within ninety days after the cease-fire comes into effect, in keeping with the South Vietnamese people's aspirations for peace, independence and democracy.

(b) The National Council of National Reconciliation and Concord shall have the task of promoting the two South Vietnamese parties' implementation of this Agreement, achievement of national reconciliation and concord and ensurance of democratic liberties. The National Council of National Reconciliation and Concord will organize the free and democratic general elections provided for in Article 9(b) and decide the procedures and modalities of these general elections. The institutions for which the general elections are to be held will be agreed upon through consultations between the two South Vietnamese parties. The National Council of National Reconciliation and Concord will also decide the procedures and modalities of such local elections as the two South Vietnamese parties agree upon.

Article 13

The question of Vietnamese armed forces in South Vietnam shall be settled by the two South Vietnamese parties in a spirit of national reconciliation and concord, equality and mutual respect, without foreign interference, in accordance with the postwar situation. Among the questions to be discussed by the two South Vietnamese parties are steps to reduce their military effectives and to demobilize the troops being reduced. The two South Vietnamese parties will accomplish this as soon as possible.

Article 14

South Vietnam will pursue a foreign policy of peace and independence. It will be prepared to establish relations with all countries irrespective of their political and social systems on the basis of mutual respect for independence and sovereignty and accept economic and technical aid from any country with no political conditions attached. The acceptance of military aid by South Vietnam in the future shall come under the authority of the government set up after the general elections in South Vietnam provided for in Article 9(b).

CHAPTER V—THE REUNIFICATION OF VIETNAM AND THE RELATIONSHIP BETWEEN NORTH AND SOUTH VIETNAM

Article 15

The reunification of Vietnam shall be carried out step by step through peaceful means on the basis of discussions and agreements between North and South Vietnam, without coercion or annexation by either party, and without foreign interference. The time for reunification will be agreed upon by North and South Vietnam.

Pending reunification:

(a) The military demarcation line between the two zones at the 17th parallel is only provisional and not a political or territorial boundary, as provided for in paragraph 6 of the Final Declaration of the 1954 Geneva Conference.

(b) North and South Vietnam shall respect the Demilitarized Zone on either side of the Provisional Military Demarcation Line.

(c) North and South Vietnam shall promptly start negotiations with a view to reestablishing normal relations in various fields. Among the questions to be negotiated are the modalities of civilian movement across the Provisional Military Demarcation Line.

(d) North and South Vietnam shall not join any military alliance or military bloc and shall not allow foreign powers to maintain military bases, troops, military advisers, and military personnel on their respective territories, as stipulated in the 1954 Geneva Agreements on Vietnam.

CHAPTER VI—THE JOINT MILITARY COMMISSIONS, THE INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION, THE INTERNATIONAL CONFERENCE

Article 16

(a) The Parties participating in the Paris Conference on Vietnam shall immediately designate representatives to form a Four-Party Joint Military Commission with the task of ensuring joint action by the parties in implementing the following provisions of this Agreement:

The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam;

Article 3(a), regarding the cease-fire by U.S. forces and those of the other foreign countries referred to in that Article;

Article 3(c), regarding the cease-fire between all parties in South Vietnam;

Article 5, regarding the withdrawal from South Vietnam of U.S. troops and those of the other foreign countries mentioned in Article 3(a);

Article 6, regarding the dismantlement of military bases in South Vietnam of the United States and those of the other foreign countries mentioned in Article 3(a);

Article 8(a), regarding the return of captured military personnel and foreign civilians of the parties;

Article 8(b), regarding the mutual assistance of the parties in getting information about those military personnel and foreign civilians of the parties missing in action.

(b) The Four-Party Joint Military Commission shall operate in accordance with the principle of consultations and unanimity. Disagreements shall be referred to the International Commission of Control and Supervision.

(c) The Four-Party Joint Military Commission shall begin operating immediately after the signing of this Agreement and end its activities in sixty days, after the completion of the withdrawal of U.S. troops and those of the other foreign countries mentioned in Article 3(a) and the completion of

the return of captured military personnel and foreign civilians of the parties.

(d) The four parties shall agree immediately on the organization, the working procedure, means of activity, and expenditures of the Four-Party Joint Military Commission.

Article 17

(a) The two South Vietnamese parties shall immediately designate representatives to form a Two-Party Joint Military Commission with the task of ensuring joint action by the two South Vietnamese parties in implementing the following provisions of this Agreement:

The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

Article 3(b), regarding the cease-fire between the two South Vietnamese parties;

Article 3(c), regarding the cease-fire between all parties in South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

Article 7, regarding the prohibition of the introduction of troops into South Vietnam and all other provisions of this article;

Article 8(c), regarding the question of the return of Vietnamese civilian personnel captured and detained in South Vietnam;

Article 13, regarding the reduction of the military effectives of the two South Vietnamese parties and the demobilization of the troops being reduced.

(b) Disagreements shall be referred to the International Commission of Control and Supervision.

(c) After the signing of this Agreement, the Two-Party Joint Military Commission shall agree immediately on the measures and organization aimed at enforcing the cease-fire and preserving peace in South Vietnam.

Article 18

(a) After the signing of this Agreement, an International Commission of Control and Supervision shall be established immediately.

(b) Until the International Conference provided for in Article 19 makes definitive arrangements, the International Commission of Control and Supervision will report to the four parties on matters concerning the control and supervision of the implementation of the following provisions of this Agreement:

The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam;

Article 3(a), regarding the cease-fire by U.S. forces and those of the other foreign countries referred to in that Article;

Article 3(c) regarding the cease-fire between all the parties in South Vietnam;

Article 5, regarding the withdrawal from South Vietnam of U.S. troops and those of the other foreign countries mentioned in Article 3(a);

Article 6, regarding the dismantlement of military bases in South Vietnam of the United States and those of the other foreign countries mentioned in Article 3(a);

Article 8(a), regarding the return of captured military personnel and foreign civilians of the parties.

The International Commission of Control and Supervision shall form control teams for carrying out its tasks. The four parties shall agree immediately on the location and operation of these teams. The parties will facilitate their operation.

(c) Until the International Conference makes definitive arrangements, the International Commission of Control and Supervision will report to the two South Vietnamese parties on matters concerning the control and supervision of the implementation of the following provisions of this Agreement;

The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

Article 3(b), regarding the cease-fire between the two South Vietnamese parties;

Article 3(c), regarding the cease-fire between all parties in South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

Article 7, regarding the prohibition of the introduction of troops into South Vietnam and all other provisions of this Article;

Article 8(c), regarding the question of the return of Vietnamese civilian personnel captured and detained in South Vietnam;

Article 9(b), regarding the free and democratic general elections in South Vietnam;

Article 13, regarding the reduction of the military effectives of the two South Vietnamese parties and demobilization of the troops being reduced.

The International Commission of Control and Supervision shall form control teams for carrying out its tasks. The two South Vietnamese parties shall agree immediately on the location and operation of these teams. The two South Vietnamese parties will facilitate their operation.

(d) The International Commission of Control and Supervision shall be composed of representatives of four countries: Canada, Hungary, Indonesia and Poland. The chairmanship of this Commission will rotate among the members for specific periods to be determined by the Commission.

(e) The International Commission of Control and Supervision shall carry out its tasks in accordance with the principle of respect for the sovereignty of South Vietnam.

(f) The International Commission of Control and Supervision shall operate in accordance with the principle of consultations and unanimity.

(g) The International Commission of Control and Supervision shall begin operating when a cease-fire comes into force in Vietnam. As regards the provisions in Article 18 (b) concerning the four parties, the International Commission of Control and Supervision shall end its activities when the Commission's tasks of control and supervision regarding these provisions have been fulfilled. As regards the provisions in Article 18(c) concerning the two South Vietnamese parties, the International Commission of Control and Supervision shall end its activities on the request of the government formed after the general elections in South Vietnam provided for in Article 9(b).

(h) The four parties shall agree immediately on the organization, means of activity, and expenditures of the International Commission of Control and Supervision. The relationship between the International Commission and the International Conference will be agreed upon by the International Commission and the International Conference.

Article 19

The parties agree on the convening of an International Conference within thirty days of the signing of this Agreement to acknowledge the signed agreements; to guarantee the ending of the war, the maintenance of peace in Vietnam, the respect of the Vietnamese people's fundamental national rights, and the South Vietnamese people's right to self-determination; and to contribute to and guarantee peace in Indochina.

The United States and the Democratic Republic of Vietnam, on behalf of the parties participating in the Paris Conference on Vietnam, will propose to the following parties that they participate in this International Conference: the People's Republic of China, the Republic of France, the Union of Soviet Socialist Republics, the United Kingdom, the four countries of the International Commission of Control and Supervision, and the Secretary General of the United Nations, together with the parties participating in the Paris Conference on Vietnam.

CHAPTER VII—REGARDING CAMBODIA AND LAOS

Article 20

(a) The parties participating in the Paris Conference on Vietnam shall strictly respect the 1954 Geneva Agreements on Cambodia and the 1962 Geneva Agreements on Laos, which recognized the Cambodian and the Lao peoples' fundamental national rights, i.e., the independence, sovereignty, unity, and territorial integrity of these countries. The parties shall respect the neutrality of Cambodia and Laos.

The parties participating in the Paris Conference on Vietnam undertake to refrain from using the territory of Cambodia and the territory of Laos to encroach on the sovereignty and security of one another and of other countries.

(b) Foreign countries shall put an end to all military activities in Cambodia and Laos, totally withdraw from and refrain from reintroducing into these two countries troops, military advisers and military personnel, armaments, munitions and war material.

(c) The internal affairs of Cambodia and Laos shall be settled by the people of each of these countries without foreign interference.

(d) The problems existing between the Indochinese countries shall be settled by the Indochinese parties on the basis of respect for each other's independence, sovereignty, and territorial integrity, and non-interference in each other's internal affairs.

CHAPTER VIII—THE RELATIONSHIP BETWEEN THE UNITED STATES AND THE DEMOCRATIC REPUBLIC OF VIETNAM

Article 21

The United States anticipates that this Agreement will usher in an era of reconciliation with the Democratic Republic of Vietnam as with all the peoples of Indochina. In pursuance of its traditional policy, the United States will contribute to healing the wounds of war and to postwar reconstruction of the Democratic Republic of Vietnam and throughout Indochina.

Article 22

The ending of the war, the restoration of peace in Vietnam, and the strict implementation of this Agreement will create conditions for establishing a new, equal and mutually beneficial relationship between the United States and the Democratic Republic of Vietnam on the basis of respect for each other's independence and sovereignty, and non-interference in each other's internal affairs. At the same time this will ensure stable peace in Vietnam and contribute to the preservation of lasting peace in Indochina and Southeast Asia.

CHAPTER IX—OTHER PROVISIONS

Article 23

This agreement shall enter into force upon signature by plenipotentiary representatives of the parties participating in the Paris Conference on Vietnam. All the parties concerned shall strictly implement this Agreement and its Protocols.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

[Separate Numbered Page]

For the Government of the United States of America; William P. Rogers, Secretary of State.

For the Government of the Republic of Vietnam; Tran Van Lam, Minister for Foreign Affairs.

[Separate Numbered Page]

For the Government of the Democratic Republic of Vietnam; Nguyen Duy Trinh, Minister for Foreign Affairs.

For the Provisional Revolutionary Government of the Republic of South Vietnam: Nguyen Thi Binh, Minister for Foreign Affairs.

[To be signed at the International Conference Center, Paris, Saturday afternoon, Paris time, January 27, 1973]

AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM

The Government of the United States of America, with the concurrence of the Government of the Republic of Vietnam,

The Government of the Democratic Republic of Vietnam, with the concurrence of the Provisional Revolutionary Government of the Republic of South Vietnam,

With a view to ending the war and restoring peace in Vietnam on the basis of respect for the Vietnamese people's fundamental national rights and the South Vietnamese people's right to self-determination, and to contributing to the consolidation of peace in Asia and the world,

Have agreed on the following provisions and undertake to respect and to implement them:

[Text of Agreement Chapters I–VIII Same as Above]

CHAPTER IX—OTHER PROVISIONS

Article 23

The Paris Agreement on Ending the War and Restoring Peace in Vietnam shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and upon signature of a document in the same terms by the Secretary of State of the Government of the United States of America, the Minister for Foreign Affairs of the Government of the Republic of Vietnam, the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Vietnam. The Agreement and the protocols to it shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America: William P. Rogers, Secretary of State.

For the Government of the Democratic Republic of Vietnam: Nguyen Duy Trinh, Minister for Foreign Affairs.

[To be signed at the International Conference Center, Paris, Saturday morning, Paris time, January 27, 1973]

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION

The parties participating in the Paris Conference on Vietnam,

In implementation of Article 18 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the formation of the International Commission of Control and Supervision,

Have agreed as follows:

ARTICLE 1

The implementation of the Agreement is the responsibility of the parties signatory to the Agreement.

The functions of the International Commission are to control and supervise the implementation of the provisions mentioned in Article 18 of the Agreement. In carrying out these functions, the International Commission shall:

(a) Follow the implementation of the above-mentioned provisions of the Agreement through communication with the parties and on-the-spot observation at the places where this is required;

(b) Investigate violations of the provisions which fall under the control and supervision of the Commission;

(c) When necessary, cooperate with the Joint Military Commissions in deterring and detecting violations of the above-mentioned provisions.

ARTICLE 2

The International Commission shall investigate violations of the provisions described in Article 18 of the Agreement on the request of the Four-Party Joint Military Commission, or of the Two-Party Joint Military Commission, or of any party, or, with respect to Article 9 (b) of the Agreement on general elections, of the National Council of National Reconciliation and Concord, or in any case where the International Commission has other adequate grounds for considering that there has been a violation of those provisions. It is understood that, in carrying out this task, the International Commission shall function with the concerned parties' assistance and cooperation as required.

ARTICLE 3

(a) When the International Commission finds that there is a serious violation in the implementation of the Agreement or a threat to peace against which the Commission can find no appropriate measure, the Commission shall report this to the four parties to the Agreement so that they can hold consultations to find a solution.

(b) In accordance with Article 18 (f) of the Agreement, the International Commission's reports shall be made with the unanimous agreement of the representatives of all the four members. In case no unanimity is reached, the Commission shall forward the different views to the four parties in accordance with Article 18 (b) of the Agreement, or to the two South Vietnamese parties in accordance with Article 18 (c) of the Agreement, but these shall not be considered as reports of the Commission.

ARTICLE 4

(a) The headquarters of the International Commission shall be at Saigon.

(b) There shall be seven regional teams located in the regions shown on the annexed map and based at the following places:

Regions:	*Places*
I	Hue
II	Danang
III	Pleiku
IV	Phan Thiet
V	Bien Hoa
VI	My Tho
VII	Can Tho

The International Commission shall designate three teams for the region of Saigon-Gia Dinh.

(c) There shall be twenty-six teams operating in the areas shown on the annexed map and based at the following places in South Vietnam:

Region I: Quang Tri, Phu Bai.

Region II: Hoi An, Tam Ky, Chu Lai.

Region III: Kontum, Hau Bon, Phu Cat, Tuy An, Ninh Hoa, Ban Me Thuot.

Region IV: Da Lat, Bao Loc, Phan Rang.

Region V: An Loc, Xuan Loc, Ben Cat, Cu Chi, Tan An.

Region VI: Moc Hoa, Giong Trom.

Region VII: Tri Ton, Vinh Long, Vi Thanh, Khanh Hung, Quan Long.

(d) There shall be twelve teams located as shown on the annexed map and based at the following places:

Gio Linh (to cover the area south of the Provisional Military Demarcation Line).
Lao Bao.
Ben Het.
Duc Co.
Chu Lai.
Qui Nhon.
Nha Trang.
Vung Tau.
Xa Mat.
Bien Hoa Airfield.
Hong Ngu.
Can Tho.

(e) There shall be seven teams, six or which shall be available for assignment to the points of entry which are not listed in paragraph (d) above and which the two South Vietnamese parties choose as points for legitimate entry to South Vietnam for replacement of armaments, munitions, and war material permitted by Article 7 of the Agreement. Any team or teams not needed for the above-mentioned assignment shall be available for other tasks, in keeping with the Commission's responsibility for control and supervision.

(f) There shall be seven teams to control and supervise the return of captured and detained personnel of the parties.

ARTICLE 5

(a) To carry out its tasks concerning the return of the captured military personnel and foreign civilians of the parties as stipulated by Article 8(a) of the Agreement, the International Commission shall, during the time of such return, send one control and supervision team to each place in Vietnam where the captured persons are being returned, and to the last detention places from which these persons will be taken to the places of return.

(b) To carry out its tasks concerning the return of the Vietnamese civilian personnel captured and detained in South Vietnam mentioned in Article 8(c) of the Agreement, the International Commission shall, during the time of such return, send one control and supervision team to each place in South Vietnam where the above-mentioned captured and detained persons are being returned, and to the last detention places from which these persons shall be taken to the places of return.

ARTICLE 6

To carry out its tasks regarding Article 9 (b) of the Agreement on the free and democratic general elections in South Vietnam, the International Commission shall organize additional teams, when necessary. The International Commission shall discuss this question in advance with the National Council of National Reconciliation and Concord. If additional teams are necessary for this purpose, they shall be formed thirty days before the general elections.

ARTICLE 7

The International Commission shall continually keep under review its size, and shall reduce the number of its teams, its representatives or other personnel, or both, when those teams, representatives or personnel have accomplished the tasks assigned to them and are not required for other tasks. At the same time, the expenditures of the International Commission shall be reduced correspondingly.

ARTICLE 8

Each member of the International Commission shall make available at all times the following numbers of qualified personnel:

(a) One senior representative and twenty-six others for the headquarters staff.

(b) Five for each of the seven regional teams.

(c) Two for each of the other international control teams, except for the teams at Gio Linh and Vung Tau, each of which shall have three.

(d) One hundred sixteen for the purpose of providing support to the Commission Headquarters and its teams.

ARTICLE 9

(a) The International Commission, and each of its teams, shall act as a single body comprising representatives of all four members.

(b) Each member has the responsibility to ensure the presence of its representatives at all levels of the International Commission. In case a representative is absent, the member concerned shall immediately designate a replacement.

ARTICLE 10

(a) The parties shall afford full cooperation, assistance, and protection to the International Commission.

(b) The parties shall at all times maintain regular and continuous liaison with the International Commission. During the existence of the Four-Party Joint Military Commission, the delegations of the parties to that Commission shall also perform liaison functions with the International Commission. After the Four-Party Joint Military Commission has ended its activities, such liaison shall be maintained through the Two-Party Joint Military Commission, liaison missions, or other adequate means.

(c) The International Commission and the Joint Military Commissions shall closely cooperate with and assist each other in carrying out their respective functions.

(d) Wherever a team is stationed or operating, the concerned party shall designate a liaison officer to the team to cooperate with and assist it in carrying out without hindrance its task of control and supervision. When a team is carrying out an investigation, a liaison officer from each concerned party shall have the opportunity to accompany it, provided the investigation is not thereby delayed.

(e) Each party shall give the International Commission reasonable advance notice of all proposed actions concerning those provisions of the Agreement that are to be controlled and supervised by the International Commission.

(f) The International Commission, including its teams, is allowed such movement for observation as is reasonably required for the proper exercise of its functions as stipulated in the Agreement. In carrying out these functions, the International Commission, including its teams, shall enjoy all necessary assistance and cooperation from the parties concerned.

ARTICLE 11

In supervising the holding of the free and democratic general elections described in Articles 9 (b) and 12 (b) of the Agreement in accordance with modalities to be agreed upon between the National Council of National Reconciliation and Concord and the International Commission, the latter shall receive full cooperation and assistance from the National Council.

ARTICLE 12

The International Commission and its personnel who have the nationality of a member state shall, while carrying out their tasks, enjoy privileges and immunities equivalent to those accorded diplomatic missions and diplomatic agents.

ARTICLE 13

The International Commission may use the means of communication and transport necessary to perform its functions. Each South Vietnamese party shall make available for rent to the International Commission appropriate office and accommodation facilities and shall assist it in obtaining such facilities. The International Commission may receive from the parties, on mutually agreeable terms, the necessary means of communication and transport and may purchase from any source necessary equipment and services not obtained from the parties. The International Commission shall possess these means.

ARTICLE 14

The expenses for the activities of the International Commission shall be borne by the parties and the members of the International Commission in accordance with the provisions of this Article:

(a) Each member country of the International Commission shall pay the salaries and allowances of its personnel.

(b) All other expenses incurred by the International Commission shall be met from a fund to which each of the four parties shall contribute twenty-three percent (23%) and to which each member of the International Commission shall contribute two percent (2%).

(c) Within thirty days of the date of entry into force of this Protocol, each of the four parties shall provide the International Commission with an initial sum equivalent to four million, five hundred thousand (4,500,000) French francs in convertible currency, which sum shall be credited against the amounts due from that party under the first budget.

(d) The International Commission shall prepare its own budgets. After the International Commission approves a budget, it shall transmit it to all parties signatory to the Agreement for their approval. Only after the budgets have been approved by the four parties to the Agreement shall they be obliged to make their contributions. However, in case the parties to the Agreement do not agree on a new budget, the International Commission shall temporarily base its expenditures on the previous budget, except for the extraordinary, one-time expenditures for installation or for the acquisition of equipment, and the parties shall continue to make their contributions on that basis until a new budget is approved.

ARTICLE 15

(a) The headquarters shall be operational and in place within 24 hours after the cease-fire.

(b) The regional teams shall be operational and in place, and three teams for supervision and control of the return of the captured and detained personnel shall be operational and ready for dispatch within 48 hours after the cease-fire.

(c) Other teams shall be operational and in place within fifteen to thirty days after the cease-fire.

ARTICLE 16

Meetings shall be convened at the call of the Chairman. The International Commission shall adopt other working procedures appropriate for the effective discharge of its functions and consistent with respect for the sovereignty of South Vietnam.

ARTICLE 17

The Members of the International Commission may accept the obligations of this Protocol by sending notes of acceptance to the four parties signatory to the Agreement. Should a member of the International Commission decide to withdraw from the International Commission, it may do so by giving three months notice by means of notes to the four parties to the Agreement, in which case those four parties shall consult among themselves for the purpose of agreeing upon a replacement member.

ARTICLE 18

This Protocol shall enter into force upon signature by plenipotentiary representatives of all the parties participating in the Paris Conference on Vietnam. It shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are officially and equally authentic.

[Separate Numbered Page]

For the Government of the United States of America: William P. Rogers, Secretary of State.

For the Government of the Republic of Vietnam: Tran Van Lam, Minister for Foreign Affairs.

[Separate Numbered Page]

For the Government of the Democratic Republic of Vietnam: Nguyen Duy Trinh, Minister for Foreign Affairs.

For the Provisional Revolutionary Government of the Republic of South Vietnam: Nguyen Thi Binh, Minister for Foreign Affairs.

[To be signed at the International Conference Center, Paris, Saturday afternoon, Paris time, January 27, 1973]

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION

The Government of the United States of America, with the concurrence of the Government of the Republic of Vietnam,

The Government of the Democratic Republic of Vietnam, with the concurrence of the Provisional Revolutionary Government of the Republic of South Vietnam,

In implementation of Article 18 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the formation of the International Commission of Control and Supervision,

Have agreed as follows:

[Text of Protocol Articles 1–17 same as above.]

ARTICLE 18

The Protocol to the Paris Agreement on Ending the War and Restoring Peace in Vietnam concerning the International Commission of Control and Supervision shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and upon signature of a document in the same terms by the Secretary of State of the Government of the United States of America, the Minister for Foreign Affairs of the Government of the Republic of Vietnam, the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Vietnam. The Protocol shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America: William P. Rogers, Secretary of State.

For the Government of the Democratic Republic of Vietnam: Nguyen Duy Trinh, Minister for Foreign Affairs.

[To be signed at the International Conference Center, Paris, Saturday morning, Paris time, January 27, 1973]

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM AND CEASE-FIRE IN SOUTH VIETNAM AND THE JOINT MILITARY COMMISSIONS

The parties participating in the Paris Conference on Vietnam.

In implementation of the first paragraph of Article 2, Article 3, Article 5, Article 6, Article 16 and Article 17 of the Agreement

on Ending the War and Restoring Peace in Vietnam signed on this date which provide for the cease-fire in South Vietnam and the establishment of a Four-Party Joint Military Commission and a Two-Party Joint Military Commission.

Have agreed as follows:

CEASE-FIRE IN SOUTH VIETNAM

Article 1

The High Commands of the parties in South Vietnam shall issue prompt and timely orders to all regular and irregular armed forces and the armed police under their command to completely end hostilities throughout South Vietnam, at the exact time stipulated in Article 2 of the Agreement and ensure that these armed forces and armed police comply with these orders and respect the cease-fire.

Article 2

(a) As soon as the cease-fire comes into force and until regulations are issued by the Joint Military Commissions, all ground, river, sea and air combat forces of the parties in South Vietnam shall remain in place; that is, in order to ensure a stable cease-fire, there shall be no major redeployments or movements that would extend each party's area of control or would result in contact between opposing armed forces and clashes which might take place.

(b) All regular and irregular armed forces and the armed police of the parties in South Vietnam shall observe the prohibition of the following acts:

(1) Armed patrols into areas controlled by opposing armed forces and flights by bomber and fighter aircraft of all types, except for unarmed flights for proficiency training and maintenance;

(2) Armed attacks against any person, either military or civilian, by any means whatsoever, including the use of small arms, mortars, artillery, bombing and strafing by airplanes and any other type of weapon or explosive device;

(3) All combat operations on the ground, on rivers, on the sea and in the air;

(4) All hostile acts, terrorism or reprisals; and

(5) All acts endangering lives or public or private property.

Article 3

(a) The above-mentioned prohibitions shall not hamper or restrict:

(1) Civilian supply, freedom of movement, freedom to work, and freedom of the people to engage in trade, and civilian communication and transportation between and among all areas in South Vietnam;

(2) The use of each party in areas under its control of military support elements, such as engineer and transportation units, in repair and construction of public facilities and the transportation and supplying of the population;

(3) Normal military proficiency training conducted by the parties in the areas under their respective control with due regard for public safety.

(b) The Joint Military Commissions shall immediately agree on corridors, routes, and other regulations governing the movement of military transport aircraft, military transport vehicles, and military transport vessels of all types of one party going through areas under the control of other parties.

Article 4

In order to avert conflict and ensure normal conditions for those armed forces which are in direct contact, and pending regulation by the Joint Military Commissions, the commanders of the opposing armed forces at those places of direct contact shall meet as soon as the cease-fire comes into force with a view to reaching an agreement on temporary measures to avert conflict and to ensure supply and medical care for these armed forces.

Article 5

(a) Within fifteen days after the cease-fire comes into effect, each party shall do its utmost to complete the removal or deactivation of all demolition objects, minefields, traps, obstacles or other dangerous objects placed previously, so as not to hamper the population's movement and work, in the first place on waterways, roads and railroads in South Vietnam. Those mines which cannot be removed or deactivated within that time shall be clearly marked and must be removed or deactivated as soon as possible.

(b) Emplacement of mines is prohibited, except as a defensive measure around the edges of military installations in places where they do not hamper the population's movement and work, and movement on waterways, roads and railroads. Mines and other obstacles already in place at the edges of military installations may remain in place if they are in places where they do not hamper the population's movement and work, and movement on waterways, roads and railroads.

Article 6

Civilian police and civilian security personnel of the parties in South Vietnam, who are responsible for the maintenance of law and order, shall strictly respect the prohibitions set forth in Article 2 of this Protocol. As required by their responsibilities, normally they shall be authorized to carry pistols, but when required by unusual circumstances, they shall be allowed to carry other small individual arms.

Article 7

(a) The entry into South Vietnam of replacement armaments, munitions, and war material permitted under Article 7 of the Agreement shall take place under the supervision and control of the Two-Party Joint Military Commission and of the International Commission of Control and Supervision and through such points of entry only as are designated by the two South Vietnamese parties. The two South Vietnamese parties shall agree on these points of entry within fifteen days after the entry into force of the cease-fire. The two South Vietnamese parties may select as many as six points of entry which are not included in the list of places where teams of the International Commission of Control and Supervision are to be based contained in Article 4(d) of the Protocol concerning the International Commission. At the same time, the two South Vietnamese parties may also select points of entry from the list of places set forth in Article 4(d) of that Protocol.

(b) Each of the designated points of entry shall be available only for that South Vietnamese party which is in control of that point. The two South Vietnamese parties shall have an equal number of points of entry.

Article 8

(a) In implementation of Article 5 of the Agreement, the United States and the other foreign countries referred to in Article 5 of the Agreement shall take with them all their armaments, munitions, and war material. Transfers of such items which would leave them in South Vietnam shall not be made subsequent to the entry into force of the Agreement except for transfers of communications, transport, and other non-combat material to the Four-Party Joint Military Commission or the International Commission of Control and Supervision.

(b) Within five days after the entry into force of the cease-fire, the United States shall inform the Four-Party Joint Military Commission and the International Commission of Control and Supervision of the general plans for timing of complete troop withdrawals which shall take place in four phases of fifteen days each. It is anticipated that the numbers of troops withdrawn in each phase are not likely to be widely different, although it is not feasible to ensure equal numbers. The approximate numbers to be withdrawn in each phase shall be given to the Four-Party Joint Military Commission and the International Commission of Control and Supervision sufficiently in advance of actual withdrawals so that they can properly carry out their tasks in relation thereto.

Article 9

(a) In implementation of Article 6 of the Agreement, the United States and the other foreign countries referred to in that Article shall dismantle and remove from South Vietnam or destroy all military bases in South Vietnam of the United States and of the other foreign countries referred to in that Article, including weapons, mines, and other military equipment at these bases, for the purpose of making them unusable for military purposes.

(b) The United States shall supply the Four-Party Joint Military Commission and the International Commission of Control and Supervision with necessary information on plans for base dismantlement so that those Commissions can properly carry out their tasks in relation thereto.

THE JOINT MILITARY COMMISSIONS

Article 10

(a) The implementation of the Agreement is the responsibility of the parties signatory to the Agreement.

The Four-Party Military Commission has the task of ensuring joint action by the parties in implementing the Agreement by serving as a channel of communication among the parties, by drawing up plans and fixing the modalities to carry out, coordinate, follow and inspect the implementation of the provisions mentioned in Article 16 of the Agreement, and by negotiating and settling all matters concerning the implementation of those provisions.

(b) The concrete tasks of the Four-Party Joint Military Commission are:

(1) To coordinate, follow and inspect the implementation of the above-mentioned provisions of the Agreement by the four parties;

(2) To deter and detect violations, to deal with cases of violation, and to settle conflicts and matters of contention between the parties relating to the above-mentioned provisions;

(3) To dispatch without delay one or more joint teams, as required by specific cases, to any part of South Vietnam, to investigate alleged violations of the Agreement and to assist the parties in finding measures to prevent recurrence of similar cases;

(4) To engage in observation at the places where this is necessary in the exercise of its functions;

(5) To perform such additional tasks as it may, by unanimous decision, determine.

Article 11

(a) There shall be a Central Joint Military Commission located in Saigon. Each party shall designate immediately a military delegation of fifty-nine persons to represent it on the Central Commission. The senior officer designated by each party shall be a general officer, or equivalent.

(b) There shall be seven Regional Joint Military Commissions located in the regions shown on the annexed map and based at the following places:

Regions and Places

I	Hue
II	Danang
III	Pleiku
IV	Phan Thiet
V	Bien Hoa
VI	My Tho
VII	Can Tho

Each party shall designate a military delegation of sixteen persons to represent it on each Regional Commission. The senior officer designated by each party shall be an officer from the rank of Lieutenant Colonel to Colonel, or equivalent.

(c) There shall be a joint military team operating in each of the areas shown on the annexed map and based at each of the following places in South Vietnam:

Region I: Quang Tri, Phu Bai.

Region II: Hoi An, Tam Ky, Chu Lai.

Region III: Kontum, Hau Bon, Phu Cat, Tuy An, Ninh Hao, Ban Me Thuot.

Region IV: Da Lat, Bao Loc, Phan Rang.

Region V: An Loc, Xuan Loc, Ben Cat, Cu Chi, Tan An.

Region VI: Moc Hoa, Giong Trom.

Region VII: Tri Ton, Vinh Long, Vi Thanh, Khanh Hung, Quan Long.

Each party shall provide four qualified persons for each joint military team. The senior person designated by each party shall be an officer from the rank of Major to Lieutenant Colonel, or equivalent.

(d) The Regional Joint Military Commissions shall assist the Central Joint Military Commission in performing its tasks and shall supervise the operations of the joint military teams. The region of Saigon-Gia Dinh is placed under the responsibility of the Central Commission which shall designate joint military teams to operate in this region.

(e) Each party shall be authorized to provide support and guard personnel for its delegations to the Central Joint Military Commission and Regional Joint Military Commissions, and for its members of the joint military teams. The total number of support and guard personnel for each party shall not exceed five hundred and fifty.

(f) The Central Joint Military Commission may establish such joint sub-commissions, joint staffs and joint military teams as circumstances may require. The Central Commission shall determine the numbers of personnel required for any additional sub-commissions, staffs or teams it establishes, provided that each party shall designate one-fourth of the number of personnel required and that the total number of personnel for the Four-Party Joint Military Commission, to include its staffs, teams, and support personnel, shall not exceed three thousand three hundred.

(g) The delegations of the two South Vietnamese parties may, by agreement, establish provisional sub-commissions and joint military teams to carry out the tasks specifically assigned to them by Article 17 of the Agreement. With respect to Article 7 of the Agreement, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall establish joint military teams at the points of entry into South Vietnam used for replacement of armaments, munition and war material which are designated in accordance with Article 7 of this Protocol. From the time the cease-fire comes into force to the time when the Two-Party Joint Military Commission becomes operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall form a provisional sub-commission and provisional joint military teams to carry out its tasks concerning captured and detained Vietnamese civilian personnel. Where necessary for the above purposes, the two South Vietnamese delegations to the Four-Party Joint Military Commission.

Article 12

(a) In accordance with Article 17 of the Agreement which stipulates that the two South Vietnamese parties shall immediately designate their respective representatives to form the Two-Party Joint Military Commission, twenty-four hours after the cease-fire comes into force, the two designated South Vietnamese parties' delegations to the Two-Party Joint Military Commission shall meet in Saigon so as to reach an agreement as soon as possible on organization and operation of the Two-Party Joint Military Commission, as well as the measures and organization aimed at enforcing the cease-fire and preserving peace in South Vietnam.

(b) From the time the cease-fire comes into force to the time when the Two-Party Joint Military Commission become operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission at all levels shall simultaneously assume the tasks of the Two-Party Joint Military Commission at all levels, in addition to their functions as delegations to the Four-Party Joint Military Commission.

(c) If, at the time the Four-Party Joint Military Commission ceases its operation in accordance with Article 16 of the Agreement, agreement has not been reached on organization of the Two-Party Joint Military Commission, the delegations of the two South Vietnamese parties serving with the Four-Party Joint Military Commission at all levels shall continue temporarily to work together as a provisional two-party joint military commission and to assume the tasks of the Two-Party Joint Military Commission at all levels until the Two-Party Joint Military Commission becomes operational.

Article 13

In application of the principle of unanimity, the Joint Military Commissions shall have no chairmen, and meetings shall be convened at the request of any representative. The Joint Military Commissions shall adopt working procedures appropriate for the effective discharge of their functions and responsibilities.

Article 14

The Joint Military Commissions and the International Commission of Control and Supervision shall closely cooperate with and assist each other in carrying out their respective functions. Each Joint Military Commission shall inform the International Commission about the implementation of those provisions of the Agreement for which that Joint Military Commission has responsibility and which are within the competence of the International Commission. Each Joint Military Commission may request the International Commission to carry out specific observation activities.

Article 15

The Central Four-Party Joint Military Commission shall begin operating twenty-four hours after the cease-fire comes into force. The Regional Four-Party Joint Military Commissions shall begin operating forty-eight hours after the cease-fire comes into force. The joint military teams based at the places listed in Aricle 11(c) of this Protocol shall begin operating no later than fifteen days after the cease-fire comes into force. The delegations of the two South Vietnamese parties shall simultaneously begin to assume the tasks of the Two-Party Joint Military Commission as provided in Article 12 of this Protocol.

Article 16

(a) The parties shall provide full protection and all necessary assistance and cooperation to the Joint Military Commissions at all levels, in the discharge of their tasks.

(b) Each party, in its areas of control shall their personnel, while carrying out their tasks, shall enjoy privileges and immunities equivalent to those accorded diplomatic missions and diplomatic agents.

(c) The personnel of the Joint Military Commissions may carry pistols and wear special insignia decided upon by each Central Joint Military Commission. The personnel of each party while guarding Commission installations or equipment may be authorized to carry other individual small arms, as determined by each Central Joint Military Commission.

Article 17

(a) The delegation of each party to the Four-Party Joint Military Commission and the Two-Party Joint Military Commission shall have its own offices, communication, logistics and transportation means, including aircraft when necessary.

(b) Each party, in its areas of control shall provide appropriate office and accommodation facilities to the Four-Party Joint Military Commission and the Two-Party Joint Military Commission at all levels.

(c) The parties shall endeavor to provide to the Four-Party Joint Military Commission and the Two-Party Joint Military Commission, by means of loan, lease, or gift, the common means of operation, including equipment for communication, supply, and transport, including aircraft when necessary. The Joint Military Commission may purchase from any source necessary facilities, equipment, and services which are not supplied by the parties. The Joint Military Commissions shall possess and use these facilities and this equipment.

(d) The facilities and the equipment for common use mentioned above shall be returned to the parties when the Joint Military Commissions have ended their activities.

Article 18

The common expenses of the Four-Party Joint Military Commission shall be borne equally by the four parties, and the common expenses of the Two-Party Joint Military Commission in South Vietnam shall be borne equally by these two parties.

Article 19

This Protocol shall enter into force upon signature by plenipotentiary representatives of all the parties participating in the Paris Conference on Vietnam. It shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

[Separate Numbered Page.]

For the Government of the United States of America: William P. Rogers, Secretary of State.

For the Government of the Republic of Vietnam: Tran Van Lam, Minister for Foreign Affairs.

[Separate Numbered Page.]

For the Government of the Democratic Republic of Vietnam: Nguyen Duy Trinh, Minister for Foreign Affairs.

For the Provisional Revolutionary Government of the Republic of South Vietnam: Nguyen Thi Binh, Minister for Foreign Affairs.

[To be signed at the International Conference Center, Paris, Saturday afternoon, Paris time, January 27, 1973]

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE CEASE-FIRE IN SOUTH VIETNAM AND THE JOINT MILITARY COMMISSIONS

The Government of the United States of America, with the concurrence of the Government of the Republic of Vietnam,

The Goverment of the Democratic Republic of Vietnam, with the concurrence of the Provisional Revolutionary Government of the Republic of South Vietnam,

In implementation of the first paragraph of Article 2, Article 3, Article 5, Article 6, Article 16 and Article 17 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date which provide for the cease-fire in South Vietnam and the establishment of a Four-Party Joint Military Commission and a Two-Party Joint Military Commission,

Have agreed as follows:

[Text of Protocol Articles 1–18 same as above.]

Article 19

The Protocol to the Paris Agreement on Ending the War and Restoring Peace in Vietnam concerning the Cease-fire in South Vietnam and the Joint Military Commissions shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and upon signature of a document in the same terms by the Secretary of State of the Government of the United States of America, the Minister for Foreign Affairs of the Government of the Republic of Vietnam, the Minister for Foreign Affairs of the Democratic Republic of Vietnam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Vietnam. The Protocol shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America: William P. Rogers, Secretary of State.

For the Government of the Democratic Republic of Vietnam: Nguyen Duy Trinh, Minister for Foreign Affairs.

FACT SHEET: FOUR-PARTY JOINT MILITARY COMMISSION

Participants: The four parties to the Agreement.

Numbers of Teams: 1 Central Joint Military Commission—Saigon; 7 Regional Joint Military Commissions; 26 Teams based at localities throughout South Vietnam; Such other sub-commissions, staffs, and teams as Central Joint Military Commission establishes.

Number of Personnel: [Each party contributes one-fourth of the total in each case.]

Central Joint Military Commission, 236.

Each Regional Joint Military Commission, 64.

Each team, 16.

Support and Guard personnel (ceiling), 2,200.

Total ceiling, 3,300.

Functions: To coordinate implementation of those provisions of the Agreement listed in Article 16; to deter and detect violations of those provisions; to carry out necessary observations and investigations; and to be a forum to settle differences.

Voting: Unanimity.

Equipment: The parties may supply it with common means of communication and transport. Each delegation shall have its own means of communication and transport.

Duration: 60 days, except for one team which shall continue as long as necessary to account for missing in action and location of graves.

Provisional Two-Party Commission: Pending the establishment of the Two-Party Joint Military Commission by agreement of the two South Vietnamese parties, the delegations of those two parties to the Four-Party Joint Military Commission shall provisionally carry out the functions of the Two-Party Commission.

[To be signed at the International Conference Center, Saturday morning, Paris time, January 27, 1973]

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS AND CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

The parties participating in the Paris Conference on Vietnam,

In implementation of Article 8 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the return of captured military personnel and foreign civilians, and captured and detained Vietnamese civilian personnel,

Have agreed as follows:

THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS

Article 1

The parties signatory to the Agreement shall return the captured military personnel of the parties mentioned in Article 8(a) of the Agreement as follows:

All captured military personnel of the United States and those of the other foreign countries mentioned in Article 3(a) of the Agreement shall be returned to United States authorities;

All captured Vietnamese military personnel, whether belonging to regular or irregular armed forces, shall be returned to the two South Vietnamese parties; they shall be returned to that South Vietnamese party under whose command they served.

Article 2

All captured civilians who are nationals of the United States or of any other foreign countries mentioned in Article 3(a) of the Agreement shall be returned to United States authorities. All other captured foreign civilians shall be returned to the authorities of their country of nationality by any one of the parties willing and able to do so.

Article 3

The parties shall today exchange complete lists of captured persons mentioned in Articles 1 and 2 of this Protocol.

Article 4

(a) The return of all captured persons mentioned in Articles 1 and 2 of this Protocol shall be completed within sixty days of the signing of the Agreement at a rate no slower than the rate of withdrawal from South Vietnam of United States forces and those of the other foreign countries mentioned in Article 5 of the Agreement.

(b) Persons who are seriously ill, wounded or maimed, old persons and women shall be returned first. The remainder shall be returned either by returning all from one detention place after another or in order of their dates of capture, beginning with those who have been held the longest.

Article 5

The return and reception of the persons mentioned in Articles 1 and 2 of this Protocol shall be carried out at places convenient to the concerned parties. Places of return shall be agreed upon by the Four-Party Joint Military Commission. The parties shall ensure the safety of personnel engaged in the return and reception of those persons.

Article 6

Each party shall return all captured persons mentioned in Articles 1 and 2 of this Protocol without delay and shall facilitate their return and reception. The detaining parties shall not deny or delay their return for any reason, including the fact that captured persons may, on any grounds, have been prosecuted or sentenced.

THE RETURN OF CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

Article 7

(a) The question of the return of Vietnamese civilian personnel captured and detained in South Vietnam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21(b) of the Agreement on the Cessation of Hostilities in Vietnam of July 20, 1954, which reads as follows:

"The term 'civilian internees' is understood to mean all persons who, having in any way contributed to the political and armed struggle between the two parties, have been arrested for that reason and have been kept in detention by either party during the period of hostilities."

(b) The two South Vietnamese parties will do so in a spirit of national reconciliation and concord with a view to ending hatred and enmity in order to ease suffering and to reunite families. The two South Vietnamese parties will do their utmost to resolve this question within ninety days after the cease-fire comes into effect.

(c) Within fifteen days after the cease-fire comes into effect, the two South Vietnamese parties shall exchange lists of the Vietnamese civilian personnel captured and detained by each party and lists of the places at which they are held.

TREATMENT OF CAPTURED PERSONS DURING DETENTION

Article 8

(a) All captured military personnel of the parties and captured foreign civilians of the parties shall be treated humanely at all times, and in accordance with international practice.

They shall be protected against all violence to life and person, in particular against murder in any form, mutilation, torture and cruel treatment, and outrages upon personal dignity. These persons shall not be forced to join the armed forces of the detaining party.

They shall be given adequate food, clothing, shelter, and the medical attention required for their state of health. They shall be allowed to exchange post cards and letters with their families and receive parcels.

(b) All Vietnamese civilian personnel captured and detained in South Vietnam shall be treated humanely at all times, and in accordance with international practice.

They shall be protected against all violence to life and person, in particular against murder in any form, mutilation, torture and cruel treatment, and outrages against personal dignity. The detaining parties shall not deny or delay their return for any reason, including the fact that captured persons may, on any grounds, have been prosecuted or sentenced. These persons shall not be forced to join the armed forces of the detaining party.

They shall be given adequate food, clothing, shelter, and the medical attention required for their state of health. They shall be allowed to exchange post cards and letters with their families and receive parcels.

Article 9

(a) To contribute to improving the living conditions of the captured military personnel of the parties and foreign civilians of the parties, the parties shall, within fifteen days after the cease-fire comes into effect, agree upon the designation of two or more national Red Cross societies to visit all places where captured military personnel and foreign civilians are held.

(b) To contribute to improving the living conditions of the captured and detained Vietnamese civilian personnel, the two South Vietnamese parties shall, within fifteen days after the cease-fire comes into effect, agree upon the designation of two or more national Red Cross societies to visit all places where the captured and detained Vietnamese civilian personnel are held.

WITH REGARD TO DEAD AND MISSING PERSONS

Article 10

(a) The Four-Party Joint Military Commission shall ensure joint action by the parties in implementing Acticle 8(b) of the Agreement. When the Four-Party Joint Military Commission has ended its activities, a Four-Party Joint Military team shall be maintained to carry on this task.

(b) With regard to Vietnamese civilian per-

sonnel dead or missing in South Vietnam, the two South Vietnamese parties shall help each other to obtain information about missing persons, determine the location and take care of the graves of the dead, in a spirit of national reconciliation and concord, in keeping with the people's aspirations.

OTHER PROVISIONS

Article 11

(a) The Four-Party and Two-Party Joint Military Commissions will have the responsibility of determining immediately the modalities of implementing the provisions of this Protocol consistent with their respective responsibilities under Articles 16(a) and 17 (a) of the Agreement. In case the Joint Military Commissions, when carrying out their tasks, cannot reach agreement on a matter pertaining to the return of captured personnel they shall refer to the International Commission for its assistance.

(b) The Four-Party Joint Military Commission shall form, in addition to the teams established by the Protocol concerning the cease-fire in South Vietnam and the Joint Military Commissions, a sub-commission on captured persons and, as required, joint military teams on captured persons to assist the Commission in its tasks.

(c) From the time the cease-fire comes into force to the time when the Two-Party Joint Military Commission becomes operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall form a provisional sub-commission and provisional joint military teams to carry out its tasks concerning captured and detained Vietnamese civilian personnel.

(d) The Four-Party Joint Military Commission shall send joint military teams to observe the return of the persons mentioned in Articles 1 and 2 of this Protocol at each place in Vietnam where such persons are being returned, and at the last detention places from which these persons will be taken to the places of return. The Two-Party Joint Military Commission shall send joint military teams to observe the return of Vietnamese civilian personnel captured and detained at each place in South Vietnam where such persons are being returned, and at the last detention places from which these persons will be taken to the places of return.

Article 12

In implementation of Articles 18(b) and 18(c) of the Agreement, the International Commission of Control and Supervision shall have the responsibility to control and supervise the observance of Articles 1 through 7 of this Protocol through observation of the return of captured military personnel, foreign civilians and captured and detained Vietnamese civilian personnel at each place in Vietnam where these persons are being returned, and at the last detention places from which these persons will be taken to the places of return, the examination of lists, and the investigation of violations of the provisions of the above-mentioned Articles.

Article 13

Within five days after signature of this Protocol, each party shall publish the text of the Protocol and communicate it to all the captured persons covered by the Protocol and being detained by that party.

Article 14

This Protocol shall come into force upon signature by plenipotentiary representatives of all the parties participating in the Paris Conference on Vietnam. It shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

[Separate Numbered Page]

For the Government of the United States of America: William P. Rogers, Secretary of State.

For the Government of the Republic of Vietnam: Tran Van Lam, Minister for Foreign Affairs.

[Separate Numbered Page]

For the Government of the Democratic Republic of Vietnam: Nguyen Duy Trinh, Minister for Foreign Affairs.

For the Provisional Revolutionary Government of the Republic of South Vietnam: Nguyen Thi Binh, Minister for Foreign Affairs.

[To be signed at the International Conference Center, Paris, Saturday afternoon, Paris time, January 27, 1973]

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS AND CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

The Government of the United States of America, with the concurrence of the Government of the Republic of Vietnam,

The Government of the Democratic Republic of Vietnam, with the concurrence of the Provisional Revolutionary Government of the Republic of South Vietnam,

In implementation of Article 8 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the return of captured military personnel and foreign civilians, and captured and detained Vietnamese civilian personnel,

Have agreed as follows:

[Text of Protocol Articles 1–13 same as above]

Article 14

The Protocol to the Paris Agreement on Ending the War and Restoring Peace in Vietnam concerning the Return of Captured Military Personnel and Foreign Civilians and Captured and Detained Vietnamese Civilian Personnel shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and upon signature of a document in the same terms by the Secretary of State of the Government of the United States of America, the Minister for Foreign Affairs of the Government of the Republic of Vietnam, the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Vietnam. The Protocol shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand and Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America: William P. Rogers, Secretary of State.

For the Government of the Democratic Republic of Vietnam: Nguyen Duy Trinh, Minister for Foreign Affairs.

[To be signed at the International Conference Center, Paris, Saturday afternoon, Paris time, January 27, 1973]

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE REMOVAL, PERMANENT DEACTIVATION, OR DESTRUCTION OF MINES IN THE TERRITORIAL WATERS, PORTS, HARBORS, AND WATERWAYS OF THE DEMOCRATIC REPUBLIC OF VIETNAM

The Government of the United States of America,

The Government of the Democratic Republic of Vietnam,

In implementation of the second paragraph of Article 2 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date,

Have agreed as follows:

ARTICLE 1

The United States shall clear all the mines it has placed in the territorial waters, ports, harbors, and waterways of the Democratic Republic of Vietnam. This mine clearing operation shall be accomplished by rendering the mines harmless through removal, permanent deactivation, or destruction.

ARTICLE 2

With a view to ensuring lasting safety for the movement of people and watercraft and the protection of important installations, mines shall, on the request of the Democratic Republic of Vietnam, be removed or destroyed in the indicated areas; and whenever their removal or destruction is impossible, mines shall be permanently deactivated and their emplacement clearly marked.

ARTICLE 3

The mine clearing operation shall begin at twenty-four hours (2400) hours GMT on January 27, 1973. The representatives of the two parties shall consult immediately on relevant factors and agree upon the earliest possible target date for the completion of the work.

ARTICLE 4

The mine clearing operation shall be conducted in accordance with priorities and timing agreed upon by the two parties. For this purpose, representatives of the two parties shall meet at an early date to reach agreement on a program and a plan of implementation, to this end:

(a) The United States shall provide its plan for mine clearing operations, including maps of the minefields and information concerning the types, numbers and properties of the mines;

(b) The Democratic Republic of Vietnam shall provide all available maps and hydrographic charts and indicate the mined places and all other potential hazards to the mine clearing operations that the Democratic Republic of Vietnam is aware of;

(c) The two parties shall agree on the timing of implementation of each segment of the plan and provide timely notice to the public at least forty-eight hours in advance of the beginning of mine clearing operations for that segment.

ARTICLE 5

The United States shall be responsible for the mine clearance on inland waterways of the Democratic Republic of Vietnam. The Democratic Republic of Vietnam shall, to the full extent of its capabilities, actively participate in the mine clearance with the means of surveying, removal and destruction and technical advice supplied by the United States.

ARTICLE 6

With a view to ensuring the safe movement of people and watercraft on waterways and at sea, the United States shall in the mine clearing process supply timely information about the progress of mine clearing in each area, and about the remaining mines to be destroyed. The United States shall issue a communique when the operations have been concluded.

ARTICLE 7

In conducting mine clearing operations, the U.S. personnel engaged in these operations shall respect the sovereignty of the Democratic Republic of Vietnam and shall engage in no activities inconsistent with the Agreement on Ending the War and Restoring Peace in Vietnam and this Protocol. The U.S. personnel engaged in the mine

clearing operations shall be immune from the jurisdiction of the Democratic Republic of Vietnam for the duration of the mine clearing operations.

The Democratic Republic of Vietnam shall ensure the safety of the U.S. personnel for the duration of their mine clearing activities on the territory of the Democratic Republic of Vietnam, and shall provide this personnel with all possible assistance and the means needed in the Democratic Republic of Vietnam that have been agreed upon by the two parties.

ARTICLE 8

This Protocol to the Paris Agreement on Ending the War and Restoring Peace in Vietnam shall enter into force upon signature by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam. It shall be strictly implemented by the two parties.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America: William P. Rogers, Secretary of State.

For the Government of the Democratic Republic of Vietnam: Nguyen Duy Trinh, Minister for Foreign Affairs.

FACT SHEET: INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION

Members: Canada, Hungary, Indonesia, and Poland.

Numbers of Teams:

1 Headquarters—Saigon.

7 Regional Teams.

3 Teams for Saigon—Gia Dinh region.

26 Teams based at localities throughout South Vietnam.

12 Teams at border and coastal points.

7 Teams for return of prisoners.

7 Teams for additional points of entry and general use.

Numbers of Personnel: [Each member contributes one-fourth of the total of each case.]

Headquarters, 108.

Regional Teams, 20 each.

Gio Linh and Vung Tau teams, 12 each.

All other teams, 8 each.

Support personnel, 464.

Total, 1,160.

Functions: To supervise and control implementation of those provisions of the Agreement listed in Article 18, through observation and investigation of violations.

Voting: Unanimity, but must investigate at the request of any one of the parties and must report minority and separate views of its members.

Equipment: Any of the parties may supply it with means of communication and transport, and it may purchase other equipment required for the exercise of its functions not provided by the parties to the agreement.

Duration: Until requested to end its activities by the government formed after the general elections provided for in Article 9 (b).

PEACE AT LAST

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

Mr. FUQUA. Mr. Speaker, this Nation should join in a prayer of thanksgiving and resolve. It should be a period of thanksgiving that this conflict is ending and our prisoners of war will be returned to their long suffering loved ones and our missing in action accounted for.

There is no jubilation nor dancing in the streets as there was after World War II, a conflict we thought would end all wars. Perhaps this means we have matured as a people and have learned a lesson so we will never again engage in such a tragedy.

The details of the settlement are not clear, but somehow they must include all of Indochina if there is truly to be the peace for which we pray.

We must now move in the spirit of nonpartisan determination to fully define the powers of the Executive to send our defense forces into armed conflict. This is essential if we are not to repeat the mistakes of the past and I fully believe that we will have the support of the President in this endeavor.

Finally, if the world has learned that there is a brotherhood of man that transcends nations and governments and we truly achieve peace, then perhaps the sacrifice which so many brave young Americans have made will not have been in vain.

FORESTRY INCENTIVES ACT OF 1973

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, the first session of the 93d Congress faces an unusually complex and broad challenge. The range of issues and problems demanding action by the Members of this body is immense. A sense of urgency is evident throughout—including real concern over the great need to enhance and protect our priceless natural environment.

My purpose today is to discuss an important opportunity to strengthen the Nation's forestry programs in a way which can be of immense value in the years to come. I propose follow-on legislation to the very much needed Public Law 92–288 which was enacted last year.

Prompt action and strong support by the Members of the House in the case of that multipurpose forestry program showed that many of us have a deep awareness of the vital importance of the renewable forest resources on which our Nation must rely.

It was very obvious that the highly successful cooperative wildlife protection program under the Clarke-McNary Law of 1924 should not continue to be constrained by the low dollar ceilings on Federal participation that was set many years ago. Similarly, we saw that it was time to remove the inadequate limits set more than 20 years ago on Federal participation under the Cooperative Forest Management Act of 1950. In the latter case we also recognized and met the need to broaden the scope of the law to include technical assistance in protecting and establishing trees and shrubs which are needed to enhance the environmental quality of urban areas and communities. Unanimous support by the Congress last year paved the way for urgently needed, intensified, and broadened Federal participation in funding forest resource protection and technical assistance in forestry and related activities.

Additional legislation now is urgently needed to complement and round out cooperative forestry efforts. This is the bill I am introducing today. I am speaking of a forestry incentive program. This bill is built upon the foundation of time-tested procedures and arrangements between the U.S. Forest Service, and other Federal agencies, State forestry organizations, private landowners, and others. The bill provides renewed emphasis, a broadened scope of activities, and a positive effort toward motivating nonindustrial forest landowners to increase the flow of forest products and benefits from the management and use of the lands they control. The bill will provide a modest investment in tomorrow's forest potential.

The Members of this distinguished body need no reminder of the fact that the public spotlight is on the Nation's forest lands. Never have I seen more intense interest in what is taking place in the woods. Battle lines are drawn between those who would lock up and preserve the forest landscape intact and those who see the need to increase the flow of timber, water, wildlife, and outdoor recreation opportunities to meet the urgent and growing needs of the American citizen of today and tomorrow. To date the debate has centered on the public lands—particularly the national forests. Difficult problems exist and hard decisions must yet be made by the Congress in this regard.

But, happily, there is another side to the coin—another string to our forestry bow, if you will—the nearly 300 million acres of timberland owned by some 4 million Americans. These smaller tracts constitute 59 percent of the Nation's productive forest land base—more than three times the comparable acreage in the great national forest system. These lands already—in the aggregate—produce huge amounts of the pulpwood, sawlogs, and other timber products needed by America's growing economy. However, these small properties are producing at only a fraction of their potential—half less in terms of wood products. In terms of wildlife production, use for hunting, hiking, and other outdoor recreation activities, the fraction is probably even smaller. Natural beauty and watershed protection are examples of additional public benefits that can be substantially increased from these lands.

Protection from wildfires and adequate technical assistance to guide their efforts are now assured. There is, however, one last remaining obstacle preventing many owners of small forest properties from managing and developing their resources in a fully effectual and up-to-date manner. It is the motivation and the funds needed to make the necessary investments. Planting trees, cultural work in established stands, seeding to prevent soil erosion, creating improved wildlife habitat, providing public access for recreational use—these all cost money. Prospective dollar returns on investments to produce benefits to the public frequently are insufficient to induce the landowner to make the necessary addi-

tional expenditures. Let us not lose sight of the fact that landowners already are making sizable investments. The purchase price of the land, or income foregone that could come from sale of the land, the annual taxes, and other expenses are borne by the landowner. Frequently there just is not money left over for forest improvement. A program of financial incentives is needed to trigger the forestry investments that can result in major increases in future years in public benefits from these lands. That is what my forestry incentives bill is all about. I consider such incentives justified because the public benefits that accrue from well-tended forest land are significant.

Without going into detail regarding these public benefits let me cite just three examples. National demands for raw materials, including lumber, pulp, and other products are expected to double in the next three decades. Wood, our only renewable natural resource, can fill its share of the needed supply at less cost in energy than substitutes and thus has a lighter impact on the environment. If the supply of forest products is abundant, their relative price levels will be competitive with other materials, and this will have a favorable effect on housing and other costs. The 300 million acres of forest in private, nonindustrial lands can indeed hold the key to the adequacy of future supplies.

As another example, if we are successful in meeting an increased portion of the total timber demand through harvests on these lands, the extreme pressures now falling on public forest lands will be eased. As landowners are motivated to manage and improve the productivity of their forests there should be a significant "tradeoff" that could help achieve the more balanced use and development of the national forests that my good friends in the Forest Service, and others are seeking.

Another obvious benefit from investments is that thousands of idle or semi-idle acres of forest land can be made productive. New jobs will be created in performing the needed cultural, tree planting, and other work in the forests. Employment will be multiplied in the future as the results of this work are translated into more jobs in timber, recreation, and related industries. Rural communities and families can receive a much needed economic boost now and in the years ahead. New jobs also are important, in the stimulus to rural areas which obviously can result and which is a serious need if we are to reverse the unhealthy migration now taking place from rural areas to metropolitan areas.

The need for this proposed incentives program is well established. It has been clearly identified by the U.S. Forest Service and other Federal agencies. According to recent national inventories, millions of acres of nonindustrial private forest land needs reforestation—and almost half of the 300 million acres in these holdings need cultural treatment to improve the growth and quality of the stand and to replace diseased and defective trees. Forest industries, particularly in the South, have spelled out in detail what is needed. Many of my colleagues are well aware of the report "The South's Third Forest"—a comprehensive review of the current and prospective need for forestry incentives in that key region of the country. State foresters and their staff people have long urged action to motivate forest landowners toward making the necessary investments—as well as to protect their lands from wildfire and to manage the resources they have available to work with on the ground. The American Forestry Association and their cooperators in the current "Trees for People" movement are also working hard to shape and encourage a forestry incentives program. The National Association of Conservation Districts is another example of a major organization that has long recognized the need for forestry incentives.

In short these will be strong and widespread support for the approach proposed in the forestry incentives bill. Enactment of this legislation should rank in long-term significance with other milestone forestry laws. It will add to the framework of the cooperation between private, State, and Federal partners that is the hallmark of American forestry.

The essence of the "Forestry Incentives Act of 1973" is encouragement of nonindustrial forest landowners to apply forestry practices that will result in a wide range of public benefits. The primary incentive will be payments or grants of other aid toward installing forestry practices such as tree planting, cultural treatments of existing stands, soil and water conservation treatments, and treatments to improve wildlife habitat and to protect or enhance environmental quality.

State forestry conservation committees will be formed to determine needs, allocate funds by counties, and establish the level of payments appropriate for approved forestry practices installed under the act. Membership will include landowners, the State forester, the Director of the Rural Environmental Assistance program, and others. Private consultant foresters will be invited to be represented. Full use will be made of existing county agricultural stabilization and conservation committees established under section 8 of the Soil Conservation and Domestic Allotment Act.

State committees may elect to allocate Federal funds available to them for cost sharing by using a bid system. If so, landowners contracting to carry out specific practices at the lowest Federal cost per acre or other unit of measure shall have first priority.

In order to safeguard Federal investments, cooperating landowners will be required to maintain the sound practices on penalty of having to refund the payments.

This act is designed and intended to complement and supplement and be coordinated fully with existing related programs. Full use will be made of private firms, agencies, and individuals available and interested in furnishing services and materials needed in the application of practices included in this program.

Mr. Speaker, the Forestry Incentives Act of 1973 is legislation that I am proud to present for consideration by you and our colleagues in the Congress. I know that many Members share my recognition of the needs that must be met. We know that hundreds of thousands of landowners and millions of citizens are deeply interested in growing trees and doing what they can to protect and improve the natural environment. They will support the approach outlined in the Forestry Incentive Act and applaud enactment of this vital new piece of conservation legislation. I urge your consideration and welcome your support.

THE POW'S AND MIA'S OF PAKISTAN

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, concerned people throughout the world have expressed strong interest in the war in Indochina. Many have been critical of the fact that the United States fought back in kind after continued acts of aggression by North Vietnam. That war is winding down. It should speedily be at an end. It occurs to me that those same concerned people will do well to look elsewhere for conditions which should receive attention. There should be widespread indignation over the continued imprisonment of 92,000 Pakistanis by the Government of India more than 1 year after the cessation of hostilities. An estimated 20,000 of these are civilians including women and children, who are innocent of any war acts except the misfortune of being caught in the middle.

India is a signatory to the Geneva Convention which sets forth clearly the proper procedures for the handling and treatment of prisoners of war. India shows no compassion for these unfortunate individuals and amazingly it appears that most of the nations of the world are equally unconcerned. This includes the United States. Only Red China, of all governments, seems to have been outspoken against the policy followed by India in dealing with Pakistani prisoners of war. This makes it all the more difficult to understand why there has not been a more forceful show of interest on the part of the United States about the plight of these prisoners.

The Geneva Convention provides that prisoners taken during hostilities shall "be released and repatriated without delay after the cessation of hostilities." Nowhere does the Geneva Convention allow for the retention of these prisoners and the attachment of prior condition to their release.

Hostilities between Pakistan and India ceased more than a year ago yet India has made no move to free these tens of thousands of human beings. Rather, India has followed the illegal path of attaching political terms to their release. India has told Pakistan it will hold these prisoners as hostages until such time as Pakistan extends formal recognition to the Government of Bangladesh. This is cruelty of the grossest sort.

Many of those being held in illegal bondage by India are innocent children

born in the prison camps. Yet India continues to tell these prisoners that, despite the war's end, they will be held until their country meets other conditions beyond those reached at the cessation of fighting.

It is widely reported that those being held in what amounts to political ransom, are being deprived even from sufficient food. Many of them have been shot by the Indians for alleged infractions of prison rules and regulations. Reports of inhuman torture continue to filter from behind the walls of the encampments.

There is no reason imaginable for the continuation of this practice by the Government of India. These 92,000 human beings including civilian men, women, and children, should be allowed to return to their country and their homes in peace. Surely they have suffered more than enough to satisfy the Indians.

Aside from the humanitarian aspects of this question, the issue of the prisoners of war is critical to the quest for peace on the Asian subcontinent. Logic tells us there can be no lasting peace in that troubled part of the world until and unless the Pakistanis are allowed to go free. Logic further tells us the Pakistani Government cannot bow to political blackmail.

I believe our State Department should take immediate steps individually and in company with other nations to exert influence and pressure on the Government of India to bring about the early release of these prisoners.

I include for reprinting in the RECORD a statement from the Chicago Tribune of January 17, entitled, "India Should Free Prisoners of War" and a statement from the Washington Post of January 18 entitled, "Pakistani POW's: The New Forgotten People":

[From the Chicago Tribune, Jan. 17, 1973]

INDIA SHOULD FREE POW'S

India, the great hair splitter, should release forthwith the 93,000 Pakistani soldiers still held as prisoners of war a year after the two nations stopped fighting each other. The Geneva Convention of 1949 states that prisoners shall be released and repatriated after the cessation of active hostilities.

India itself proclaimed a cease-fire after the fighting a year ago. A resolution voted by the United Nations Security Council stated that not only a ceasefire but "a cessation of hostilities" prevailed.

In the face of both this record and the Geneva Convention, how can India justify holding Pakistan's soldiers at all—let alone under the deplorable conditions existing?

The reason, an Indian spokesman told The Tribune's Joseph Zullo at the U.N., is that a cease-fire is "not the same as a cessation of hostilities." With respect to the new nation of Bangladesh, Pakistan is "in an attitude of hostilities in suspension."

To find a semantic difference between "cease-fire" and "cessation of hostilities" requires hair splitting of a high order of skill. To go a step farther and find a difference between a "cessation of hostilities" and a "suspension of hostilities" calls for a virtuosity in word twisting that borders on the dazzling.

It is obvious that India is holding the 93,000—along with 16,000 civilians—as diplomatic hostages. A spokesman for the New Delhi delegation told Mr. Zullo that the Pakistani forces surrendered to the "joint command" of Indian and Bangladesh forces and that their release depends on the acquiescence of Bangladesh. In other words, Pakistan must recognize this breakaway state which has proclaimed independence with India's backing—or it can't have the POWs.

The Geneva Convention says nothing about the recognition of anyone by anyone; it says that prisoners shall be released after the shooting stops. Its intention is clear. Send the soldiers home as quickly as possible.

India is not in compliance with this convention. The stalling would be wrong no matter who engaged in it. It seems especially deplorable when a rule of international conduct is flouted by this self-appointed moral adviser to the world, which has pointed accusing fingers at so many other nations for many fancied wrongs. Here is a real wrong, and the perpetrator has turned strangely blind to the outrage of it.

[From the Washington Post, Jan. 18, 1973]

PAKISTANI POW'S: "THE NEW FORGOTTEN PEOPLE"

North Vietnam's determination to hold American prisoners of war, now close to 600, as hostages against a truce or peace settlement has all along been a grim but accepted reality of the Vietnamese conflict and the parallel Paris negotiations. Yet, the assumption always is that these Americans would be released the moment the hostilities involving United States forces in Vietnam have ceased.

Elsewhere in Asia, however, the precept of international law that prisoners must be freed with the cessation of hostilities does not seem to apply: Pakistani military and civilian personnel are still interned by India in POW camps. They remain there today although the latest subcontinent war ended in mid-December 1971, more than 13 months ago.

For all practical purposes, the estimated 92,000 Pakistanis, including approximately 16,000 civilians, captured in the fighting over the emergence of the new state of Bangladesh (formerly East Pakistan), are hostages to the complex and angry politics of the subcontinent and the ever-deep distrust between India and Pakistan.

This indefinite condition of hostage for the largest number of people in foreign captivity since World War II it is tacitly recognized by Indian officials for reasons they privately admit to be overwhelmingly political. Pakistan, of course, has repeatedly charged that its defeated soldiers are India's hostages. But, incredibly, only the International Committee of the Red Cross, which periodically inspects the 53 POW camps under the provisions of the two Geneva Conventions on war prisoners, has openly and insistently demanded the release of the Pakistanis.

Most of the world appears to be conveniently looking the other way, including the United States which, to say the least, was supportive of Pakistan in the 1971 war. The 92,000 Pakistanis are, then, Asia's new forgotten people: the officers and soldiers, the civilian officials and professionals, the women, the children and the babies born in the camps. This general indifference is, presumably, a reflection of the underlying political stalemate in the subcontinent engaging India and Pakistan on one level and the related interests of each of the superpowers on the other.

At this stage, when New Delhi and Washington actively seek to improve their frayed relations and the Nixon administration hopes to expand the detente with Moscow, nobody in this town is prepared to rock the precarious status quo in South Asia by raising the fate of the Pakistani POW's as a major international issue.

In fact, the United States nowadays seems to feel cooler toward Pakistan as it edges toward better ties with India. Pakistani President Zulfikar Ali Bhutto, for one thing, has publicly condemned the United States Christmas bombings in North Vietnam while India kept mum. Even China, an ally of Pakistan, is singularly quiet on the subject of the POWs. Moscow is India's treaty partner and, therefore, uncritical of her. Only Romania, the Communist maverick, has expressed support for Pakistan over the prisoners.

But beyond all these power considerations there remains an array of moral, legal and political questions concerning the 92,000 captive Pakistanis.

The moral question has two aspects. One is the matter of mass atrocities committed by the West Pakistani forces in Bangladesh before and during the independence war. This is perhaps what the outside world remembers the best: The atrocities set off a wave of indignation here and elsewhere. Thus it may be understandable that Bangladesh wishes to punish through trials those responsible for the murders. But it has indicated that at most 1,500 of the Pakistanis now held in India, less than two per cent of the total, may be wanted for such trials.

This raises the obverse moral question: Is it justifiable to hold 92,000 persons indefinitely in prisoner camps (quite aside from the current controversy between India and the Red Cross over proper treatment of the prisoners, the shooting of escapees, the overcrowding of camps and so on) because a tiny minority may be guilty of war crimes? One wonders—at least for the sake of consistency—about the absence of major international outrage concerning the 92,000 captives.

The legal situation seems to be crystal clear, but this is no solace to the POWs. Article 118 of the 1949 Geneva Convention, to which both India and Pakistan are signatories (Bangladesh acceded to it last August), provides that "prisoners of war shall be released and repatriated without delay after the cessation of active hostilities." When the Pakistani forces capitulated on Dec. 15, 1971, the Indian Chief of Staff, Lt. Gen. Jagjit Singh Aurora, formally assured the Pakistani commander that "I shall abide by the provisions of the Geneva Conventions."

On Dec. 21, the United Nations Security Council noted that "a cessation of hostilities prevails." In the Simla Agreement, signed on July 3, 1972, India's Prime Minister, Mrs. Indira Gandhi, and President Bhutto pledged themselves to the "establishment of durable peace in the subcontinent" and instructed their representatives to discuss outstanding problems, "including the questions of repatriation of prisoners of war and civilian internees," before the next summit meeting.

All of the requirements for the release were thus met, but India (which 20 years ago handled the repatriation of the Korean War POWs) now invokes a host of political and security reasons for refusing to free the Pakistanis.

The first reason cited by India is that she cannot release the prisoners without consent of Bangladesh on whose territory most of them surrendered to the joint Indian-Bangladesh command. But the catch in the intricate subcontinental political game is that the Bangladesh Prime Minister, Sheikh Mujibur Rahman, refuses his consent until Pakistan recognizes his new state and until he has made up his mind about the war trials.

The vicious circle in which the POWs are caught extends to Islamabad where Bhutto, fighting hard to convince his rightwing opposition that ultimately Bangladesh must be recognized, insists for his own political reasons that this must be preceded by a personal meeting between him and Mujibur. Bhutto, who released Mujibur from prison late in 1971 and probably saved his life, argues that such problems as Pakistan's responsibility for prewar external debts for projects in Bang-

ladesh should be settled prior to recognition. But Mujibur refuses to meet Bhutto before recognition.

Late last year, Pakistani diplomats at the United Nations privately asked the Indians whether New Delhi would guarantee in writing that the Bangladesh recognition would bring the POWs' release. Diplomatic reports say that the Indian reply was at best noncommittal, Bhutto's letter to Mrs. Gandhi last Dec. 21, proposing a new summit, has not yet been answered and Indian diplomats here are vague as to when such a meeting might be possible.

Finally, Indian officials have begun talking about Pakistan allegedly preparing a "new round" and rearming with "massive" weapons shipments from China. Significantly, they now speak of the POWs in terms of "four-and-a-half divisions of trained troops." A senior Indian official remarked recently: "How can we let such an army go free when Pakistan is again preparing for war?"

Thirteen months after the cessation of active hostilities, the Geneva Conventions and all the precedents notwithstanding the deadlock seems unbreakable and the 92,000 hostages for an unpredictable period of time. International morality, it would appear has seen better days.

PEACE IS FINALLY HERE

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

Mr. SIKES. Mr. Speaker, peace is finally here. America's longest war is ending. We will soon be out of Vietnam. Our POW's and at least some of the MIA's will, at long last, come home, ending one of the most tragic chapters in U.S. history.

Many Americans died in Indochina. Others will always bear the scars of war. Family disruptions and the readjustment of returning veterans have been a major factor. It is time to give thanks to the Almighty that all of this is soon to be in the past. There is much to be done at home. There are adjustments to be made here, too—very important ones. But we can now concentrate on our own problems and tomorrow can be a better day for all Americans if we will it so.

Let us face the future and its problems with courage and determination to keep America the home of the free and the land of opportunity for all to seek a brighter promise.

ELIMINATE PRESENT DUTIES ON COPPER IMPORTS TO CURB RISING PRICE OF COPPER

(Mr. GIBBONS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GIBBONS. Mr. Speaker, today I am reintroducing legislation I sponsored in the last Congress which is designed to curb the rising price of copper by eliminating the present duties on copper imports.

All available studies indicate that the United States will continue to be dependent on copper imports for a certain amount of the copper we need for our expanding economy.

Copper prices have been on the increase and, at a time when we are rightfully concerned about price increases, little purpose seems to be served by a continuation of the duties on copper.

In fact, duties on copper imports were under continuous suspension from February 9, 1966, until June 30, 1972. Last year the Ways and Means Committee favorably reported a bill to continue this suspension of duties until June 30, 1973. Unfortunately, Congress did not get around to approving this bill and the copper duties were therefore reimposed on July 1 of last year.

I sincerely hope that early action will be taken on the legislation I am introducing today. I am sure that this action would be of great benefit to our economy and to the American consumer.

I am introducing two bills today. The first, which some may prefer and which is the type acted on by the committee last year, would suspend copper duties for a temporary period. The second, which is under consideration by the Department of Commerce, would eliminate these duties completely.

SAFE SCHOOLS ACT OF 1973

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, I am today reintroducing for consideration by the 93d Congress the Safe Streets Act of 1973, which I originated and first introduced in 1971. I am gratified by the fact that 21 of our colleagues in the House have joined as cosponsors in introducing this proposal, including the distinguished chairman of the Education and Labor Committee, Mr. PERKINS, who was also a cosponsor in the 92d Congress.

In addition, the following Members have so far agreed to cosponsor this measure: Mr. HAWKINS, Mr. HARRINGTON, Mr. EDWARDS of California, Mr. HECHLER of West Virginia, Mr. ROSENTHAL, Mr. HELSTOSKI, Mr. EILBERG, Mr. FUQUA, Mr. WON PAT, Ms. ABZUG, Mr. DE LUGO, Mr. NEDZI, Mr. ADDABBO, Mr. MOAKLEY, Mrs. CHISHOLM, Mr. CORMAN, Miss HOLTZMAN, Mrs. BURKE of California, Mr. MOORHEAD of Pennsylvania, and Mr. BRASCO.

An identical bill is being introduced today in the Senate by Senator EDWARD GURNEY of Florida and Senator ALAN CRANSTON of California, and I am delighted to have their support for this proposal and the support of the other Members of the Senate who, I understand, will be cosponsoring the Senate bill.

No complete statistics on crimes against students, staff, and property in the Nation's schools are available. But in many urban areas particularly there can be little doubt that the incidence and seriousness of crimes in schools has been increasing as fast or faster than in communities generally.

Increased crime in the schools, of course, reflects conditions in the communities schools serve. But despite the particular vulnerability of the schools to crime, and the special importance of preserving civility in the schools, few resources are available to deal with school crime.

In most States, schools have not been included in safe streets—LEAA—planning and funding. Where they have, use of those funds is heavily influenced by local police and law enforcement agencies. While cooperation between schools and law enforcement agencies is certainly desirable, control over school funds constitutes a police involvement that has traditionally been avoided. Similarly, Federal educational assistance funds administered by the Office of Education under existing school aid programs, have not been available for use specifically to deal with crime in the schools. Consequently, school officials, at best, have devised makeshift means of coping with crime. At worst, they have been forced to ignore or try to define away the problem.

The Safe Schools Act would fill this gap by establishing a new category of grants under the Elementary and Secondary Education Act to enable ESEA title I school districts to develop and implement specific provisions to assure full regard for civil rights and to preserve school atmosphere—including, for example, a restriction against use of the funds for any program involving weapons in the schools.

Mr. Speaker, the General Education Subcommittee of the House Committee on Education and Labor held two hearings on this bill in 1971. Those hearings were conducted in New York City and in Boston, and are now in print. Action was not completed on the bill, however, and I am hopeful that the subcommittee and full committee will continue the hearings in this Congress, looking into the problem in other cities around the country, and that it will act favorably on the safe schools proposal. With the Elementary and Secondary Education Act up for review and renewal by the Congress this year, the opportunity for favorable action would appear to be at hand.

Even without Federal funding, a number of school systems are having to begin to take action to deal in a more organized and sophisticated manner with crime in the schools. I am pleased to note, for example, that in New York City it has been announced that the so-called SCAN alarm system will be installed in several schools. SCAN is a silent alarm, using a pen-size ultrasonic transmitter and a master receiver panel, that would permit teachers to give warning of danger to themselves or students. It was developed by NASA as an outgrowth of space technology, and I urged New York City school officials to install it as a deterent to a recent wave of robberies and assaults in the New York City schools.

SCAN is just one example of what could be done in the schools to make them safer and thereby more conducive to learning. But without the kind of Federal help envisioned by the Safe Schools Act, already financially hard-pressed school systems will find it difficult if not impossible to do what can and desperately needs to be done about this problem.

Since it was first proposed, Mr. Speaker, the Safe Schools Act has attracted a great deal of attention and support. An example of the many supportive letters I have received, a sec-

tion-by-section summary of the bill, and several articles illustrating and describing various aspects of the school crime problem, follow:

SECTION-BY-SECTION SUMMARY OF PROVISIONS—SAFE SCHOOLS ACT OF 1973

Section 1. Safe Schools Act of 1973.

Section 2 states several Congressional *findings*. These findings include the entitlement of school children and employees to security in the schools, the necessity of safety from crime for successful learning and teaching, the particular vulnerability of the school community to crime, the need for special techniques for dealing with crime in the schools, the increasing expenditures by school districts for crime control, and the undesirability of diverting educational funds to provide safety from crime.

Section 3 sets forth the *purpose* of the Safe Schools Act of 1973: namely, to provide Federal financial help to local educational agencies in order to reduce and prevent crimes against school children, employees, and facilities.

Section 4 provides an open-ended *authorization of funds* for programs under the Act and stipulates that funds appropriated will remain available for one fiscal year beyond that for which they are appropriated. It further stipulates that no funds may be appropriated where the Office of Education has withheld any other funds from expenditure.

Section 5 sets a minimum *allocation* of funds to each State, and provides for allotment of 50% of all funds to the States on the basis of each State's relative incidence of crime. The other 50% of all funds remain under the jurisdiction of the Secretary (of HEW). Provision is made for reallocation of any sums the Secretary reasonably determines cannot be used by a State.

Section 6 authorizes the Secretary to make *direct grants* with funds remaining under his jurisdiction to local educational agencies, or in some cases other nonprofit organizations or institutions, for the development or implementation of plans to reduce school crime.

Section 7 authorizes particular *activities* under both State and Federal jurisdictions to carry out the purposes of the Act, and lists some general examples, including training and provision of new staff and the retraining of existing staff, provision of special student or employee services, support of community activities, repair or minor alteration of school facilities, acquisition and modernization of equipment, etc. The section provides, however, that no funds under the Act shall be used to pay for *firearms*, other weapons, or chemical agents in the schools.

Section 8 lists several *criteria* for approval of applications for assistance. These criteria include the need for assistance, degree of parent support, degree of protection provided for the civil rights of school children and employees, etc.

Section 9 specifies *information and "assurances"* required to be part of applications for funds. These include a public evaluation of the plan or program for which assistance is requested by a "representative group" of parents of children to be affected. Applicants must also provide assurances that State educational agencies have been consulted, that per-pupil and total educational expenditures have not and will not be reduced, and "such other information as the Secretary (of H.E.W.) may require." Assurance is specifically required from applicants that no discrimination will be practiced against any minority group, and that civil rights, including the right lawfully to petition or assemble to redress grievances, will not be abridged in the schools. Provision is made for joint administration of projects by more than one local educational agency.

Section 10 authorizes special grants for *"model"* or *"demonstration"* programs.

Section 11 specifies *methods of payment* of assistance funds.

Section 12 *defines* terms employed in the Act. Most importantly, crime (as used in the Act with regard to schools) is defined as "any unlawful act or activity, *not including* any violation of any rule, regulation, or code of behavior established by any organization, agency, or institution not enacted into law."

Section 13 provides for the use of up to 1% of the funds under the Act for *evaluation* of its programs and projects.

Section 14 provides for *joint funding* of projects by more than one Federal agency.

Section 15 establishes a twelve-member *advisory council*, called the National Advisory Council on Safe Schools, to review the administration and operation of the Act and make recommendations for improvement.

Section 16 requires a *report* on the administration and effectiveness of the Act as part of the Secretary's annual report to Congress.

LOS ANGELES CITY
UNIFIED SCHOOL DISTRICT,
Los Angeles, Calif., December 20, 1972.

MR. ROGER MAJACK,
Administrative Assistant to Congressman Jonathan B. Bingham, 22d District, New York, House Post Office, Washington, D.C.

DEAR ROGER: I would like to use this means of thanking you for visting with me on my recent trip to Washington, D.C.

Again, our district is most interested in supporting legislation the Congressman might introduce along the lines of the Safe Schools Act of 1972. Attached are materials that I think will describe our current problems to you. You might add it to your file involving the problems you are currently having with the city schools in New York.

I would appreciate your keeping me informed as to ways that I might participate in supporting the Congressman's efforts.

The next time I am in Washington, I will drop by to see you in order to bring you up-to-date.

Best regards,

WILLIAM L. LUCAS.

[From Women's World Detroit, Mich., Nov. 15, 1972]

CRIME IN THE CLASSROOM

(By Barton Reppert)

NEW YORK.—Mrs. Benney Boswell's third graders were jotting down their homework assignment when the slender young man entered the classroom. He walked slowly toward the teacher. One hand held a plastic bookbag: the other was jammed in his jacket pocket.

Mrs. Boswell looked up expecting an inquiry. There was none. "Please check in at the principal's office," she told the youth politely. His reply was calm but:

"There are a lot of children in your class. Walk behind your desk and sit down. If you move I'll blow your brains out."

Quickly, the man, who was about 20, dumped the books from the plastic bag, replaced them with the teacher's purse and fled.

It was over in moments and the terrified Mrs. Boswell of Public School 161 in Harlem had become one of 15 teachers robbed during a two-week period in New York City Schools last month. Most of the incidents happened in full view of school children; the takes ranged from $1 cash to $3,000 in jewelry.

The sudden upsurge of robberies against teachers—two were reported in September—has provoked cries of outrage from city officials, teachers and parents alike and demands for intensified security in the schools.

"We were positively terrified," said a 27-year-old woman teacher, recalling how she and a colleague were robbed while they lunched in a classroom at another Manhattan school. "If there were a policeman around the school building all the time we would feel better."

The teachers are plainly angry and calling for strong action. During a meeting at Richmond Hill High School in Queens, where a teacher fought off two teen-aged robbers, one teacher drew cheers with a declaration it was time "to knock heads, make arrests, get rid of the garbage."

They have been joined by their union, the United Federation of Teachers.

"Elementary schools are like candy boxes—easy to get into and full of goodies," said Edward Muri, a member of a special joint UFT-Board of Education team studying school disruptions.

While high schools and junior highs now have a 400-man security force, the system's 650 primary schools generally have relied on makeshift security arrangements, with teachers, school aides and parent volunteers—nearly all women—assigned to check in visitors, supervise lunchrooms and patrol entrances.

In response, the school system has accelerated steps to hire and train 1,200 unarmed security aides, at a cost of $6 million, for assignment mainly to elementary schools.

School authorities also are seriously considering the use of color-coded photo identification cards to help weed out intruders, as well as the issuing to teachers of pocket-sized silent alarm devices initially developed for an experimental electronic security system at a Sacramento, Calif., high school.

The New York City school system has long been plagued by such incidents as corridor shakedowns, gang fights, rapes and knifings. And it is not the only major American city facing the problem. But because of its size—1.2 million pupils—its problems are perhaps more glaring.

Board of Education files show that the total of "untoward incidents," as school officials prefer to call them, increased from 333 during the 1970 calendar year to 580 in 1971. Through September of this year, there were 642 reported incidents.

Factors contributing to the apparent rise in school crime, school officials say, include widespread drug trafficking, a resurgence of youth gangs, proliferation of weapons—particularly handguns—among students, and lack of enough alternate facilities to handle unmotivated, uncooperative, potentially disruptive pupils.

Also aggravating the situation is a truancy rate of about 60,000 students a day, with many incidents blamed on truants barging into other schools to victimize younger pupils.

Officials say the general trend of school violence within the past three years has shifted away from outbreaks during group confrontations—over student demands for black and Puerto Rican-oriented courses, a stronger voice in school affairs and other reforms—toward an increase in individual, often vicious assaults, usually student against student.

Roughly 80 to 85 per cent of the reported incidents occur in high schools and junior highs. But the board's records indicate that conditions at some elementary schools are not always placid. Teachers have been robbed, assaulted by pupils and beaten by angry parents.

Officials in several other large cities indicated serious concern over school security, but said teachers had not been faced with classroom holdups comparable to the series in New York this month.

In Philadelphia, Frank Sullivan, the teachers union president, said: "There have been instances of people coming in from the outside and either threatening or harming a teacher. But I don't recall robbery as a motive."

"We don't have anything like the New York situation and I certainly hope it doesn't spread," he said.

Authorities in Washington said school violence has subsided.

"We still have problems but the situation has changed drastically," said William Simmons, president of the Washington teachers union. "We only rarely have to call police into the schools."

In Los Angeles, the Board of Education, reacting to a rash of incidents this year involving weapons, recently passed a resolution authorizing administrators to suspend and even expel students found carrying deadly weapons in or around schools. The upsurge of incidents, according to a board spokesman, appeared to stem from increased friction among youth gangs.

[From the Long Branch (N.J.) Daily Record, May 18, 1972]

SAFETY AT SCHOOL CONCERNS PARENTS

LONG BRANCH.—The safety of children in the Long Branch school system was called a "grave situation" during a spirited debate at a Board of Education meeting.

Reports of teachers being attacked by students, students assaulting and brutally beating up one another while arriving and leaving school, in classrooms, lavatories, hallways, stairways and the playground were made known.

Parents of assaulted children or representatives sent by parents who fear reprisals for their children appeared before the board to request that the schools be made a safer place for children to learn.

Frederick Errico, representative of the North End Community Council and a spokesman for two parents whose children were assaulted said, "Judges have let the situation go too far by letting children go free with no admonition; teachers have not exercised the proper authority; parents have not done their duty."

He added, "Schools, churches, the police department, and parents—leave the liberals out—and get together and do something before someone is killed."

Errico offered to represent parents wishing to make known any incident in which their children were accosted.

Board President Seymour Greenspan said he met with the Mayor and City Council asking for assistance.

He has requested and received permission from Mayor Cioffi to provide police protection during the arrival and departure of the students and noted that, "If we need uniformed and armed guards on watch, then we will have them."

He enumerated measures enacted in the school to protect the safety of the children:

There are corridor aides and guards within the halls of the school.

Staggered sessions have gone into effect and lunch periods have been reduced to prevent time for loitering.

Disciplinary action has been taken toward the instigators in assaults.

Additional study programs have been instituted to offer more educational inspiration to students.

Although these steps have been effected to prevent further outbreaks, Greenspan feels that, "apparently they are not adequate."

He urged that all incidents be reported to a teacher, principal, superintendent or board member so that prompt action may be taken.

He added that informants will remain anonymous so that children will not be reprimanded by other students for reporting the incident.

Greenspan said, "There's a part for everyone of this community in this issue and we all have to play our part."

He called for united action to solve the problem and expressed hope that all parents would get together and discuss the problem at hand.

Greenspan pointed out that this is not just a problem in the school. "It is a problem with parent-children relationship, teacher-students relationship. It is a whole city problem, a court problem, and as a result, a school problem, he said.

Agreeing with the president was a resident who wishes to remain unknown. He said, "It stems from a too free life; a too easy life for children today.

"But the problem at hand is in the realm of the Long Branch school system which must be dealt with now, suggested the parents.

They said they will make known all incidents which threaten their childrens safety and Greenspan said, "We will do everything we can."

[From the Los Angeles Times, Nov. 21, 1972]

SCHOOL VIOLENCE MUST BE HALTED, RILES SAYS—SOME CAMPUSES IN STATE HAVE BEEN TURNED INTO "HALLWAYS OF FEAR," OFFICIAL REPORTS

(By Jack McCurdy)

Some California schools have become "hallways of fear" and must be rid of an increasing tide of violence, state School Supt. Wilson Riles told 200 persons at a conference on school tensions here Monday.

The meeting called by Riles was held in conjunction with his task force on school violence, which had been appointed previously to find ways to reduce conflicts on school campuses.

Assembled at the Naval and Marine Reserve Center for the conference were student representatives, police officials, school administrators and community workers.

Riles said the problem of attacks on teachers and students is not limited to any geographical area or ethnic group.

He said he doubted that recent campus violence is a revival of the "blackboard jungle" atmosphere in New York schools 20 years ago, but added, "I'm not willing to wait around and find out."

Riles said his task force will meet with other groups around the state and report to him within six months on recommendations ranging from possible legislation to new programs in the state Department of Education, which he heads.

[From the Los Angeles Times, Oct. 11, 1972]

SCHOOL BOARD EXPECTED TO OK TOUGH NEW GUN CONTROL RULES—PRINCIPALS WILL BE ENCOURAGED TO CONSIDER SUSPENSION OF ANY STUDENT FOUND CARRYING WEAPONS ON CAMPUS

(By Jack McCurdy)

When students come to school armed with handguns in the Los Angeles district, they might be suspended. But then again, they might not.

That has been the unwritten policy—to deal with gun possession in the way which seemed most effective to school people on the spot.

Now, under a tough new policy expected to be adopted by the Board of Education Thursday, principals will be encouraged to seriously consider swift suspension—followed by possible expulsion—when students are discovered carrying weapons on campuses.

"Our thinking changed," said Associate Supt. Jerry Halverson, "because of the tremendous increase in possession of guns at schools."

Incidents involving guns at schools jumped more than 100% this year, he said.

Principals will still exercise their own judgments, but alarm is in the air and the message is clear: crack down in hopes of curbing a dangerously violent trend in the Los Angeles schools.

Police and school officials agree that the upsurge of campus trouble is the spillover of increased "gang" activity in communities surrounding schools, particularly in the predominantly black South-Central Los Angeles area.

One parent reportedly told a school official that she encouraged her child to carry a weapon as protection against threats from gangs.

The increase in gang warfare has been building for nearly two years, but there is no clear indication why it is moving on to school campuses at this moment, Sheriff's Lt. Kenneth Smith said.

"There's not just more gang violence but a large increase in the severity of assault—more killings," said Smith, commander of a special unit which deals with juvenile gangs.

A 16-year-old boy was slain near Locke High School Monday and three suspects were later arrested at the school, 325 E. 111th St., after a car containing the dead youth's assailants was reportedly seen by witnesses turning into the school parking lot.

It was the third slaying attributed to gang activity in a four-day period in the area.

Halverson said the new policy on gun possession was recommended to the school board after a sampling of city schools showed an increase of more than 100% in incidents of students carrying weapons.

Supt. Johnston told the board Monday that there were 83 such incidents between last February and June, compared with 40 just since school started Sept. 12.

Exact figures comparing like periods for 1971 and 1972 will be available in a few days, Halverson said.

The 1971–72 school year was the first in which the district has kept records on such activities, he said.

There were 280 reports of assaults with deadly weapons on campuses, including 125 involving students against students, 95 of students against teachers and 44 of students against security officers or police.

Among these, 17 involved the use of guns—15 against students and two against teachers.

School officials felt this was not too bad considering there are 131 junior and senior high schools and a grand total of 625 schools in the district.

"Gun statistics were not very high and what we were doing last year seemed to fit the needs of individual schools and students." Halverson said.

"We didn't have an upsurge and where the need was obvious to call police and remove a student, that was done."

But the sudden jump in incidents caused a rethinking.

"We found (in discussions with principals) that in many cases where guns or other weapons were carried on campuses, there were no suspensions or expulsions," he said.

Principals, Halverson explained, felt in many instances they could best handle an individual problem through parents or counseling, rather than the more severe penalty of suspension.

"Where there was a case of a youngster found with a knife or some other weapon for the first time," he continued, "it was not the feeling that we had to take as strong a measure as we intend now, simply because there was no great use of the weapon."

But in view of what Halverson called a "tremendous increase in gun possession with an apparent increase in use," Johnston and school board members "felt we had better nail down a tougher policy."

Halverson said "we felt we really had to do something."

He said school officials hope "the crackdown will filter to parents and students." The new policy is as much for their consumption as for local school people, he added.

Lt. Smith said it is difficult to tell just how much gang activity has increased because police do not receive reports of all

incidents, either from private persons or schools.

He said that while a number of semipermanent, organized gangs do operate in the area, much of the violence is carried out by small groups of youth which form up only on occasion and then disband.

The severity of the problem, however, is due largely to wider use of factory-made guns, rather than weapons such as "zip guns."

The proposed new school policy states the possession of any deadly weapon described in the state Penal Code on school campuses "constitutes a threat of violence" and "is the basis for immediate suspension and a request (by school officials) for expulsion" by the board.

[From the San Francisco Progress, Nov. 1, 1972]

NO READY ANSWERS ON SCHOOL VIOLENCE

(By Carol Pogash)

San Francisco's school administrators are appalled by the series of student stabbings that have occurred in the junior and senior high schools over the last several weeks, but, they say, they're not too sure what they can do about them.

More supervision? Every incident in recent weeks has occurred under close adult supervision.

Policing? The police have been commended for the cooperation and their immediate response. But no school administrator has proposed a cop for every school or a system of daily frisks.

Punishment? Well, maybe. At the Nov. 14 School Board meeting Superintendent Steven Morena is expected to ask for the expulsion of six students involved in various acts of violence over the last few weeks. (Only one student was expelled last year.)

But Morena who says he is "deeply distressed" by the latest rash of incidents, is quick to admit that he has no airtight solution to the problem.

Within a period of two weeks one student was killed by another student (a friend) at Woodrow Wilson High School; four students were stabbed by other students at Lowell High School; one student was stabbed by another at Luther Burbank Junior High; and two old-fashioned fights at Everett Junior High and at Lincoln High School both resulted in serious injury to students.

One incident began over a domino game lost to a girl. The teasing ended in death. Another began as a racial argument between two boys. Several days later four students were stabbed.

School administrators say the incidents are unrelated. And by all accounts they are right. But the incidents do have certain factors in common.

All occurred under close supervision either on the school playground, in the cafeteria or just outside the classroom.

Two of the incidents were preceded by counseling sessions the day before and were thought to have been settled.

All incidents occurred in isolation and thus far have not resulted in any continued feuding.

Not one racial group can be singled out. The incidents involved whites, blacks, Filipinos and a Latino. Although at Lowell and Luther Burbank, Filipino students stabbed students of other races.

Most of the incidents were the culmination of verbal arguments lasting over several days.

All five incidents involved boys between the ages of 14 and 18 (although one girl will be recommended for expulsion for carrying a loaded gun to school).

The schools where the incidents occurred quickly returned to normalcy.

Neither Morena nor any other school administrator is sure why the old fashioned fist fight has been escalated to knife stabbing.

But, according to Robert Figone, the man in charge of the students after they have committed acts of violence, "Things are no worse this year than they were last year."

In fact, the students interviewed at Woodrow Wilson say things have gotten a lot better. In the last year, they say, school spirit has grown and a conscientious principal has made them feel closer to the administration of their school.

Asked whether they think the incidents have racial overtones, the students at Wilson give an emphatic no.

"It was just one incident here of black against black. It's not going to happen again," one black teenager replied.

At Lowell the comments were less reassuring. Every student questioned believed the incident at Lowell did have racial overtones.

"It didn't begin that way. But a guy brings his friends into the conflict and eventually it gets to be a racial dispute," said one young student.

Do Lowell students expect another incident? "No," said one student, who added, "Remember, this is Lowell." School spirit at Lowell never has been a problem.

Asked why the old time solution of a fist fight and bloody nose no longer will suffice, the Lowell students had varying responses. Said one June graduate, who observed the school from his yellow sports car parked just outside, "Guys don't want to lose a fight. With knives you know you can't lose."

Commented one Chinese girl, "Killing doesn't seem so bad any more. The same violence that goes on outside school now is carried into school." Said another thoughtful girl on her way home, "Television violence is to blame. My brother's been watching a lot of TV and now he's got an admiration for switch blades."

At Lowell, as well as at Woodrow Wilson, students say they are disturbed by the incidents but believe they are no more than isolated happenings. And by early this week, students at both schools said they had all but forgotten the violent stabbings at their schools that occurred barely two weeks ago.

[From Parade magazine, Sept. 24, 1972]

THE YOUNG VANDALS WHO ARE WRECKING OUR SCHOOLS

(by Margo Tupper)

It's a cool spring morning of a school holiday in a quiet Maryland suburb. Johnny, a blue-eyed, blond 6-year-old, rises from the breakfast table and tells his mother that he's going to the playground. In her bedroom he finds of pair of nylon stockings, which he stuffs into his pockets. Next, he takes a pair of wire clippers and a hammer from the basement, and puts them inside his jacket.

BREAKS WINDOW

Johnny walks purposefully to his school and pauses near a low window at the back of the building. He hurls his hammer at the window, and the glass shatters. Slipping the stocking onto his hands to prevent fingerprints, he climbs through the jagged hole.

He uses the clippers to shear a wire on the school alarm box. Then he skips upstairs to the library, where he scatters books, empties files, tears index cards, and smashes phonograph records. With his hammer he batters, desks, chairs and typewriters.

But the cut wire did not put the alarm out of order. When Johnny leaves the building, he is met by a security officers, who summons the boy's mother. Since he is too young to be charged with an offense, his mother takes him home.

Johnny is not an isolated case. All over the country, school vandalism by very young children is on the rise. Many of the culprits come from affluent families. "It seems that the better the schools, the more vandalism occurs," sighs Roy Hostetter, security supervisor for the Montgomery County, Md., school system.

LOSS IN MILLIONS

It's impossible to say just how much money school vandalism costs the American taxpayer each year, but informed estimates range from 200 to 500 million dollars. Even these staggering figures are probably on the low side, because so many episodes go unreported. And they don't take into account indirect costs, resulting fom time lost from school, or skyrocketing insurance rates.

Small children who smash school property for a lark are often more destructive than older youngsters who steal for resale. Here are some examples of what pre-teenaged vandals have done:

Ft. Lauderdale, Fla. Two brothers, aged 9 and 11, entered a brand-new, $2.2 million junior high school. Armed with a golf club and a long, single-edged hunting knife, they smashed windows, slashed upholstery, and battered and overturned typewriters and business equipment. They also sprayed walls, furniture and musical instruments with fire extingushers and paint. Asked why they had done it, one replied: "Just for something to do."

Washington, D.C. Three boys—two aged 6 and 7—broke into Parkland Day Care Center on three successive weekends. They killed rabbits, hamsters and guinea pigs, splashed paint on walls and furniture, and opened food, which they threw on the floor or simply left to spoil. Later, they returned with their mothers and helped clean up the mess.

Wichita, Kans. Three children, aged 5, 6 and 12, broke into their school by forcing a lock and set a fire resulting in $4000 worth of damage. Ten days later the same trio set another fire in a different part of the building. The damage this time: $6000.

Houston, Tex. Children forced their way into the Sherman Elementary School and wrecked the kindergarten rooms by throwing paint, breaking toys and play equipment and smashing the television set. At nearby Sharpstown Elementary School, youthful vandals weren't content with breaking nearly every window in the building. Afterward, they set the school on fire.

Not only is vandalism on the increase, but more and more of the vandals are girls. The reason, according to a recent report by the U.S. Department of Health, Education and Welfare, may be "their changing attitude toward society and society's changing attitude toward them. Instead of the passive role assumed by girls in the past and society's protective role toward them, girls are becoming more aggressive and more independent." In Cincinnati, Ohio, for instance, a girl student started a fire in a storage closet at Burdette Elementary School, causing $100,000 in damage and shutting the school down for a month. "We have over 100 public schools in Cincinnati," laments school security chief Frank G. Bornhoffe. "Records show that not one has escaped damage from vandalism."

What can be done about the problem?

PREVENTIVE STEPS

Several communities have launched anti-vandalism campaigns. In Compton, Los Angeles, where vandals destroyed $350,000 worth of school property during the past fiscal year, officials have set up a special phone number for reporting youthful culprits to the police without fear of reprisal. In hard-hit Flint, Mich., the Mott Foundation joined with the Board of Education to create a Police School Cadet Program, whereby potential troublemakers—underachievers, children from broken homes, disruptive pupils—are encouraged to meet policemen and learn about law enforcement. The program, which is part of a "community school concept" fashioned by the Foundation and the Board of Education, is credited with

reducing substantially the incidence of juvenile delinquency among pre-teens.

Another approach is to design the schools differently. Nationally known school architect Stanley Arthur reports that some cities are asking for windowless school buildings, although these have been criticized for creating a penal atmosphere. A few schools, Arthur says, are considering installing indestructible iron toilets, of the kind used in many prisons. Toilets are a favorite target of young vandals, who wrench them from their moorings, or set fire to the seats.

FEDERAL FUNDS ASKED

In Congress, Rep. Jonathan B. Bingham (D., N.Y.) has introduced legislation to "assist school districts reduce crime against children, employees, and facilities in the elementary and secondary schools by providing financial assistance for the development and implementation of locally approved school security plans." Bingham's own district has experienced its share of vandalism. Earlier this year, youthful arsonists set a $200,000 fire in P.S. 3 in the Bronx, and then, while the building was being repaired, set a second fire which cost $20,000 more.

Most important of all, perhaps, is the need to awaken the public to the dimensions of the crisis. "Vandalism is not recognized by the majority of school officials as a problem," complains James A. F. Kelley, assistant director of the International Association of Police Chiefs. "Schools must learn to approach the situation in a realistic manner and not hide the facts. They should let the community, parent groups, police and Congress know just how serious vandalism has become."

Above all, experts agree, we must stop viewing vandalism as childish prankishness. Kid stuff it's not.

CEASE-FIRE IN VIETNAM

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

Mr. BINGHAM. Mr. Speaker, we are all thankful that there is to be a cease-fire in Vietnam and that our long-suffering prisoners of war are to be released and brought home. We rejoice with them and with their families. And we rejoice with the people of Vietnam, North and South, that at long last, after many years of agony, the shooting and the bombing, the killing and the maiming will stop.

We must also compliment Dr. Henry Kissinger and his negotiating team, along with their counterparts from North Vietnam, for the skillful and ingenious way in which they have solved a great many difficulties. Some of the solutions are reminiscent of the world of "Alice in Wonderland," but never mind. The important thing is that innumerable difficulties have been overcome.

But in our euphoria, let us not blind ourselves to the fact that the agreements leave many questions unanswered. The biggest question is, what happens if the agreements break down and fighting resumes in South Vietnam?

My own judgment is that this will not happen during the period immediately ahead. Because it is clearly in the interest of Hanoi that all American forces be withdrawn from Vietnam, I believe Hanoi will meticulously fulfill its obligation to release American POW's and to provide the required accounting for the missing in action.

I profoundly hope that the remainder of the agreement will be carried out, that the internationally supervised cease-fire will hold for as long as necessary, that the Vietnamese parties will be able to reach agreement on the anticipated elections, and that these elections will be held and will lead to true reconciliation between the Vietnamese parties that have been waring for so long.

If these things do happen, I hope that the U.S. Government will provide generous assistance to the Vietnamese, North and South, to help them rebuild their country and bind up the wounds. President Nixon, both directly and through his spokesman, has indicated that this is his intention, as it was the late President Johnson's, and I hope that the Congress will recognize and implement our country's obligations in this regard.

But I must concede that I am profoundly pessimistic as to the future of Vietnam beyond the 60-day period for withdrawal of U.S. forces and release of prisoners.

It seems to me almost inconceivable that opposing parties in Vietnam will be able to agree on the procedure for the proposed elections, or even on the purpose of such elections. With South Vietnam fragmented into scores of areas occupied and controlled by hostile forces, I foresee gradually increasing violence. At some point, whether it be 3 months from now, or 6 months, or a year or 2 years, I am afraid there will be full-scale fighting again, and the agreement will have broken down.

There were ominous overtones in the President's address last night suggesting that the United States intended to police the agreement, to "see to it," as he said, that the agreement was carried out.

Let us face it, there is only one way for the United States to police the agreement, and that is by being prepared to send its forces back into Indochina and its planes back to the bombing runs.

This, I am convinced, the American people do not want. And I believe the Congress must take steps to see that it does not happen.

What, it may well be asked, will be the result if the agreement breaks down and the United States does not intervene? The answer is clear: It will then be up to the Vietnamese, all of them, to work out their own problems. And that is what we should have allowed them to do many years, and many thousands of lives, ago.

TRANSCRIPT OF AN INTERVIEW BETWEEN THE HONORABLE CARL ALBERT, SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND CONGRESSMAN LESTER WOLFF

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

Mr. BRADEMAS. Mr. Speaker, I believe that one of the most important contributions to the current discussion of the respective roles of the President and the Congress is to be found in a recent interview between the Honorable CARL ALBERT, Speaker of the House of Representatives, and our colleague Congressman LESTER WOLFF.

Therefore, Mr. Speaker, I would like to include at this point in the RECORD the transcript of this interview, in order that it might be available to all of the Members.

TRANSCRIPT OF AN INTERVIEW

From the television studios of the United States House of Representatives in Washington, D.C., this is "Ask Congress." And this is the Speaker of the United States House of Representatives, Carl Albert, who is beginning his second term as Speaker of the House. And I'm Congressman Lester Wolff of New York. "Ask Congress" is a public affairs program designed to bring you, the viewer, a close-up look at our country's legislators as they discuss the issues that are of vital concern to every American. Today we are indeed privileged to welcome the Speaker of the House to our show. Speaker Albert has served in the Congress since 1947. And prior to his election as Speaker two years ago, he served as the Majority Whip and the Majority Leader. Today we will be talking with the Speaker about his plans for the 93rd Congress . . . including his views on Congressional Reform, the Impounding of funds by the Executive, and the reassertion of Congressional authority.

A MANDATE FOR A DEMOCRATIC CONGRESS

Speaker Albert, it's indeed a pleasure to have you here on "Ask Congress" today.

The SPEAKER. Thank you Congressman Wolff, it is a pleasure to be with you.

Rep. WOLFF. Mr. Speaker, President Nixon received an overwhelming vote from the American people, yet they re-elected a Democratic Congress. Do you consider this a mandate to the Congress?

The SPEAKER. Yes I do—to this extent—I believe that the programs that the Congress put through in the last Congress and the preceding Congress (a Democratic Congress), are in line with the thinking of most Congressional districts. I campaigned in 17 Congressional districts just 2 weeks before the election, and most of the Members for whom I campaigned—some of them new Members—were elected. There was no question but what there was a feeling that they should be elected. The people separated for the first time in Congressional and Presidential races.

Rep. WOLFF. Most people split their vote.

The SPEAKER. I think we have a mandate to go ahead with a progressive program here in the House.

Rep. WOLFF. It's been said, Mr. Speaker, that the President intends to virtually emasculate all those programs of the previous Democratic Congress. Will you permit something like this to occur?

The SPEAKER. Not if I can prevent it. I think that we are heading toward a Constitutional crisis in this regard. Already, we are seeing states joining together. The State of Missouri, for instance, has filed a lawsuit in the impounding of highway funds. School funds have been impounded. Health funds have been impounded. The President pocket-vetoed a $30 billion HEW bill. We have all sorts of things—we had $10 billion impounded when we started the fiscal year. We passed an $18 billion water purification act. He impounded $6 billion of the funds from that bill after we had overriden his veto. So, I think we are headed for a real crisis.

Rep. WOLFF. A question that has been sent to "Ask Congress" that I'd like to pass on to you relates to this. This person says, "There has been a great deal of comment of late that Congress has become the "unequal branch" of the federal government, and that the President has usurped many of the powers that were ordained in the Constitution to be handled by the Congress. Do you agree

with this criticism? And if you do, will there be any action in the Congress to regain some of that power—and in what areas?

VOCATION OF THE SPIRIT OF THE CONSTITUTION

The SPEAKER. Well, of course, I think the spirit of the Constitution has certainly been violated by the Administration. I have served with several Presidents, and I have noticed a tendency on the part of several of them to try to build up the presidency even though most of them have served in the Congress prior to going to the White House. This to me is a strange phenomenon. President Nixon is one of those. He is trying to concentrate all the power—not in his cabinet which has been set up by the Congress and pursuant to provisions in the Constitution—but in a shadow Cabinet, a little White House Cabinet, a few little people. Just ask anybody in the street. How many people know Henry Kissinger compared to Bill Rogers, the Secretary of State. I'll bet you twenty times as many people recognize the name of the President's Personal Foreign Affairs Advisor as recognize the name of the Secretary of State, which is the oldest and most famous of the Cabinet positions.

Rep. WOLFF. And these people; many of them do not require Congressional or Senate approval.

ABUSE OF EXECUTIVE PRIVILEGE

The SPEAKER. They don't require any. No. And you can't call them in. They won't come. The President will claim his immunity if you call in these people who are his personal aides.

Rep. WOLFF. What about this question of Executive privilege. I know that in our committee we have tried to get various people from the Administration to appear before our committee. We tried to get Mr. Kissinger on our Foreign Affairs Committee as you know, and we weren't able to. We got him to come to an informal breakfast. Do you think Congress will move to either force the appearance of various people or in some way move to gain information which it does not have at the present time?

The SPEAKER. Yes, I do. A lot of thought is being given to the subject of making it a violation of the law for individuals not to appear on a Congressional summons. Whether that will stand the tests of the courts or not, that will have to be seen. I don't know.

Rep. WOLFF. Well, wouldn't our subpeona power give us the opportunity of calling in these people?

The SPEAKER. Well, we can try it. Yes, I would think so, and I think that we may have to do that. After all, what good does it do if we are going to legislate the authority for say the State Department or any other Department of government. Here you've got a super cabinet and you've got a shadow cabinet—that's what it amounts to. And what good does it do if we don't get the information from those who really have the basic information and the basic contact with the President and the basic authority.

Rep. WOLFF. Mr. Speaker, there have been people that have been critical of the idea that this Congress, just because of the fact that this is a Republican President and the Congress is a Democratic Congress, has come into a head-long clash with the President on political lines alone. Would you think that's true?

The SPEAKER. No, I don't think that's true. I think a trend started in the Roosevelt Administration that has carried on the building up of the Executive because of emergencies. We've had one emergency after another starting with the Depression. We've had three wars, and emergencies tend to build up the presidency. And I'd like to add this about the presidency. The American presidency is the nearest thing we have to inheriting the monarchy from England. We were a country that was under a monarch. We looked to one man through the generations. All of our ancestors had. So here we come along.

The President really is the Chief Executive of the country and the Commander in Chief of the Armed Forces. And he's a coequal branch of the government. But what actually has happened—and the press and the media are partly responsible for this; and the people's heritage is partly responsible for this—he is looked on as the nation's leader as the one man in the country who should have all the power. It's amazing. It doesn't matter who the President is, how strong he is, he's going to be number one to the average citizen.

Rep. WOLFF. There was talk, Mr. Speaker, that this Senate might try to end the emergency powers that have been given to the President. Do you think there is any chance of that?

The SPEAKER. I think there is a chance of it. I think there's a better chance in the Senate than in the House.

THE ORGANIZATION OF CONGRESS

Rep. WOLFF. Mr. Speaker, every time the Congress gets organized it seems to take an almost inordinate amount of time. Why is it that it takes so long for the Congress to get organized in a new session?

The SPEAKER. Well, first of all, I think you have to divide the sessions into different types. Every first session is more difficult to organize than the second session. The second session is just a continuation of the first session; so next year there will be no problem comparatively. Then, the Presidential Inauguration Year throws a lot of additional duties in, and a lot of extra time has to be spent by Members of Congress. We've got all of that this year. We had to count the electoral votes, we've got the inauguration coming, we've got the State of the Union Message coming up. We have all of these things which take the time of the leadership and the time of other Members of Congress. Then we've got more retirements than we have had in some Congresses this time.

That starts a musical chair operation on everything from the assignment of rooms to the Committee assignments. Now that we have activated the Caucus, something we have done within the last 2 or 3 terms of Congress, we have to have an extra meeting on everything. We have to have a Caucus as well as a Floor meeting. And on the Committee assignment operation, now they've added the leadership to that and given that responsibility along with the Committee on Committees to the leadership and the Ways and Means Committee. We have to have meetings to assign Members.

These have to be approved by Caucus. Then they have to be approved by the House. It just takes a long time. Sometimes you have individuals to deal with. You have some people who have authority over a certain area under the rules or the practices or given to them by the Caucus, and that individual just doesn't happen to move as fast as the leadership wants him to. That's one of the things. New Members come in—with housing, etc., they have their problems. There are all sorts of things to deal with.

Rep. WOLFF. That doesn't mean that the Congress stops, however. You continue to work.

The SPEAKER. The Congress is busy. I've never been busier. I won't be any busier any time this year than I've been since we've met.

LEGISLATION IN THE 93D CONGRESS

Rep. WOLFF. I can imagine, Mr. Speaker, that in your position, you certainly would be. Mr. Speaker, what legislation are you likely to consider first in the 93rd Congress?

The SPEAKER. Well first I'd like to say one thing because it relates back. I have recommended, and a resolution has been introduced, to study the Committees. This is not legislation, but it is in the nature of legislation. Our Committees haven't been studied since 1946. So, I am going to ask that that be done. Now we have mandatory legislation. There's nothing we can do about it.

We've got to take certain bills up. One is the HEW Appropriation Bill. It was vetoed. It's $30 billion. It's got Health, Education, Welfare, and it's got nearly half of the civilian budget in that one bill. And it expires February 28. We've got other bills that expire at that time, so we've got to take those bills up first. And then we have a number of bills that expire on June 30 that we have to take up before then—like the Debt Limit. We have to raise the debt limit.

The Temporary Debt Limit is $465 billion, the permanent is $400 billion, so we have to get it back up or we won't have money to operate. We cannot cut back the deficit from $465 to $400 billion the next 2 or 3 months. And we have the highway bill which was bogged down and a number of others. Most of what we will be doing early in the session, between now and say April, is passing bills that are expiring that are big bills . . . Appropriation Bills. Elementary and Secondary Education expires July 30 of this year. If we don't pass a bill between now and then we have a flop over bill for next year, but then we're out of business. With President Nixon in the White House and his attitude toward these things, Lord only knows what will happen to these programs.

Rep. WOLFF. Mr. Speaker, the President has been critical of the Congress for over-spending. And he says that this is the one area where there's going to be a great conflict. Do you feel that the Congress has been over-spending, or has it been a mis-direction . . .

The SPEAKER. Let me tell you this. There hasn't been a year since President Nixon has been in office that the Congress hasn't appropriated less money than he has asked for. We give him less than what he asks for. He spends all the money that is spent. The Congress spends very little. We only spend the money that we use to operate the Hill; which is just a drop in the bucket of the total amount of money spent by the federal government.

The trouble is that he spends the money where he wants to spend it, over-spends it where he wants to spend it, and he impounds money that we think is necessary. It's not a difference in expenditure, it's a difference in priorities that has caused him to criticize the Congress. He thinks if we spend what we think we ought to spend on Education that we're over spending. We appropriate it, but he doesn't spend it. Who's doing the spending? We don't spend money.

Rep. WOLFF. Where do you think our priorities for this Congress lay?

The SPEAKER. Well, I think the top priority from the standpoint of the long pull is to try to re-establish the position of the House and the Senate—the Congress—in the government, because I think every other problem hinges on how effectively we are able to do that job. Of course, you have people who for political reasons are going to go with the President on that issue right here in the House and in the Senate. I think that is top priority item as a job we've got to do. I think we've got to put our own house in order. And we've done some things along that line and are doing more. We're going to do more. We are still living in the pre-World War II days in a lot of areas of Congressional Operation and we ought to take a look.

That's why I have said that we are trying to get a committee set up, and why the Caucus is looking into various aspects. The Hansen Ad Hoc Committee and others are looking into these things. Then I think priorities should go to those things that affect the American people. I personally put a top priority on health and education of our people. I think we've sadly neglected housing, and I think housing and a lack of adequate

housing programs—we didn't get a housing bill last year, this is a major thing—all of these things lead to other problems such as race problems and things that could be solved if they were properly taken care of in advance.

Rep. WOLFF. As someone who comes from not an urban area, particularly, you have mentioned many of the urban problems. Does that mean that there's going to be direct emphasis. . . .

The SPEAKER. These are national problems. Any problem that affects New York City affects Oklahoma. Any problem that affects Agriculture affects New York City, the price of food and the quantity of food. And this is a single country. More single than it ever was because our communication, our transportation, all of those things have changed the nature of this country. Whether you live in a city, whether you live in a suburb, whether you live in town, whether you're a rural area resident, you are a part of the same country. And you're close enough to the rest of it to get there within a matter of hours.

Rep. WOLFF. Do you foresee any tax reform legislation in this session?

The SPEAKER. Yes, I do. The first order of major business the Ways and Means Committee has announced they will consider is tax reform. I hope we do get a tax reform bill. I think there is some difference between the Administration and the Committee as to whether that should take priority over trade reform, but I think tax reform is the first item. I doubt if we'll have a tax increase bill this year unless the budget gets out of balance quite a bit more than it is.

Rep. WOLFF. Do you expect that the minimum wage will be raised this year?

The SPEAKER. Yes, I think it will. It would have been raised last year, but we got tied up into a situation where the House passed one bill and the Senate passed another bill, then some of the Members announced that they were going to take the Senate bill, and the House started instructing, and we got bogged down in the differences between the authors of the bill in the House and their own desire actually to pass the Senate bill. I don't know which bill we'll pass, but we will raise the minimum wage this year.

Rep. WOLFF. What priorities do you think the House or the Congress will have regarding the question of Health Maintenance and National Health Insurance?

The SPEAKER. Well, I hope we make some progress in this area. I would say that it has top priority. I would put it equal to any other area. We must do something about the rising cost of health care in the United States. If you belong to a family (I'm using the impersonal you.) which is average in their income level, with plenty to live on, but not among the really wealthy, and sickness strikes, I don't care how much insurance you've got, the whole family will be knocked out of commission if they have a long illness by one of their members. It's absolutely a tragic thing.

Rep. WOLFF. Of course, there are a variety of plans that have been offered.

The SPEAKER. Yes, I know.

Rep. WOLFF. And I imagine we'll be working to sift through those plans to come up with what you and the Congress consider to be the best for the American people.

The SPEAKER. Right.

FREEDOM OF THE PRESS

Rep. WOLFF. Mr. Speaker, there has been a great amount of comment and controversy of late over the question of freedom of the pre[illegible] and the ability of the press to actually do their job under certain restraints that have been placed upon them. How do you feel about this?

The SPEAKER. Well, I feel that freedom of the press is as basic as the right to representative government in the United States. We couldn't be a democracy if we didn't have freedom of the press.

And I think Congress owes it to the press to make its proceedings as available as possible, and I think the White House owes it to the press. I think the President should speak to the press more than he does lately. I'm beginning to question the wisdom of the lame-duck President theory that came into being because Roosevelt had served more than two terms. Is the President going to be available to the press, and are his men going to be available to the press? I understand that certain people at the White House have been instructed not to say anything about certain areas of the operation of the government. Now, this seems to me to be unfair not only to the press but to the American people which is what is really important.

Rep. WOLFF. Of course, too, there is the point of the licensing procedure in television and radio which we are now bearing on and the use of veiled threats not to renew licenses unless a particular station or group of stations go along with the Executive line. Here again . . .

The SPEAKER. Of course, that's a dictatorship. That really is. That's something that if it happens—actually happens—the proper oversight committees of the Congress should move in immediately . . .

Rep. WOLFF. Do we have the power in Congress to do anything about this?

The SPEAKER. I'm sure we do. I would think that the renewal of licenses for a television or radio station just for political reasons would come close to being a crime.

THE STATE OF THE UNION MESSAGE

Rep. WOLFF. Mr. Speaker, the President has decided to send his State of the Union Address to the Congress rather than deliver it as is the President's habit in the past. Do you see any significance in this at all?

The SPEAKER. Well, I don't think it really makes much difference this year. I hope this is not a precedent, though. The President never subjects himself to questioning by the Congress. That's historic. He doesn't subject himself to questioning by the press when he comes up here. So, we'll have the same message, but I think it would be helpful to the country if he delivered it. I don't think it will make a big difference to the Congress really.

Rep. WOLFF. On the question of the Congress and the new Congressmen; we have a goodly number of new Members. Have you been able to meet with them, and how do you appraise them?

The SPEAKER. I know all the new Democrats. I don't know all the new Republicans. We're still early in the Congress and I haven't had much chance to meet people on the Republican side of the aisle. I have met all the new Democrats and I don't think I was ever more impressed by a new group than by this new group of Congressmen that we have on the Democratic side this year. And they are from all sections of the country.

A HARD WORKING 93D CONGRESS

Rep. WOLFF. Congress has also been critized as being somewhat of a Tuesday to Thursday Club over the years. All I know is the fact that I've been here 8 years and I haven't found that we work from Tuesday to Thursday. For the most part we've been working most of the week. Will that be a process that you will continue? In other words, will the Congress work the full week?

The SPEAKER. We've announced our program. We've announced that every other Friday is a working Friday. Every Monday is a working Monday unless it's a holiday. Then we have only minor business. But we have consent calendar and private calendar alternating Monday and Tuesday and District Day. We have something every Monday. The only question whether we're going to meet five days a week or six days a week, as far as I'm concerned, is do we have the business for the Congress to do, and will the committees get the work out?

Rep. WOLFF. Well, I'm sure you'll give us plenty to do, Mr. Speaker, in the year ahead. There are many problems we face. I am certain that we will meet our responsibility in facing them. I am happy to have had you here appearing with us on "Ask Congress" today, but unfortunately, our time is up. I want to thank Speaker Carl Albert for joining us here on "Ask Congress" and for giving us the benefit of his expertise.

REHABILITATION ACT OF 1973

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, on January 3, I joined the gentleman from Kentucky, the distinguished chairman of the Committee on Education and Labor, Mr. PERKINS; the gentleman from Minnesota, the ranking minority member of the committee, Mr. QUIE; the gentlelady from Hawaii (Mrs. MINK); and the gentleman from Idaho (Mr. HANSEN) to introduce H.R. 17, the Rehabilitation Act of 1973, a measure identical to that vetoed by President Nixon after the 92d Congress had adjourned.

The Rehabilitation Act of 1973 would extend the present programs of aid to States for vocational rehabilitation of the handicapped, and would provide special services for the severely handicapped, including persons with serious kidney disease and persons suffering from spinal cord injury.

You will recall, Mr. Speaker, that this bill was passed unanimously by both the House and the Senate in the 92d Congress, and we hope that it will continue to enjoy the wide bipartisan support it received in the past.

I include in the RECORD at this point, Mr. Speaker, a list of colleagues who have since January 3 joined in sponsoring the Rehabilitation Act of 1973:

REHABILITATION ACT OF 1973 COSPONSORS

Carl Perkins, John Brademas, Albert Quie, Patsy Mink, Orval Hansen, Bella Abzug, Joseph Addabbo, Bill Alexander, Herman Badillo, Alphonzo Bell, Tom Bevill, Mario Biaggi, Jonathan Bingham, and Edward Boland.

David Bowen, Frank Brasco, Herbert Burke of Florida, Phillip Burton, Charles Carney, Frank Clark, Bill Clay, James Cleveland, Silvio Conte, John Conyers, James Corman, Lawrence Coughlin, Paul Cronin, George Danielson, and Mendel Davis of South Carolina.

James Delaney, John Dellenback, Frank Denholm, John Dingell, Robert Drinan, John Duncan, Don Edwards of California, Joshua Eilberg, John Erlenborn, Marvin Esch, Dante Fascell, Walter Fauntroy, Walter Flowers, and William D. Ford.

Edwin Forsythe, Donald Fraser, Henry Gonzalez, Ella Grasso, William Green of Pennsylvania, Gilbert Gude, John Hamerschmidt, Julia Butler Hansen, Michael Harrington, James Hastings, Augustus Hawkins, Ken Hechler, and Henry Helstoski.

Floyd Hicks, Chet Holifield, Elizabeth Holtzman, James Howard, William Hungate, Harold T. Johnson of California, Jack Kemp, Edward Koch, Peter Kyros, Robert Leggett, Manuel Lujan, Mike McCormack, and Stewart McKinney.

Torbert Macdonald, Ray Madden, Spark Matsunaga, Wiley Mayne, Romano Mazzoli, Lloyd Meeds, John Melcher, Ralph Metcalfe, Parren Mitchell of Maryland, John Moakley, Robert Mollohan, and William Moorhead of Pennsylvania.

Charles Mosher, John Moss, Bill Nichols, James O'Hara, Claude Pepper, Jerry Pettis, Peter Peyser, Bertram Podell, Melvin Price of Illinois, Charles Rangel, Ogden Reid, and Don Riegle.

Peter Rodino, Robert Roe, Benjamin Rosenthal, Dan Rostenkowski, Edward Roush, Edward Roybal, Paul Sarbanes, Patricia Schroeder, John Seiberling, Robert Steele, William Steiger of Wisconsin.

Gerry Studds, James Symington, Frank Thompson, Charles Thone, Robert Tiernan, Joseph Vigorito, William Widnall, Lester Wolff, Wendell Wyatt, and Gus Yatron.

Mr. Speaker, those of us who labored on this measure last year found our belief in its necessity vindicated by the unanimous bipartisan support it received in the 92d Congress.

Those of us sponsoring the measure in the 93d, Mr. Speaker, continue to believe it is sound and necessary and, therefore, hope that Congress will act on it early in this session.

COMPREHENSIVE OLDER AMERICANS SERVICES BILL

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, on the first day of the 93d Congress, together with the gentleman from Kentucky, the distinguished chairman of the Committee on Education and Labor (Mr. PERKINS), I introduced the comprehensive older Americans services bill, a measure identical to the bill vetoed by President Nixon after the 92d Congress had adjourned.

This measure amends the Older Americans Act of 1965 and provides increased funds to States for a variety of services directed at special problems of the aged, including transportation, nutrition, recreation, housing, and employment programs.

The comprehensive older Americans services bill, Mr. Speaker, enjoyed wide bipartisan support in the last Congress, and the list of Members who have joined in cosponsoring the measure indicates that support will continue in the 93d.

Mr. Speaker, you will recall that this measure was passed unanimously by both the House and the Senate in the 92d Congress.

I include in the RECORD at this point, a list of colleagues who have joined in sponsoring this measure:

COMPREHENSIVE OLDER AMERICANS SERVICES ACT AMENDMENTS COSPONSORS

John Brademas, Carl Perkins, Bella Abzug, Joseph Addabbo, Brock Adams, Bill Alexander, Frank Annunzio, Herman Badillo, Tom Bevill, Mario Biaggi, Jonathan Bingham, Edward Boland.

David Bowen, Frank Brasco, Herbert Burke of Florida, James Burke of Massachusetts, Phillip Burton, Charles Carney, Frank Clark, Bill Clay, James Cleveland, Silvio Conté, John Conyers, James Corman, Paul Cronin.

George Danielson, Mendel Davis of South Carolina, James Delaney, John Dellenback, Frank Denholm, John Dent, John Dingell, Robert Drinan, John Duncan, Don Edwards of California, Joshua Eilberg, Marvin Esch.

Dante Fascell, Walter Fauntroy, Hamilton Fish, Walter Flowers, L. H. Fountain, Don Fraser, Bill Frenzel, Ella Grasso, William Green of Pennsylvania, Henry Gonzalez, Gilbert Gude, John Hammerschmidt.

Julia Butler Hansen of Washington, Michael Harrington, Augustus Hawkins, Ken Hechler, John Heinz, Henry Helstoski, Floyd Hicks, Chet Holifield, Elizabeth Holtzman, William Hungate, Harold Johnson of California, Walter Jones of North Carolina.

Robert Kastenmeier, William Keating, Jack Kemp, Edward Koch, Peter Kyros, Robert Leggett, Jerry Litton, Mike McCormack, Stewart McKinney, Torbert Macdonald, Ray Madden, William Mailliard.

Spark Matsunaga, Lloyd Meeds, John Melcher, Ralph Metcalfe, Joseph Minish, Patsy Mink, Parren Mitchell of Maryland, John Moakley, Robert Mollohan, William Moorhead of Pennsylvania, Charles Mosher, John Moss.

John Murphy of New York, Morgan Murphy of Illinois, Lucien Nedzi, Robert Nix, David Obey, James O'Hara, Wayne Owens, Claude Pepper, Peter Peyser, Otis Pike, Bertram Podell, Melvin Price of Illinois.

William Randall, Charles Rangel, Thomas Rees, Ogden Reid, Donald Riegle, Peter Rodino, Robert Roe, Fred Rooney of Pennsylvania, Benjamin Rosenthal, Dan Rostenkowski, Edward Roush, Edward Roybal.

Paul Sarbanes, John Seiberling, Robert Steele, Robert Stephens, Gerry Studds, James Symington, Frank Thompson, Jr., Charles Thone, Robert Tiernan, Lester Wolff, Wendell Wyatt, Gus Yatron, Bill Young of Florida.

Mr. Speaker, my colleagues and I continue to believe the comprehensive older Americans services bill is sound and necessary legislation and, therefore, hope that Congress will act expeditiously on it in this session.

DEDICATION OF MARY E. SWITZER BUILDING

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, on January 16, 1973, I was privileged to attend the ceremony marking the dedication of the south building of the Department of Health, Education, and Welfare as the "Mary E. Switzer Memorial Building." I am pleased to say that the naming of this building after the late Miss Switzer was authorized by legislation sponsored by the distinguished Senator from Minnesota, Hon. HUBERT H. HUMPHREY, and me.

Mr. Speaker, when Mary Switzer ended her career in the Federal Government in 1970, this truly remarkable individual was completing 48 years of public service, spanning an era of unprecedented change in the development and delivery of social services—change which Mary Switzer both observed and of which she was a principal catalyst.

A LONG CAREER OF PUBLIC SERVICE

A native of Newton, Mass., Miss Switzer graduated from Radcliffe College in 1921 and began her Federal career the following year as a junior economist with the Treasury Department. At the time of her retirement, she had risen to the position of Administrator of the Social and Administrative Services within the Department of Health, Education, and Welfare, the first Director of this agency, which is responsible for welfare and social programs with a budget exceeding $8 billion annually.

But as early as 1934, Mr. Speaker, Mary Switzer had demonstrated her lifelong concern with health care and the delivery of medical services when she assumed the position of Assistant to the Assistant Secretary of the Treasury Department, who had supervisory responsibility for the U.S. Public Health Service.

When the Public Health Service was transferred in 1939 to the Federal Security, the forerunner of the Department of Health, Education, and Welfare, Mary Switzer became Assistant to the Administrator with special responsibilities for public health and the rehabilitation of the handicapped.

For her work during the Second World War in improving scientific policies and projects in support of the war effort, she received the President's Certificate of Merit, the highest wartime award available to civilians.

The postwar years, Mr. Speaker, presented rehabilitation in America with new challenges and new opportunities, and Mary Switzer was in the forefront of the rehabilitation movement demanding adequate attention and services for the Nation's handicapped.

She was a member of the President's Scientific Research Board, which produced the widely acclaimed series of reports, "Science and Public Policy."

In 1950 she was named Commissioner of the Vocational Rehabilitation Administration, the Federal-State program for rehabilitation of the handicapped, a position which she held through the difficult years of the creation of the Department of Health, Education, and Welfare, and during a period of intense demand for rehabilitation services in America.

In December 1951, Miss Switzer was appointed by President Truman to the Commission on the Health Needs of the Nation, the Magnuson Commission, which generated major new public awareness of the problems of handicapped and crippled Americans.

During her tenure as Commissioner of the Vocational Rehabilitation Service, Miss Switzer made sweeping changes in the rehabilitation program and her recommendations to the Department of Health, Education, and Welfare, and to the Congress, resulted in vastly expanded and improved services to the disabled, as well as new training programs to provide the specialists required for rehabilitation programs.

I would be derelict, Mr. Speaker, if I did not also bring to the attention of my colleagues the *significant* international role Mary Switzer played in the course of her life's work.

In 1960 she instituted an international rehabilitation research program, demonstrating, yet again, an interest that extended back to her undergraduate studies at Radcliffe in international affairs, and to her participation in international conferences leading to the development of the World Health Organization.

In 1969, Mr. Speaker, in recognition of her outstanding contributions to the international understanding of rehabilitation problems, Mary Switzer was elect-

ed to the position of Vice President of the World Rehabilitation Fund.

A GREAT ADMINISTRATOR OF THE SOCIAL AND REHABILITATION SERVICE

But the undoubted high point of Miss Switzer's career was her assumption in 1967 of the position of Administrator of the new Social and Rehabilitation Service with responsibility for all of the new major welfare and rehabilitation services of the Department of Health, Education, and Welfare, and a mandate to administer them in a new, more effective, direction.

As Administrator of the Social and Rehabilitation Service, she carried out the largest administrative responsibility of any woman in Government and supervised the expenditure of over $8 billion in Federal programs for the aged, the poor, children, youth, and the disabled.

Mr. Speaker, although a powerful "bureaucrat," as she often referred to herself, Mary Switzer never forgot the people for whose benefit those programs were created. On many occasions when testifying before the Education and Labor Committee, Miss Switzer, when asked questions regarding budgetary matters and positions of administrations she served—and she served during the administrations of eight Presidents—would look committee members in the eye and say that we all knew how she felt and would then elaborate, often defying dictates from the Bureau of the Budget, the present Office of Management and Budget. For this courage she gained the respect of both Democrats and Republicans.

Her deep commitment to the welfare of others earned her the tribute of former Secretary of Health, Education, and Welfare Arthur Flemming who called her "one of the 10 career civil servants who has rendered the most to the Nation throughout its entire history."

In 1970 Mary Switzer retired from Government service, and the following year passed away at the George Washington University Hospital, 71 years after her birth in Massachusetts.

A FITTING TRIBUTE

In naming the south building of the Department of Health, Education, and Welfare, the Mary E. Switzer Memorial Building, Congress has added a new honor to those Mary Switzer received during her lifetime, honors that included the President's Certificate of Merit, which I have already mentioned, the Department of Health, Education, and Welfare's Distinguished Service Award, the Albert Lasker Award, and the National Civil Service Award, to mention just a few.

On January 16, 1973, Mary E. Switzer became the first woman to have a Federal building named after her.

And today, as I think of what one might say about this extraordinary woman, I recall some lines she wrote shortly after she began organizing the Social and Rehabilitation Service.

Said Mary Switzer:

Today, the success of vocational rehabilitation owes much—perhaps all that is distinctive in the program—to the principle that the serving person gives himself to the served: he thinks first of the disabled person as a human being in need of something and, in the giving of that something, the giver receives even more, to store up for the next cycle of sharing.

Mr. Speaker, Mary Switzer was a "giver" to her fellow human beings, and the honor which we now pay to her memory through the naming of this HEW building after her is only a small token of appreciation from those of us who must carry on her work.

At this point, Mr. Speaker, I would like to insert copies of several of the items from the dedication ceremony, including the address by the Secretary of Health, Education, and Welfare, the Honorable Elliot L. Richardson, and Mr. John D. Twiname, Administrator, Social and Rehabilitation Service.

The items follow:

THE MARY E. SWITZER MEMORIAL BUILDING, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

DEDICATION CEREMONIES—JANUARY 16, 1973

Named by Act of Congress In Memory Of Mary Elizabeth Switzer, February 16, 1900–October 16, 1971.

"Her many constructive accomplishments live on in tribute to her full life, and will enrich our society for a long time to come"—Richard Nixon.

"Her creative Federal service during almost half a century was devoted to providing new horizons and new hopes for America's disabled and disadvantaged people"—Elliot L. Richardson.

PROGRAM

Prelude Music

Master of Ceremonies—Mr. John D. Twiname, Administrator, Social and Rehabilitation Service.

Presentation of Colors—Joint Armed Forces Color Team.

The National Anthem—The United States Marine Band.

Invocation—Mother Bernadette D'Lourdes, O. Carm.

Introduction of Distinguished Guests

Remarks—The Honorable Elliot L. Richardson, Secretary of Health, Education, and Welfare.

Unveiling of Memorial Plaque—Secretary Richardson, Miss Ann Switzer and Mr. Arthur Switzer.

Remarks—Miss Ann Switzer.

Remarks—Mr. Twiname.

Closing Music.

Recognized as the moving force of a quiet revolution, Mary E. Switzer brought about changes that vastly improved services to America's disabled, to the needy and disadvantaged, to children and youth, and to the aged.

As Commissioner of the State-Federal program for rehabilitating the disabled from 1950 to 1967 and Administrator of Federally supported social and rehabilitation programs from 1967 until her retirement in 1970, Mary Switzer brought to the public service a rare combination of administrative skill and personal warmth.

Under her leadership, research was launched to find better ways of serving people. Training was established to provide the professional and technical skills needed in social and rehabilitation programs. Improved methods were applied to rehabilitate the disabled and the disadvantaged. International cooperation was expanded to enable all nations to share in advancements in rehabilitation and allied fields.

Mary E. Switzer is remembered as an administrator who earned respect, a public servant who won affection, and a champion of people everywhere in need of a helping hand.

ADDRESS BY THE HONORABLE ELLIOT L. RICHARDSON, AT THE DEDICATION OF THE MARY E. SWITZER MEMORIAL BUILDING

I am very grateful for the opportunity, while still at the Department of Health, Education and Welfare, to participate in this ceremony. As I have said to many of you before, my own service in the Department has always been inspired by the friendship and the example of Mary Switzer. I cannot think of any occasion in which I would feel a greater sense of personal involvement than in the dedication of this building to her memory.

She was a person whose creative Federal service was devoted to providing new horizons and new hopes for the disadvantaged and the vulnerable of America. It is the fondest dream, I am sure, of all of us here today to spur a fresh appreciation of her great accomplishments and a wider understanding of her desire to do all that could be done, as she put it, "to restore lost hopes as well as lost physical capabilities."

MISS SWITZER'S YEARS OF PUBLIC SERVICE

Mary Switzer was—I am proud to note, for any of you who don't know it—a native of Massachusetts. She joined the Federal service more than a half century ago, shortly after her graduation from Radcliffe. Her entry into the field of social and rehabilitation matters came during her early years in the Treasury Department, which then, oddly enough, supervised the U.S. Public Health Service. When that unit joined the newly established Federal Security Agency in 1939, Mary Switzer became Assistant to the Administrator, with special concern for public health and vocational rehabilitation services. Her work in this capacity during World War II won her the President's Certificate of Merit, the highest wartime civilian award. She was named head of the newly established State-Federal rehabilitation program in 1950, a position she held until she became the first Administrator of HEW's Social and Rehabilitation Service when it was formed in 1967.

Miss Switzer retired from Federal service in 1970 to become Vice President of the World Rehabilitation Fund. She had for many years been involved in international health and rehabilitation activities. Right after World War II, she served as United States representative during the conferences leading to the establishment of the World Health Organization. That experience led her to organize an international rehabilitation research program in 1960. Her resourcefulness helped work out the counterpart fund arrangement which supports the valuable program of international research and training.

Mary Switzer's years of public service spanned an era marked by unprecedented growth and major change in social and rehabilitation programs. Her strong personality, her energy, her drive, her charm, her humor, were together and in appropriate combinations key factors in helping to evolve and expand Federally financed programs for millions of people in need of services. She was a prime architect of the Vocational Rehabilitation Act of 1954. She expanded a program that in 1950 was rehabilitating barely more than 50,000 disabled persons a year and only some 200 mentally retarded to a quarter of a million a year, of whom 25,000 are mentally retarded, 8,000 blind and many severely disabled. Her vision brought about the National Technical Institute for the Deaf, the National Theater of the Deaf, the National Center for the Deaf-Blind and numerous other programs for severely disabled individuals. She increased the Federal budget for rehabilitation more than 20-fold in her years of service, but she brought back many times that amount in taxes, in respect and in love.

Under Mary Switzer's guidance, the Social and Rehabilitation Service was established

and began to simplify procedures for needy people to obtain public assistance and other services. She led the drive to unify social, welfare and rehabilitation components in a meaningful way for all persons in need of services.

"A SENSE OF PERSONAL COMMITMENT"

Her philosophy expressed a short time before her death was that "the most valuable asset," and I'm quoting her words, "that any staff member in our bureaus can possibly have is a sense of personal commitment—a sense of identification with the cause they are serving and some recognition of the fact that they have to give a little more in those programs than has to be given in programs that do not involve direct relationships with people. The larger we become and the farther away people in Washington get from the places where service is given and the people that we are in business to serve, the more difficult it becomes to preserve this person-to-person feeling, this sense of personal commitment. And, as time goes on, unless we watch it carefully, the kind of people who will perform our tasks will not be people who are primarily interested in persons who are in trouble."

Mary Switzer devoted her whole heart and mind year after year to making HEW the true Department of the people. She was a genuine, a tireless champion of handicapped and vulnerable Americans. In honoring her, we honor a remarkable human being, a magnificent woman, for most of us here a true and inspirational friend who knew to the very fiber of her being that it is indeed better to light a candle than to curse the darkness.

At a retirement party for Mary Switzer in 1970, David Hayes, Director of the National Theater of Deaf, referred to her help to that particular disadvantaged group. He said: "Thanks to Mary, the dark silhouette of an entire people is being illuminated." Our fondest dream—and one I am sure she would support—is that this newly constituted Mary Switzer Memorial Building can forever continue to focus the conscience and understanding of all Americans on the illumination of that "dark silhouette."

REMARKS BY JOHN D. TWINAME, ADMINISTRATOR, SOCIAL AND REHABILITATION SERVICE, HEW, AT THE DEDICATION OF THE MARY E. SWITZER MEMORIAL BUILDING

We had an informal name for this building when Mary Switzer and her staff moved here from the North Building a little more than three years ago—some employees threatened to put a sign over the door with the inscription 'Switzerland." This new formal name is more fitting and appropriate, however.

Let me tell you a few of the building details. This plaque in brass is a model of two identical bronze plaques which are being cast to go into the lobbies of each of the main entrances of the building. I hope many of you will take an opportunity after the ceremony to go into the West Lobby and take a closer look at this plaque and the other exhibits on display. In addition to this building dedication plaque, there is an artist's rendering of another bronze plaque we are having made to describe Miss Switzer's career, a temporary exhibit of mementos presented to her during her lifetime, and an exhibit showing how this building is being changed to make it more accessible to persons with various types of physical handicaps.

The changes in the building were going on right up to the close of business yesterday, although all of us inside had to come out on the street a little after four o'clock. I felt Mary's mischievous spirit in my bones at that time. We were having a planning meeting when the fire alarm went off—and it was no routine fire drill because the alarm was accompanied by the sound of no less than seven engines that drew into this street to put out a basement fire in our publications room. I thought it might be part of our program to cut down on paperwork, but someone else suggested it was just a warm-up for this ceremony today, which kicks off a week of subsequent events and festivities.

I do, however, want to tell the general services people that I was worried until yesterday about them getting this plaque here. Yesterday, I began worrying about having a building here to go with the plaque. In any event, renovation now will go on in an even more serious way.

AN APPROPRIATE BUILDING

This renovation program started under Miss Switzer's direction, and various public facilities—drinking fountains, pay telephones, ramps to the doors, and so forth—were adapted for handicapped employees. We want renovation to be not just the naming of a building, but the making of a model of how existing buildings can be modified to end discrimination against handicapped employees.

We are planning a number of additional modifications to make this building as free as possible of architectural barriers. We have formed an employee committee, of which Mrs. Frances Curtis is a member, to recommend further changes. We will be working with the General Services Administration, which is cooperating in the venture.

The employee committee, furthermore, is working with personnel and examining personnel practices so we can go further and eliminate as well attitudinal barriers to the employment of handicapped people in this building. We want it to be truly a living memorial to Miss Switzer.

I can't close this ceremony without this one personal note. It was about four years ago that Mary Switzer persuaded me to join her, and I began a privileged year by her side as Deputy Administrator, catching her infectious spirit. Three years ago next month we held a memorable dinner for Mary on the occasion of her leaving the Department. As I leave now the post she left to me, I can echo her words that night. She expressed then, as I do now, the wish that we could get across to people outside the government the great excitement of the work here. She said she wanted to dramatize (and did she!) that government *can* make a difference and *does* make a difference. She said she believed government *will* make a difference if we will just give ourselves to its service.

As I consider the many dedicated people in HEW that I know and I have had the privilege to work with—and many of them are here today—I am sure that the spirit of that commitment will be carried on under your new Secretary and under your new Administrator.

My one regret in closing this ceremony is that the Mary E. Switzer Memorial Building is only five stories high, which makes it a building entirely too small to stand beside the towering achievements of her career in public service.

A LEGACY OF HOPE

I would like to express the hope that, in renewing our own commitment to her service in this dedication, we may see the joining of the Administration and the Congress in a practical accommodation to each other to jointly push forward the new Vocational Rehabilitation legislation to honor the work to which Mary Switzer gave her life. I am sure that legislation and this building will provide a memorial to give disadvantaged and handicapped citizens a measure of that quality she most brought to people—hope.

I end this ceremony, and my term as Administrator, with the words she left us at that testimonial to her three years ago:

"Godspeed. God speed you on the road to make real the motto of our Department: 'Hope, the anchor of life.' "

Let us stand now for a moment of reflection as the Marine Band dedicates its hymn to her memory.

TRIBUTE TO FORMER PRESIDENT LYNDON B. JOHNSON

(Mr. WON PAT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WON PAT. Mr. Speaker, the American people have lost a great public servant and a distinguished legislator with the passing of our beloved former President Lyndon B. Johnson.

Truly a product of this country's heritage of self-made men, President Johnson came from a humble beginning, rose through adversity to become an astute legislator, and ended his proud career by serving as one of the most compassionate Presidents America has ever known.

Born in a poor section of Texas, President Johnson grew up fully aware of what the evils of poverty and racial discrimination meant to the Mexican-Americans, the blacks, and other minority groups in our country.

It was this sense of great morality which elevated President Johnson from being merely a good Chief Executive to being the equal of some of our most compassionate Presidents, as were Franklin Roosevelt and Abraham Lincoln.

As the delegate from the territory of Guam, I speak from firsthand knowledge of our late President's sensitivities to his fellow man. During his term in office, our fellow Americans on Guam became eligible for inclusion in more Federal programs than ever before in the territory's history. Much of the credit for our legislative success was due to the new era of good will and sympathetic legislation which President Johnson and Members of Congress urged at every opportunity.

The late President also focused an important measure of attention on Guam when he came to our island to hold the first in a continuing round of peace talks with South Vietnam's leaders, and thus became the first President to ever visit the territory.

And, when President Johnson affixed his signature to the Guam elective Governor bill, on September 11, 1968, he characteristically said:

It is high time that the people of Guam were accorded this basic right. I am pleased and proud to sign a bill which will permit them to elect their own Chief Executive.

History will remember President Johnson for many reasons, including his unfortunate involvement in the Vietnam war. But, I am certain that history will best remember our late President for the extraordinary and unlimited understanding and sympathy which he felt for the common man. And the Great Society which he strove so mightily for, will continue to live on in the hearts and minds of his fellow man as a lasting tribute to Lyndon Baines Johnson.

COUNCIL ON ENERGY POLICY PROPOSED BY 49 MEMBERS

(Mr. VAN DEERLIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VAN DEERLIN. Mr. Speaker, the headlines could scarcely be more ominous. Daily, it seems, there are new and ever more disquieting reports of mounting shortages of precious energy fuels. This type of news is never pleasant, of course, but in the chilly dead of winter the specter of a critical fuel shortage virtually cries out for remedial action.

On January 6, Congressman CONTE and I introduced H.R. 1258, calling for the creation of a Council on Energy Policy to advise both Congress and the executive branch.

Admittedly, the Council would not in itself be a final solution to the energy crisis. But it could at least point us in the right direction, and do so in the shortest possible time.

I emphasize that the members of the Council, while appointed by the President, would face confirmation by the Senate. Likewise, the Council members would be required by the bill we are proposing to be responsive to Congress and its committees; there would be no shield of executive privilege for them in their dealings with the legislative branch.

Today, we are reoffering the bill, with 47 cosponsors, a representative cross section of the House membership that includes 25 Democrats and 22 Republicans.

We are hopeful of early hearings on these bills, for we believe that the Council is more urgently needed than ever.

The news release that follows is about the reintroduction of the bill and identifies the cosponsors:

NEWS RELEASE

Legislation to establish a White House-based Council of three master planners to cope with the energy crisis was reintroduced today (Wednesday) by Reps. Lionel Van Deerlin, D-Calif., and Silvio O. Conte, R-Mass. They were joined by 47 co-sponsors.

Conte and Van Deerlin said their proposed Council on Energy Policy would fill a vacuum by "developing coherent national programs for the best use of our diminishing energy resources."

Now, they noted, more than 40 U.S. agencies and at least 12 committees of Congress are involved in energy matters, but none of them speaks for the Government as a whole. "In too many cases," they said, "bureaucratic jurisdictions overlap and the resulting signals are downright contradictory."

Responsibilities assigned the Council would include:

Act as the principal adviser to Congress and the President in the formulation of energy policies.

Develop and then oversee Governmental implementation of a "long-range comprehensive plan" for uses of energy in the United States.

Review energy-related reports and legislative proposals submitted by executive agencies.

Resolve energy policy conflicts among federal agencies.

Recommend measures for federal and state governments to take in dealing with shortages and other power emergencies.

The bill was first introduced last summer, but time ran out on the 92d Congress before it could be considered.

"With critical new shortages of precious energy fuels reported almost daily, we feel the Council is more urgently needed than ever," Van Deerlin and Conte told the House.

Co-sponsors include: Reps. Joseph P. Addabbo, Thomas L. Ashley, Herman Badillo, Frank J. Brasco, Clarence J. Brown,, James T. Broyhill, John Buchanan, James C. Corman, James J. Delaney, John Dellenback, John H. Dent, Edward J. Derwinski, Harold D. Donohue, Pierre S. (Pete) du Pont, Jack Edwards, Joshua Eilberg, Edwin D. Eshleman, Hamilton Fish Jr., Robert N. Giaimo, Ella T. Grasso, Julia Butler Hansen, James Harvey, Elwood Hillis, Albert W. Johnson, Carleton J. King, Gillis Long and Manuel Lujan, Jr.

Also: Reps. William S. Mailliard, Richard W. Mallary, Dawson Mathis, Romano L. Mazzoli, John Moakley, Claude Pepper, Bertram L. Podell, Robert Price, Thomas M. Rees, Peter W. Rodino, Jr., Benjamin S. Rosenthal, Dan Rostenkowski, Edward R. Roybal, Robert H. Steele, Victor V. Veysey, Jerome R. Waldie, John Ware, G. William Whitehurst, Lester L. Wolff and Roger H. Zion.

"TORBY" MACDONALD STAYS ON TARGET

(Mr. VAN DEERLIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VAN DEERLIN. Mr. Speaker, there are few among us as cogent and articulate as our distinguished colleague from Massachusetts, the Honorable TORBERT H. MACDONALD.

As a member of the Communications Subcommittee of the House Committee on Interstate and Foreign Commerce, I feel I can speak with some competence on Mr. MACDONALD'S contributions. TORBY, of course, is chairman of the subcommittee.

In the last year or so, one of TORBY'S main concerns has been the occasionally blatant attempts in this administration to undermine some of the freedoms which broadcast journalists have shared with their brethren in the print media.

As a former newsman, I could not agree more with Congressman MACDONALD. Never before has our traditionally free press been subjected to so much unwarranted pressure from the Federal Government.

In a speech last week to the California Broadcasters Association, TORBY said it all, in a masterful review of the threats directed at the media and the steps he thinks broadcasters should and must take to protect themselves.

In this talk, TORBY also provided us with a good preview of what this session may hold in store for the broadcasters, particularly the hard-pressed newsmen in their ranks.

I commend the speech, which follows, to the attention of all our colleagues:

REMARKS OF CONGRESSMAN TORBERT H. MACDONALD

Today, I am going to talk about the Nixon Network Neurosis.

I am, of course, talking about the actions of Mr. Whitehead of the Office of Telecommunications Policy and his speech last month. The speech was released with appropriate fanfare, but the bill that was supposed to go with it was not. When the speech had gotten its maximum publicity and Mr. Whitehead himself had auditioned on television for every talk show that would have him, the bill itself was efficiently leaked. Those of you who have taken the time to read the bill carefully—and I suppose most of you have read it as closely as you do your licenses—know that there is a vast gap between the language of the proposed legislation and the clearly threatening language of the speech.

It seems to me there has been an overwhelmingly negative response. With one or two predicatable exceptions among the ranks of broadcasters, most everyone seems to have recognized the menace contained openly in the speech. For once, newspapers and magazines joined television in an outraged chorus. Most everyone called it the carrot-and-stick approach. For want of a better cliche, I'll use that. I'll even steal from the late Winston Churchill, when he scoffed at predictions that England would have her neck wrung like a chicken by the Germans in three weeks—"Some chicken. Some neck." And I say about Mr. Whitehead's approach, "Some carrot. Some stick."

Mr. Whitehead has a bad habit of meddling. In the heat of the last campaign, he carried a message to Hollywood. No more re-runs, he said, speaking directly to the unions who had rightly or wrongly figured that fewer re-runs would automatically mean more jobs for them.

The White House would like to lecture the networks on how to run—or re-run—their business. Well, we all get tired of re-runs, but the re-runs that make me most tired are the re-runs of the Administration's determination to shape the independent voices of television news in their own image.

We've heard the theme articulated with headline-catching alliterations by the Vice President of the United States. We've heard it presented with sweet reason by the White House Director of Communications, Mr. Klein. We've heard it brandished by a White House speech-writer, Mr. Patrick Buchanan, coupled with threats of antitrust action.

And most frequently, we've heard that theme of "Stop the criticism or we'll stop you" explained with patronizing patience by Mr. Whitehead of the O.T.P.

Now, let me take one minute to point out that this tactic is not new. They gave it a trial run in the field of Public Broadcasting last year. Whitehead tried to drive a wedge between the stations and the national interconnected group or, as he labeled them, "the fourth network". In a well-publicized speech in Miami, he told the stations to be dissatisfied with the programs and the service they'd been getting from the Public Broadcasting Network operation, and get in there and take the money away from them for "local" use.

That was the exhibition game, to use the analogy that was so popular around the White House pre-Superbowl. They looked over the film from that one, and evidently decided their game plan was a workable one, so they used Indianapolis for the opening game of the big league regular season. And I use the phrase "opening game" advisedly, because this is just the first month of a long four-year season with the same quarterback. If they win this one, they may think they can go all the way.

When I spoke to the Massachusetts Broadcasters Association in September, I told them that what had happened to public television could happen to them. I don't think they believed me or took my warning. After all, they probably said to themselves, public television depends to a degree on government money, and the Administration can cut that money off. But what could they do to com-

mercial broadcasting, that institution that is free and independent under the laws of this land?

Well, it looks as though they asked that same question within the White House, and Mr. Whitehead's message figures to be one of the answers. Hit them where government can hit them, right in their licenses. Play on natural tensions that exist between an affiliate and its network, between the news centers in New York and Washington and the isolated stations many hundreds of miles away. Give the sanction of the President of the United States to complaints against imagined bias on the network news, and then you'll have frantic reaction.

I don't know if they actually expect each of you out here on the West Coast to hire a staff of national and international news experts, so you can take advantage of those three hours between getting Cronkite and Chancellor and Reasoner down the line, and edit them to fit your own interpretation of the day's news. I doubt that even Whitehead could be so unrealistic and self-deluding. But they obviously expect you to rise to your feet cheering, and put the pressure on network management to soften up the news, play down the commentary, make it nice for those faceless fellows who prepare for the President the famous morning news summary, complete with interpretation of what the networks said.

Perhaps, as I have heard from spokesmen of the industry, no such thing will happen. I deeply hope that is correct. Because if you give up on this one, if you split your ranks as they've been trying to split them for you, no license renewal bill in the long run will be advantageous to you.

Now, what about a license renewal bill? Will there be one during the 93rd Congress?

I guess that depends to some extent on you broadcasters, and to a greater extent on my subcommittee, and to an even greater extent on the 535 members of Congress.

As I read all the signs and portents from the vantage point of ten terms of service in the House, this Congress is in a rebellious mood. We all have witnessed the gradual erosion of the Powers that were delegated to us by the Constitution. We have seen the Executive Branch act more and more like a government within a government, spending unauthorized money on airplanes and bombs, impounding funds appropriated by Congress, withholding money for housing and health, vetoing important bills while Congress is closed down for a short campaign period, and generally patting the Congress on the head and telling it to lie down and play dead.

To me, the Office of Telecommunications Policy is a striking example of this erosion, this diversion of the intent of Congress, this disregard of our historic separation of powers.

When the plan to establish an Office of Telecommunications Policy in the Executive Office of the President was sent up to the Congress in early 1970, hearings were held by the Committee on Government Operations, on which I also serve. During those hearings, Representative Bud Brown of Ohio, a member of my subcommittee as well, quoted an article in Broadcasting magazine which said that Mr. Whitehead quote "Made it clear last week the White House has no qualms about seeking to influence the FCC or other so-called independent agencies." Mr. Brown, rightly, called this a very, very serious matter. The next day, Mr. Whitehead rushed over to the committee a letter denying any undesirable or improper influence on the FCC—but he did hedge it with the statement that "open expressions of viewpoint are not 'influence' ". Well, maybe they're not influence in some sense of the word that I don't quite understand—but when the White House calls the FCC and suggests it would like to see certain decisions made, it does carry a little more weight than when the call comes from one of you.

To underscore what it is Mr. Whitehead doesn't seem to think comes under the definition of influence, I refer you to the *New York Times'* unprecedented publication of the luncheon conversation he had with the *Times* Board of Editors last week. Bear with me, because this speaks directly to the subject of challenges of licenses—something that happened, by sheer coincidence as you know, to the *Washington Post* TV and radio stations in Florida by a group who happened to be strong and close Nixon supporters and contributors. I want to quote the whole exchange, because it is very revealing.

"New York Times: If a station had its license revoked after the FCC decided that the local community challengers were correct that the station had not been attuned to the interest of the community, what would a new company have to prove before it could get a license?

"Whitehead: It would have to show that it could do a better job. It would be comparative. It would have to promise more in terms of what the community says it wants.

"New York Times: That could become very political.

"Whitehead: But it could be very political today. If there's no way of involving the Government in granting television licenses we'd have the opportunity for being very political. The question is what procedures do you want to establish to minimize that input. You're walking this very delicate line between government regulation and the freedoms of the First Amendment.

"New York Times: This would take away a lot of power from the FCC, would it not?

"Whitehead: It would."

Unquote. But remember, no influence.

Now let me pick up the thread that the New York Times luncheon interrupted.

The Congress took the word of the Executive Branch, and approved the President's Reorganization Plan No. 1, creating, among other things, the O.T.P. I would invite you, sometime, to read through the three paragraphs that define the essential roles of this new office. There are only 11 sentences. Ten of them speak in glowing generalities of the need for this office in terms of technological capabilities, sharing more fully in the experience, the insights and forecasts of government and non-government experts, dealing with the worsening spectrum shortage, and coordinating operations for the Federal Government's own vast communications systems.

All perfectly legitimate and perhaps necessary. One sentence seems to contain the loophole through which Mr. Whitehead, his 60-man bureaucracy, and some 300 other bodies hidden in the Department of Commerce who report to him, have driven their ambitious machine. This sentence reads, quote, "The new office would enable the Executive Branch to speak with a clearer voice and to act as a more effective partner in discussions of communications policy with both the Congress and the Federal Communications Commission." Well, it certainly has enabled the Executive Branch to speak with a louder voice. It is regrettable that their definition of being an active partner with the Congress and the FCC takes the form of dispatching Mr. Whitehead around the country making surprise speeches that have only one purpose, as far as I can see—to control what goes on the Nation's TV screens, so that it will conform to the wishes of the Chief Executive.

As I told the broadcasters in Massachusetts last September, this has a familiar ring to it. President DeGaulle of France once expressed privately to a President I knew very well his amazement that the United States Government didn't consider it necessary to control television. Could it be possible that some people in this administration of the U.S. Government have similar feelings?

The Congress has a different message. Legislation on license renewal for broadcasters still must originate in the Congress, and we intend to pursue the matter irrespective of the White House and its broad-handed attempts to dictate to you and your colleagues what news is acceptable and what news is "elitist gossip" or "ideological plugola".

Very shortly, when the committees of the 93rd Congress have been fully formed, we will announce hearings on broadcast license renewals. There may be a number of bills to consider. I have pledged to give special consideration to radio, because I believe it has suffered over the years as we have all devoted most of our time and attention to television. These will be long, thorough hearings. It is my sincere hope that they will result in significant legislation.

But in view of the unexpected stick that the White House has seen fit to tie to the carrot of five-year renewals and added protection from challengers, you broadcasters are in a more precarious position than you were before. I want to be perfectly candid with you: If the hearings and the subsequent legislative history of a license renewal bill indicate that broadcasters are willing to give away their news independence in order to please the Government, I predict there will be little sympathy in my committee for your case.

Your licensees will certainly, and correctly, continue to complain to your networks if you think they are misusing their responsibility to present the news fairly and honestly. Your listeners and viewers certainly, and correctly, will be encouraged to file their complaints with you, the networks, and the FCC. And, the industry being a non-eleemosynary institution, your advertisers probably have this right and privilege, too. But obviously the Government, *and I specifically include the Executive, does not.*

So I am pleased to leave you with two messages that I hope will be remembered. The first is for your broadcasters, and your colleagues around the country. That message is "Stick to your guns".

Those guns should be in place to protect you from anyone who would try to interfere with your right to present television and radio news in the way qualified newsmen—your employees and the networks'—see it. There are laws and rules to take care of transgressions, and there is a quasi-independent government agency, the FCC, and the courts, to enforce those laws and rules.

The other message is to the Office of Telecommunications Policy, and I have no more qualms about delivering a message to them through you than they had in using Indianapolis journalists to get their message to broadcasters they hoped to intimidate. That message is short and simple: stick to your Congressional-granted authority, and stop trying to force-feed the American people. We don't need news standards that bear a stamp, "Government approved—fit for public consumption".

Thank you.

BABY SEALS THREATENED AGAIN

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

Mr. DANIELSON. Mr. Speaker, last year Congress passed the Marine Mammal Protection Act which is now the law

of the land. This was done to protect certain endangered species, by prohibiting the importation and resale of their skins in order to remove the profit motive from the capture and slaughter of those species. In its wisdom, Congress recognized that there should be certain exemptions from this general provision, including the importation or taking of marine mammals for scientific or educational purposes and to minimize undue economic hardship.

This morning I find in the Federal Register, at page 2340, a listing of seven applications received by the National Marine Fisheries Service for exemptions under the law in order "to minimize undue economic hardship."

One of these is by the Bergner International Corp. of New York, N.Y. which seeks to import about 10,000 dressed Beater and Blueback sealskins from Canada for resale. According to Webster's Third Edition a "Beater" seal is, "In New Foundland, a young harp seal on its first journey northward from its breeding area."

My office contacted the National Marine Fisheries Service and we have been informed that no standards have been set up for measuring "undue economic hardship" within the meaning of the law.

But what I really want to know is whose undue economic hardship needs to be minimized? Is it that of some poor Eskimos or Indians, each of whom have two or three pelts on hand which should not be wasted? Or is it some ladies who wish to wear the pelts on their own backs? Or are these 10,000 baby seal skins and other sealskins to be imported for resale in order to minimize the undue economic hardship of the fur dealers?

I do not know the answers, but I am seeking this information and will let this body know if and when I can find it.

"WAR POWERS" BILL

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, today, along with my colleague in the Oregon delegation, WENDELL WYATT, and others, I introduced a "war powers" bill which is identical in all important respects to one I introduced back in October of 1969.

The bill that we have introduced not only defines the conditions for the use of draftees in such contingencies as precipitated the Korean and Vietnamese wars, but defines anew Presidential and congressional prerogatives in such matters, avoiding as far as possible unwarranted encroachment on their mutual and heavy responsibilities.

The essentials of this bill are as follows:

First, the President is allowed, without the prior consent of the Congress to commit troops to a combat area, volunteers without limit, draftees for the first 90 days only.

Second. Within 90 days, Congress by resolution—or declaration of all-out war—must endorse the original Presidential action to permit continuation of assignment of draftees to combat areas or they must be promptly withdrawn.

Third. Within 180 days of the President's initial commitment of troops to a combat area, all are to be promptly withdrawn unless the Congress has formally declared a state of war to exist.

This bill uses a straightforward and practical approach by taking the form of an amendment to the Selective Service Act. The realities, as I see them are: That the President must have the authority and the latitude to respond swiftly to crisis situations—a Pearl Harbor of the future—which may lead to a shooting war, but it is intolerable that the Congress should indefinitely default on its grave constitutional responsibility in such matters; that some legislative mechanism needs to be provided to keep us alert to possibilities of literally backing into a full-fledged war, as we never intended to—but did—in Vietnam; finally, that while it may be proper to demand of youth to share in sacrifices made by the entire Nation, even as their forefathers did, it is intolerable to send them off to fight and die for vaguely defined causes in undeclared wars while the rest of the Nation goes on with business as usual.

The momentous announcement by the President on the evening of January 23 in no way lessens the need for war powers legislation. Finally free of the emotionalism and devisiveness of the longest, costliest conflict in our history, perhaps now the Congress and the President can begin to consider with complete detachment and objectivity legislative procedures to keep us literally from unintentionally blundering into full-scale wars ever again. If we have not discerned this important lesson from the Vietnam experience, we shall have learned little indeed. My fellow Oregonian from the other side of the aisle agrees with me that war powers legislation needs to be considered at the earliest possible time. So, apparently, do other of our distinguished colleagues who have joined in cosponsorship of the bill, including Mr. ALEXANDER, Mr. CAREY of New York, Mr. DENT, Mr. DOWNING, Mr. GAYDOS, Mr. GIAIMO, Mr. GIBBONS, Mr. ICHORD, Mr. LEGGETT, Mr. MAZZOLI, Mr. MOLLOHAN, Mr. PIKE, and Mr. YATES. Needless to say, I am pleased and heartened by the broad representation which has been achieved in this initial group of cosponsors. It indicates to me that this important bill has the potential to units the political spectrum on the essential goal of achieving a redefinition of war powers as shared by the Congress and the President. I hope in time we will be joined by many more from both sides of the aisle.

FOREIGN AID TO NORTH VIETNAM?

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

Mr. HAYS. Mr. Speaker, on the way in here some newspaper reporter stopped me and asked me if I knew anything about the agreement to give foreign aid to North Vietnam.

I told him that I had not heard of any such agreement, but hell would be a skating rink when I voted any of my taxpayers' dollars to give any aid to that murderous bunch in Hanoi.

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

Mr. MIZELL. Mr. Speaker, we meet today, as we have not met in so long a time, in an atmosphere of peace, following President Nixon's announcement to the Nation last evening that a settlement of the Vietnam war has finally and successfully and honorably been achieved.

At the request of representatives of the press, I responded last night to the President's announcement and I would at this time like to share that response with my colleagues. The text of the statement follows:

The good tidings of peace which President Nixon has announced tonight bring joy to a Nation weary of war and eager to bind up the wounds of division we have so long endured.

I congratulate the President for having the courage to demand an honorable peace and the perseverance and ability to secure it.

But more, I join the Nation in paying well-deserved tribute to the two and one-half million Americans who served in this long and difficult conflict, and in welcoming home American prisoners of war and the men still serving in Vietnam.

Still more, my most profound personal thanks go to the 55,000 brave men who gave their lives in the service of their country, and to their families who have sustained the greatest of losses.

This peace would not be a reality if it were not for the overwhelming support Americans have given the President in his efforts to secure an honorable peace.

CEASE-FIRE IN VIETNAM

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

Mr. EDWARDS of Alabama. Mr. Speaker, President Nixon has announced a cease-fire in Vietnam beginning Saturday, January 27. He has announced that within 60 days our prisoners of war will be released, our missing in action will be accounted for, and our fighting men will be withdrawn.

The settlement of this long and difficult war is great news for all Americans and especially for the prisoners of war and their families who have been separated for so long. I pray that a full accounting of those missing in action will mean that many more families will be reunited.

I think a special word should be said about the over 2 million American military personnel who served our Nation in Vietnam. And a special word should be said about their families. Some of these men paid the supreme price of their lives

and many others were wounded during this conflict. We should never forget that this was probably the hardest war this country has ever had to fight. The issues were never clear, the decisions were never easy, and the support for our fighting men was never unanimous. But these men and their families discharged their duty well, and the country will always be indebted to them for it. I personally salute all those who served in Vietnam as well as their families.

The United States has done its best to help South Vietnam secure the right of self-determination. No nation can provide another nation with the will to determine its own future. But we have provided everything else by seeing that South Vietnam has the best possible equipment. We have provided time for South Vietnam to make its own preparation for the years ahead. Certainly we have done all that reasonably could be expected and it is now time to come home.

I commend President Nixon for his unbending determination to end this war in an honorable manner. He has persevered in the face of steady criticism and has ended the war in such a way that there is the greatest chance for a lasting peace. And it is important to remember that peace is not just the temporary absence of war but peace is the right of a country to chart its own course free of fear and threat.

The Vietnam war has been a long, frustrating, and divisive experience for our country but I am confident that the people of America will now close ranks as they always have before. I am extremely relieved and happy that this war is ending and our boys are coming home.

BILL TO ESTABLISH A COUNCIL ON ENERGY POLICY

(Mr. EDWARDS of Alabama asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, I am cosponsoring a bill today which will establish a Council on Energy Policy in the Executive Office of the President. The Council, to be made up of three knowledgeable authorities, will be charged with weaving together all the loose threads of energy policy which now exist in the Federal governmental fabrics.

The Council would not assume any of the powers now held by existing agencies. But it would seek to provide rhyme and reason to our overall energy policy.

Steps are currently being taken to alleviate our energy shortages on a short-term basis, and other such steps are under consideration. A need remains, however, for long-range planning to guide and coordinate our energy policy so that future shortages will be avoided. I believe the Council on Energy Policy will give us this much needed direction.

CEASE-FIRE IN SOUTHEAST ASIA

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

Mr. LATTA. Mr. Speaker, President Nixon's announcement of a cease-fire in Southeast Asia was good news to the world but better news to all Americans. The President's negotiation of an honorable peace will help—if this is possible—sustain those who have made untold sacrifices so that others might enjoy freedom.

It is needless to say that this was another no-win war from which it was almost impossible to extricate ourselves with honor and without sacrificing the freedom of 50 million Southeast Asians. Never before in our history, has our Government had to negotiate for peace with an enemy while so many were publicly "tooting" the enemy's horn. The mere fact that the President has been able to conclude an honorable cease-fire under such conditions is a monumental tribute to his leadership and to his patience.

Let us now pray that we can bind up our wounds and live in peace.

TERMINATION OF AMERICAN INVOLVEMENT IN VIETNAM

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

Mr. WYLIE. Mr. Speaker, I was very pleased and relieved when I heard the President announce the termination of American involvement in Vietnam. The President must be commended for his persistent courage and steadfastness in bringing about an honorable peace. His insistence on a mutual agreement gives us reason to hope for a lasting peace in our time.

This, our longest war, has divided our Nation for 8 years and has absorbed most of our resources. We cannot be the policemen for the world nor can we rush to the aid of every country and conflict with a nation whose political philosophies are disagreeable to us. Still, we cannot withdraw into a shell. But now we can exert more of our Nation's energies on domestic affairs and human resources.

Over 45,000 brave Americans made the supreme sacrifice in Vietnam. To the families of these men we owe a debt which can never be repaid. Our No. 1 concern must be the release of all prisoners of war and an accounting of our missing in action. We must address ourselves to the problems of those who have been disabled in some way because of their involvement in the Vietnam conflict. Many returning veterans are unemployed. Steps have been taken to satisfy this need. Now that the Vietnam war is concluded, let us unify in our goal to improve our domestic posture. I do not mean that we cannot have political discussion, but political consideration should not be uppermost. In this light, we should unite in our support for the President. I feel he is making a determined conscientious and patriotic effort to solve the many problems facing our Nation.

Having decided to express myself concerning the end of the Vietnam war, I would be remiss if I did not allude to our late President, Lyndon B. Johnson who will soon lie in state across the hall in the Capitol rotunda. History will record that President Johnson gave up any chance to be reelected Prseident in 1968 in a supreme sacrifice effort to effect a peace in Southeast Asia. Would that he could be with us today to share this special moment.

CEASE-FIRE IN SOUTHEAST ASIA

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

Mr. DEVINE. Mr. Speaker, although bitterly criticized, President Nixon had the courage to make those difficult and tough decisions that resulted in accomplishing his announced objectives: First, cease-fire, internationally supervised; second, release and return of prisoners of war; third, full accounting for those missing in action; fourth, self-determination for the South Vietnamese.

This meets all goals and conditions for a lasting peace with honor, a long stride toward world peace.

All Americans must recognize and commend the President for his tireless, steadfast efforts which finally ended this tragic war that he did not start.

In response to my colleague the gentleman from Ohio (Mr. HAYS), of course, I have not been in on the secret negotiations, but it is my understanding that we have made no secret agreements having to do with the restoration, rehabilitation, or refurbishing of the north, although traditionally the United States has had such a posture, as it had with Germany and Japan following World War II.

I do not know what is going to happen. This is a decision which the Congress must make, but there are no secret agreements or commitments, according to my best information.

VIETNAM CEASE-FIRE

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

Mr. KING. Mr. Speaker, I am delighted that our prayers have been answered so that the President could announce last night that we have at long last negotiated an honorable settlement to the Vietnam war and that a cease-fire will go into effect this Saturday.

The American people, with the exception of a few, have always wanted a peace founded on justice and one which would at least hold a reasonable chance for South Vietnam to resist the Communist forces which have for years tried to overrun that country.

The President's announcement that all our prisoners will be released; all those missing in action will be accounted for; all U.S. troops removed within 60 days and that the South Vietnamese will be given the right to determine their own future, is indeed the best news we have had in many, many years.

I am proud and pleased to join with President Nixon in fervently hoping that the peace we have achieved—will be a peace that will last. My appreciation and thanks to those who stood behind the President in these trying times.

RELEASE OF AMBASSSADOR TO HAITI KNOX AND U.S. CONSUL CHRISTENSEN

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

Mr. FASCELL. Mr. Speaker, I am pleased to be able to announce to the House that within the hour our distinguished Ambassador to Haiti, the Honorable Clinton E. Knox and U.S. Consul Ward Christensen were released by 4 or 5 terrorists who had held them at gun point throughout last night. Both men were not harmed.

In return for the release the Haitian Government agreed to release 12 prisoners held by authorities and to provide a plane to fly the terrorists and the prisoners to another country, reportedly Mexico.

Last evening Deputy Under Secretary of State William Macomber, Jr., flew to Port-au-Prince to supervise U.S. efforts to secure the Ambassador's release. I know that all of us are happy that the efforts of the Secretary and his colleagues as well as the Haitian Government have brought to a safe conclusion this unfortunate incident.

The Inter-American Affairs Subcommittee will look into this incident as part of its continuing concern for the safety of U.S. diplomats abroad.

METRIC CONVERSION

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

Mr. BELL. Mr. Speaker, I rise today to introduce the Metric Conversion Act of 1973. Beginning with the legislation of metric measures within the United States in 1866, this Nation has embarked on a slow, gradual course toward adoption of the metric system of measurement. I am convinced that this change is both inevitable and beneficial, and that we must now move to accomplish the change in a planned, orderly, and equitable fashion.

I have *not* reached this conclusion simply on the basis of the simplicity and logic inherent to the metric system, for mere scientific elegance cannot justify the very real costs to society which conversion to the metric system will engender. The most carefully planned conversion program which legislation can provide, entailing massive education programs and gradual change, can only reduce consumer confusion and product orphanage to a minimum; it cannot eliminate it entirely. However, metric conversion will provide three large areas of benefit to the United States which I am convinced outweigh its costs.

First, America's position in international trade will be substantially improved. In an era of balance-of-payments deficits which have tremendous impact on the entire national economy and therefore affect every American citizen, the importance of improving our trade posture cannot be overlooked. Though it is commonly supposed that the incompatibility of our system of measurement with metric is the major bar to greater trade, the descrepancy in the manner in which a measurement system describes a measure is not nearly so important as the manner in which a measurement system influences what measure will be employed for any given purpose. Thus metric conversion will induce increased American exports primarily in indirect fashion by encouraging American engineering standards to meet an international standard promoting interchangeability, and by enabling American industry to create for many products the engineering standards to be used throughout the world. The ability of America to compete in setting engineering standards for products ranging from autos to washing machines should have a substantial and favorable influence on our economy.

Second, metric conversion, once completed, should yield great savings at home because of its inherently great efficiency. Computation in metric terms is far simpler than in our customary measures because of its decimal basis. One expert has declared that the U.S. aerospace industry alone would save some $65 million each year in engineering time by converting to the metric system. Consumers will also benefit, since metric weights and volume measures are much more easily compared than our customary equivalents, thus in effect facilitating unit pricing and comparison shopping.

Finally, Mr. Speaker, metric conversion is a step toward bringing the world closer together in yet another area. The United States is currently joined in its resistance to the metric system only by Barbados, Burma, Gambia, Ghana, Jamaica, Liberia, Muscat and Oman, Nauru, Sierra Leone, Southern Yemen, Tonga, and Trinidad. Our conversion will make a significant aspect of daily life truly international, and thereby remove one more barrier to understanding and harmony among the people of the world.

We cannot afford to inch along in our present haphazard fashion toward adopting the metric system. The bill I am introducing today provides for the design and implementation of a comprehensive plan by the National Metric Conversion Board to convert this Nation to the predominant use of the metric system over a period of 10 years. In keeping with the mandate of article I, section 8 of the Constitution, the plan is to be approved by the Congress as well as the President. Only by enacting this legislation can we assure that the United States will receive the advantages of metric conversion with a minimum of costs, fairly distributed. I expect that the Science and Astronautics Committee will take quick and favorable action on this bill and that the Congress will soon thereafter culminate over a century of debate and convert to the metric system the weights and measures of the United States.

VIETNAM PEACE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. HANRAHAN) is recognized for 5 minutes.

Mr. HANRAHAN. Mr. Speaker, President Nixon's announcement of a peace agreement in Vietnam last night signals the end of a war which has lasted for almost a decade.

After repeated criticism from some Members of Congress for his past silence on the Vietnam situation, the President has achieved a "peace with honor." It is now apparent that the extreme sensitivity of the negotiations necessitated that veil of secrecy.

During these long months of negotiation the President has refused a settlement which would not insure the sovereignty of South Vietnam and the safe return of our POW's.

Now that "peace with honor" has been achieved the families of those men who gave their lives and fought so diligently will know that their efforts were not in vain. The right to self-determination, upon which this country was founded, will now be insured for the people of South Vietnam.

The most crucial of the conditions in the agreement for the United States is the withdrawal of the remaining 23,700 U.S. troops in South Vietnam and the return of all 587 known American prisoners of war in Indochina.

It is indeed unfortunate that President Lyndon B. Johnson could not have lived to have seen the peace he labored so long and hard to achieve.

It is now the responsibility of those of us in Congress to give the President the support he will need in the coming weeks to achieve our complete withdrawal and in turn to devote our energies toward the pressing domestic needs here at home.

THE OIL SHORTAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RAILSBACK) is recognized for 5 minutes.

Mr. RAILSBACK. Mr. Speaker, we are all experts now on the shortage of oil. We can talk at length and give specific examples about plants suspending operations, schools closing down, and trucking firms losing business because of inadequate supplies of oil. Unfortunately, few of us are really experts in solving this critical problem. Therefore, I found it most encouraging to learn what representatives of the National Oil Jobbers Council had to say about the oil shortage and what their proposed solutions are. Yesterday they not only held a meeting for interested Congressmen and staffers, but they personally visited as many of

their Members as possible. It was especially encouraging to me that most of the people who came by my office support legislation which I have cosponsored to suspend completely our present oil import quota system. The purposes of this program have been to protect the United States from a cutoff of its most important fuel by maintaining domestic production capacity sufficient to supply all domestic needs if foreign imports were discontinued, and to maintain the higher price of domestic crude oil and continue domestic incentives to producers. Despite all efforts, the supply of domestic oil has been failing to meet demand by increasing margins. It is imperative, therefore, that Congress act on such legislation at the earliest possible opportunity.

For the review of my colleagues and for further information about the Oil Jobbers' efforts, I ask unanimous consent that an article from Tuesday night's Evening Star be inserted in the CONGRESSIONAL RECORD immediately following my remarks.

IMPORTS FALL SHORT, FUEL DEALERS SAY

(By John Fialka)

An organization representing the nation's independent oil dealers complained on Capitol Hill today that recent changes made in the oil import program by President Nixon will not prevent further heating oil shortages and a possible gasoline shortage this spring.

The group, the National Oil Jobbers Council, which represents 1,300 dealers, also introduced a parade of local and state officials from the Midwest and New England who warned of further shortages.

Speaking at a meeting of congressmen and oil dealers held at the Cannon House Office Building, Jim Erchul, director of civil defense for Minnesota, said that last week the state ran out of extra supplies of oil. Unless it is able to locate oil in Canada that can be brought down by truck, the state will have a shortage of at least 10 million barrels by the end of February, he said.

Other state officials had a similar message. Col. John Plants, head of Michigan's civil defense unit, said "I don't care who caused it, I just wish people in Washington could figure out some way to solve it," he said, referring to a threat of shortage in his state next month.

In a statement released by the jobbers' group, it charged that dealers have been unable to get extra heating oil into the northern Midwest through existing pipelines.

Amerada Hess, a U.S. oil firm which was recently granted permission to bring in additional heating oil from its refinery in the Virgin Islands, the statement asserted, has so far refused to sell any of the extra oil to Midwest dealers.

John G. Buckley, head of the jobbers' oil supply committee, said that many dealers have been unable to get supplies of heating oil from Europe because European oil refiners are requiring one-year supply contracts and the President's recent action only lifted heating oil import controls for four months.

Buckley suggested that Congress should take the oil import controls away from the President and amend the program to bring in enough oil to prevent further shortages.

He said the jobbers expect "a substantial gasoline shortage in the spring and summer and an even more critical shortage of heating fuels next winter."

"Emergency measures, emergency allocations, last minute stop-gap measures, increasingly will fall short thereby creating chaotic marketing conditions and shortages," he added.

RURAL ENVIRONMENTAL ASSISTANCE PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. SEBELIUS) is recognized for 5 minutes.

Mr. SEBELIUS. Mr. Speaker, I appreciate this opportunity to join the distinguished chairman of the House Agriculture Committee, the Honorable W. R. "BOB" POAGE, in sponsoring legislation to continue the highly successful rural environmental assistance program.

The announcement to terminate funding for the rural environmental assistance program came as a shock to farmers and conservationists who have firsthand knowledge of the benefits of this cost-sharing program. With a limited Federal outlay as an incentive, over 1 million farmers annually invested their own money—many times far in excess of Federal funds—to build terraces, construct diversion dams, and institute pollution abatement practices to halt the flow of sediment into our streams.

From 1967 to 1971 an estimated 54,000 farmers participated one or more times in the REAP program in Kansas. In 1972 an estimated 12,000 separate farms were involved in the cost-sharing provisions of this program. The maximum payment of $2,500 insures that the program will benefit the small farmer.

I would like to stress that the REAP program provides the incentive for farmers to establish costly soil and water conservation practices to fulfill their obligation to preserve our natural resources. The consumer benefits from this stewardship in the abundance of food and fiber that is produced and the fact that this food is available at a lower cost than in any other country.

The benefits of this program have been far-ranging and should be a source of pride for all Americans. REAP has practically eliminated the giant dust storms of the 1930's. Yet, there is much undone. Last year alone over 3 million acre-feet of silt poured into our streams. Contrasting this pollution problem with our urban pollution problem and we find there were only 104,000 acre-feet of sewage—virtually all from metropolitan areas. We have had Government programs to assist in trying to find answers to urban pollution. There must be equal treatment in our rural areas.

Despite recent income gains, the average income of farmers is only 80 percent of the median income of wage earners in the nonfarm sector. Without the investment incentives of the REAP cost-sharing programs, farmers will bypass costly conservation measures. This will not only complicate our efforts to clean up our environment, it also has long-range implications for our food supply already faced with unprecedented demand at home and abroad.

Let me point out what should be an obvious fact to my urban colleagues who are naturally interested in increased food costs. We hear a lot about proposed price controls as a possible alternative to the food cost problem. Food costs are a problem now and the consumer is naturally concerned. However, let us consider the possibility of what kind of problem we will face if the housewife cannot find the food the consumer prefers on the counter. The answer to the food price dilemma rests with productivity and with fair prices for farm products. This, in turn is determined, in part, from the conservation and wise use of our natural resources. That is what the REAP program is all about and why rural spokesmen will point out that a program of this type does not represent a cost, but an investment—an investment that benefits both the farmer and the consumer.

While I am on the subject of cost, I think we should also consider the problem of unemployment that will occur as a result of the termination of this program. Terminating local ASCS positions will have a catalyst effect upon many small rural communities that will in turn cause unemployment for many families involved in contracting work. The effect in our small communities is magnified many times over and in turn reaches the heart of the *communities*—many of which are fighting last-ditch battles to stay economically viable.

While I endorse the administration's goal of holding the 1973 Federal budget to $250 billion, termination of REAP cost-sharing assistance will not represent a savings—in the long run, it will represent a cost. We have an obvious need to establish priorities and trim the fat of wasteful Federal programs.

I am not saying the REAP program cannot be restructured, improved, or even cut back. What I am saying is that, before we do anything, we must restore funding. This arbitrary meat-ax approach simply terminates the rural commitment to clean up our environment and also destroys any effort we can make in a bipartisan manner to establish priorities in Federal outlays.

I am pleased that my colleagues, Mr. COCHRAN, Mr. SHRIVER, Mr. SKUBITZ, and Mr. WINN, have joined in this effort in behalf of farmers, environmentalists, and consumers to restore funds for REAP.

I am very pleased to note that an article concerning this particular problem was recently published in the January 20, 1973, edition of the Christian Science Monitor. This article underscores the dividends that the REAP investment-incentive program has produced over the years. With unanimous consent, I would like to insert this article for the benefit of my colleagues who may not have first-hand knowledge of the success of the REAP program.

FUND CUTOFF CRIMPS FARM PROJECTS

(By John Dillin)

CONYERS, GA.—Aubrey Harvey peered from his pickup truck at a new pond in Rockdale County and explained proudly: "This was a swamp infested with mosquitoes before it was cleaned up with federal help." Now, he said, the pond not only beautifies the area, but it helps control flooding on adjacent farms.

Mr. Harvey, a county director for the U.S. Department of Agriculture, was showing a

reporter areas aided by the federal farm-conservation program—a $200-million-a-year project canceled last month by the Nixon administration.

During its 40-year lifespan, the project, known as the Rural Environmental Assistance Program (REAP), has aided millions of farmers and fostered soil conservation, flood prevention, and timber growing.

FUNDS HELD UP

Congress authorized $225.5 million to continue the program this year, but the White House refused to spend the money.

Angry congressmen, including Sen. Herman E. Talmadge (D) of Georgia, vow to demand explanations from the "faceless bureaucrats" in the White House who scuttled the program. There is even talk of torpedoing the budget for the White House staff unless this and other agricultural programs are carried out.

Senator Talmadge announced Wednesday that his agriculture committee will conduct hearings in two weeks to investigate the farm cutbacks. The Senator will insist that Dr. Earl Butz, Secretary of Agriculture, be the leadoff witness.

The tug-of-war, some have speculated, could grow into a battle over the constitutional powers between the President and the Congress. Either way, the abrupt cutoff has only underlined the declining political clout of the nation's farmers. For there are few Federal-assistance programs which have aided so many Americans over such a long period of time as REAP.

REAP, which before 1971 was known as the Agricultural Conservation Program, started with a whopping $500 million appropriation during the dark depression year of 1933.

Since then, REAP has been scaled back; but even in 1971, the leanest year, 611,000 farmers received grants averaging $239 each. Last year, Texas ($17.5 million) got the most, Iowa ($7.5 million) was the major Midwest recipient, while Southeastern states averaged $4.5 million each. California got $5 million.

No farmer may receive more than $2,500 a year—few get anywhere near that amount—and the farmer must put up an equal amount from his own pocket.

BUTZ QUOTED

"It's not a subsidy in any sense," says an agriculture official in Washington. "It causes farmers to dig down deep to spend for something that should be done. It's really a question who is subsidizing whom."

White House officials, however, didn't see it that way, and this month Secretary Butz explained that farmers henceforth must finance their own conservation programs.

This should be possible, Dr. Butz noted, because farm incomes are rising. It will be administration policy to see that farm incomes continue upward through better prices in the marketplace rather than through federal aid. Increased exports should keep market prices attractive, he indicated.

REAP, in fact, is only one of several farm programs being curtailed by the administration with a possible federal saving of over $1 billion this year.

Initial reaction in the countryside, though, is one of consternation—not only among farmers, but among the 20,000 independent contractors who work for them and build the ponds, terrace the hills, and clear the fields under the conservation program.

Land Improvement Contractors of America represents 1,800 of these small contractors in 24 states. From Chicago, Paul A. Bucha, director of LICA, said in a telephone interview:

"A lot of our members are going to be on the relief rolls if this program is halted. Many of our members have only six or seven employees and do this work full time for farmers. To save a little money, the government will have ruined a lifetime occupation for many of these contractors."

He adds:

"I'm all for cutting government spending, and everybody wants to see somebody else's ox gored, and not his own. But we feel it's ridiculous for Congress to conduct hearings and determine priorities, and then somebody in the President's office suddenly says it's low priority and knocks it out. What's the purpose of all the hearings if the President's office is just going to determine it in a vacuum?"

In Rockdale County, Mr. Harvey's tour of REAP projects included an 85-acre expanse being grazed by cattle. "This won the conservation award for the country," said Mr. Harvey. The field had been eroded with clay gullies, he said, and was dotted with scraggly trees. Now most signs of the erosion were gone and it had a green cover of fescue grass.

"The owner spent $6 for every $1 the government spent," Mr. Harvey said. At the foot of the hill was a newly constructed pond (owner's share, $5,000; government share, $700) which Mr. Harvey said "helps control the water below here."

THE PRESIDENT HAS KEPT HIS PLEDGE TO THE AMERICAN PEOPLE

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

Mr. KEMP. Mr. Speaker, with his historic announcement Tuesday evening, President Nixon has kept his 1968 pledge to the people of America.

He has secured peace, with honor, for America.

He has achieved all the U.S. objectives he outlined on May 8. These include: An internationally supervised cease-fire in Vietnam; establishment of a foundation for a just peace; no imposition of a coalition government; no abandonment of the South Vietnamese Government along with a reasonable chance for that Government to survive, pledged by the President; the removal of all American ground forces within 60 days.

The return of all American prisoners within 60 days; the accounting of all Americans missing in action in Indochina; South Vietnam's right to determine its own political future and, the credibility of America's commitment has been upheld.

Much of the credit for the President's announcement belongs to those Americans, including those who have been referred to as the "silent majority," who stood with the President for an honorable peace, throughout the country and in the Congress and to an even greater extent to the perseverence and courage of the President himself.

Time and again, in defense of his policies against relentless, harsh, and even vitriolic attack, he stood his ground and repeatedly made the crucial decisions, the result of which was the peace with honor he has announced.

Mr. Speaker, his announcement is vindication of the wisdom of his policy in holding out for an honorable peace—and his refusal to accept a disguised and dishonorable defeat. Had it not been for the President's courage and steadfastness—during 4 years of unprecedented vilification and attack—the United States would not be honorably ending her involvement in the war.

Mr. Speaker, I believe that Richard Nixon's leadership, often a very lonely responsibility, has helped to produce a settlement of which all Americans may be proud.

After Dr. Kissinger's address on television today, I talked on the telephone to the wife of one of my best friends and Occidental teammate who is missing in action since 1968, Air Force Maj. Don Lyon.

I wear his bracelet and that of Air Force Maj. Robert Rausch.

Mrs. Lyon told me:

Whether or not I ever get Don back, and God knows I pray I do, at least now I can live with whatever happens because America ended the war the right way.

THE VOLUNTARY MILITARY SPECIAL PAY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 10 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, I should like to congratulate two distinguished members of the Armed Services Committee (Mr. BENNETT and Mr. BOB WILSON) and my friend from Hawaii (Mr. MATSUNAGA) for their outstanding effort in obtaining the sponsorship of more than one-quarter of the House for the Voluntary Military Special Pay Act of 1973.

On June 30, 1973, the induction provisions of the Selective Service Act will finally expire, and we shall achieve what the Committee on Armed Services has described as "the commendable national goal of an all-volunteer force." The success of the Defense Department in meeting their timetable can largely be attributed to the leadership of Chairman HÉBERT and the Armed Services Committee.

During the first session of the 92d Congress, the chairman was responsible for the enactment of the most important pay increase in history for our first-term GI's. The committee encouraged the development of improvements in recruiting practices, military housing, and the general quality of life for our men and women in uniform. At the end of the 2d session, the chairman brought the Special Pay Act to the floor of the House, where it won overwhelming approval, in a 337 to 35 vote. The Senate, however, was unable to act prior to adjournment.

Mr. Speaker, the Special Pay Act contains flexible incentives for a smooth transition to an effective volunteer force. I am confident that with the leadership the chairman and the committee have shown in the past, this legislation will receive early and favorable treatment in the 93d Congress.

I have prepared a brief fact sheet on the Voluntary Military Special Pay Act

of 1973, and I ask unanimous consent that it be included in the RECORD immediately following my remarks:

THE VOLUNTARY MILITARY SPECIAL PAY ACT OF 1973

The Special Pay Act will provide the Secretary of Defense with authority for the payment of certain incentive pays in order to attract and retain members of the Armed Forces with special qualifications and skills.

The recent military pay raise made military compensation reasonably competitive with pay in the civilian economy. In normal times the Department of Defense should satisfy the majority of its manpower needs without additional monetary incentives. There are, however, at all times, certain skills and professions which may command a premium because they are in short supply both in the military and civilian sectors. This presents a dynamic problem because skills requiring a premium will change as will the level necessary for a specific skill.

The Special Pay Act provides the authority to the Secretary of Defense to offer incentives to specific volunteers in return for a service commitment for a stipulated number of years. Incentives offered can be readily started, stopped or modified to reflect changing needs of the Armed Forces for quantity, quality and experience level of members in specific skills. They are a traditional military compensation tool. Recent experience of the Department of Defense with a variable bonus applied in the flexible manner envisioned for the future has proved most successful.

A. ENLISTMENT INCENTIVE

Current law authorizes enlistment incentives up to $3,000 for the combat arms, but not for technical specialties. The Special Pay Act will eliminate this discrepancy and allow the military to compete with private industry to attract highly qualified skilled personnel in needed areas of employment.

Existing pay rates will attract most of the volunteers required to man most military skills. However, certain selected skills (such as an Air Force precision photo systems repairman) may require an additional incentive to attract the necessary volunteers. The skills requiring special pay, and the amount of pay required, will vary over time. Since it is not possible to predict the attraction incentive required a cost-effective program will involve varying the amounts of special pay and the skill categories to which it attaches.

B. SELECTIVE REENLISTMENT PROGRAM

Certain trained military personnel can command a wage well above the average on the civilian market. In some military skills, the Government has spent well in excess of $20,000 in training costs. Individuals can command salaries in the civilian nuclear industry in ranges of $17,000 to $20,000 per year after completing their first enlistment. These persons are now leaving the service after receiving expensive training to find employment in civilian industries.

The armed services are thus confronted with the necessity of not only training additional personnel, but also with an increased shortage of experienced personnel to maintain sophisticated equipment. Currently, we have a variety of laws to cope with these problems, the Regular Reenlistment Bonus, the Variable Reenlistment Bonus and Shortage Specialty Pay (Proficiency Pay). However, even in combination, these incentives have not proved to be completely effective in solving our enlisted retention problems because they don't result in spending money where the problem is. And in one major area, that of first-term reenlistments, they presently require payment in many instances where there is no manning problem. This bill combines the most desirable features of the Regular Reenlistment and Variable Reenlistment Bonuses into the Selective Reenlistment Bonus. The cost effectiveness of these incentive dollars is improved. The average bonus paid to an individual serving in a shortage skill would be about $6000. The Department of Defense plans to phase out its payment of the Shortage Specialty Pay (Proficiency Pay) as the Selective Reenlistment bonus proves its effectiveness. A member who reenlists in a skill where no shortage exists (excepting those in the forces now) would not receive a bonus. This actually should result, by Fiscal Year 1978, in a cost saving to the Government of approximately $150 million in savings under the existing system. But it must be pointed out that this year the net additional cost will be approximately $2 million.

C. INCENTIVES FOR OFFICERS

The problem of retention of certain officers having critical specialties has presented difficulties in the past. Authority has been given to the Navy to give additional incentive pay for officers qualified in the nuclear submarine service, and the House of Representatives has passed a bill to provide incentive pay to retain lawyers. This bill would authorize the Secretary of Defense to offer a Variable Incentive of up to $4,000 per year to officers who execute a written agreement to extend their tours beyond the first obligated tour. It would be offered only at times and in amounts needed to solve officer retention problems in a specific skill.

D. INCENTIVE SELECTED RESERVE OF THE READY RESERVE

When the draft was the major source of military manpower, many young men were motivated to join the Guard and Reserve as a means of avoiding the draft and active military service. The combined National Guard and Reserve Force drill strength has averaged about 50,000 below the Congressionally mandated minimum of 976,599. It is estimated that this shortage will be higher still next year unless early and positive action is taken to stimulate enlistment and reenlistments in the Guard and Reserve.

The Special Pay Act would authorize an Enlistment Incentive of up to $1,100 for a six-year enlistment of a non-prior service individual. It would also authorize a Reenlistment Incentive of up to $2,200 for a critical skill; or $1,100 for a non-critical skill for a six-year reenlistment. For a lesser reenlistment, the amounts would be reduced. The Committee which studied the matter included language directing the Secretary concerned to insure that there would be no discrimination in the payments authorized based on geographic location. For example, if there is a shortage of airplane mechanics, each person enlisting, reenlisting or extending his enlistment, who has that skill, will be paid the same amount regardless of whether he lives in Mississippi or Michigan. The bill limits the authority for payment to those whose period of military service does not exceed 12 years, and further puts a ceiling limitation that no one individual can collect this incentive pay in an amount greater than $3,300.

E. MEDICAL SPECIAL PAY

Medical special pay and bonus

Traditionally, the most difficult officer group to retain on active duty beyond their first obligated tour is that of the health care professionals. One of the most important disincentives for military service for these professionals is caused by the relatively high earnings available to young medical and dental specialists in the civilian sector. While it is almost impossible to measure the pay of physicians and dentists in the civilian sector, it is clearly established that civilian specialists in the medical profession can expect to achieve pre-tax annual net earnings of approximately $40,000 shortly after they enter private practice. Civilian dentists can expect to earn approximately $30,000 annually at a similar career stage. Comparable salaries are already available for certain other health professionals such as optometrists.

The problem that the military now faces in obtaining and retaining sufficient doctors will, in all likelihood, be alleviated within the next seven to ten years. This is probable as the number of medical graduates increase from the expanding medical schools of this country, coupled with the scholarship provisions contained in Public Law 92-426, and the military medical university which, in ten years, will also begin producing doctors and dentists who will have an obligation to serve in the military for ten years. However, during this interim period, relief must be granted unless we go to a policy of utilizing civilian health facilities, particularly for military dependents and military retirees and their dependents. This has been costed and represents a much higher cost to the Federal Government than the plan envisioned in this bill.

The objective of this bill is to eliminate the gap between the incomes of the civilian and military health career professionals. It does this by improving the rates in the special pay for physicians and dentists and by substituting an improved variable retention incentive in place of the former continuation pay. The proposed special pay for physicians and dentists amends existing authority by increasing the rates of special pay for officers with at least two years of active duty from $150 per month to $350 per month rate until he has completed at least ten years of active duty. In addition, it makes the special pay permanent. The law today links the duration of this special pay to the Military Selective Service Act.

The incentive for officers of the armed forces in health professions enables the Secretary of Defense to offer a variable incentive, dependent on the severity of the manning problem to officers who execute a written agreement to remain on active duty for a specified number of years. The combined effect of the special pay and the incentive is expected to solve the health professions retention problem. This will permit a significant reduction in the number of professionals required—a corresponding reduction in training investment in improved care for the armed forces. The House Armed Services Committee included the health professionals in each of the uniformed services based on testimony from the Department of Health, Education and Welfare that the Office of Management and Budget desired that the 5,800 commissioned officers of the Public Health Service should continue to be entitled to the same rate of pay including special pays that are available to members of the armed services.

The Committee action, including the Public Health Service, recognizes that the health of the nation is as important as its security. Further, it felt that the Public Health Service should not be placed at an obvious disadvantage in not having the ability in a free market to reasonably compete for the health professionals that it must attract.

SUMMARY: ADVANTAGES OF THIS PROGRAM

1. Experience with the bonus for enlisted infantry, artillery and armor shows direct effect in increasing enlistments.

2. Cost-effective: extends years of initial or subsequent obligation, thus reducing re-

quirement to train new individuals—pays for itself and saves money besides.

3. Cost-effective: paid only to selected groups in short supply when needed, rather than wasteful payment to groups who are already in sufficient supply.

4. Cost-effective: it focuses the money on the decision points, rather than ephemeral future payments.

5. While pay raises in 1971 have been generally sufficient—special pay is needed in hard to attract and retain skilled individuals. Thus, it seeks to maximize quality.

6. Establishes principle of paying a wage-differential related to ability and skill, not just rank. As the House Committee noted, the incentive is attractive to the individual, it provides him a guaranteed amount offered in a lump sum of a sizable amount. In this light, the incentives provided may be viewed as a prepaid wage differential based on the qualifications of the individuals and the needs of the Armed Forces.

7. Insures smooth transition period into all-volunteer force.

8. No run-out costs, as some current programs contain. Can be started and stopped efficiently.

9. Final piece of compensation legislation in the all-volunteer force program.

10. Full package concept—covers the full needs anticipated, each part relying on the others to supplement it so no important sector is discriminated against.

BUDGET COSTS
[In millions of dollars]

Program	Fiscal year— 1974	1975	1976	1977	1978
Enlistment bonus	42.6	89.1	135.6	139.5	139.5
Selective reenlistment bonus	2.3	1.5	−9.2	−32.6	−83.4
Officer active duty agreements	20.0	25.0	25.0	25.0	25.0
Selected Reserve enlistment/reenlistment bonus	85.4	107.1	139.7	97.3	108.9
Health professions	75.0	95.0	105.0	112.0	112.0
Total, DOD	225.3	317.7	396.1	341.2	302.0

TRAINING COST SAVINGS BY EMPLOYMENT OF THE ENLISTMENT INCENTIVE TO GAIN ADDITIONAL INITIAL OBLIGATED SERVICE

Present	Training cost	Cost per productive man-year (3-year enlistment)[1]	Cost per productive man-year (4-year bonus enlistment)[2]	Training cost savings per each 4-year bonus enlistment	Proposed	Training cost	Cost per productive man-year (4-year enlistment)[3]	Cost per productive man-year (6-year bonus enlistment)[4]	Training cost savings per each 6-year bonus enlistment
Army MOS:					Air Force AFSC:				
11B—Infantryman	$9,853	$3,941	$3,244	$2,418	316X0—Missile systems analysis	$13,927	$4,285	$2,843	$7,570
11E—Armor crewman	16,764	6,706	5,218	5,208	404X0—Precision photo systems repairman	8,361	2,389	1,702	3,778
13B—Field artillery crewman	15,908	6,363	4,974	4,862	904X0—Medical laboratory specialist	18,966	5,836	3,803	10,673

[1] 3-year enlistment. Productive time is 2½ years because 6 months are devoted to initial training.
[2] 4-year enlistment with $1,500 bonus. Productive time is 3½ years because 6 months are devoted to initial training.
[3] 4-year enlistment. Productive time is 3½ years (404X0) and 3¼ years (316X0 and 904X0) because 6 and 9 months respectively are devoted to initial training.
[4] 6-year enlistment with $1,000 bonus. Productive time is 5½ or 5¼ years because similar time is devoted to initial training.

DR. SCHLESINGER LEAVES AEC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. HANSEN) is recognized for 15 minutes.

Mr. HANSEN of Idaho. Mr. Speaker, as a member of the Joint Committee on Atomic Energy, I received with mixed reactions the news of the appointment of Dr. James R. Schlesinger to the position of Director of the CIA. While I harbor no doubts concerning Dr. Schlesinger's ability to fill that position exceptionally well, I do feel that the Atomic Energy Commission is losing an outstanding Chairman.

During the 17 months Dr. Schlesinger has served the Atomic Energy Commission, I had the opportunity to work with him on many matters, but on two occasions I had the particular pleasure to be more closely associated with him.

One venture was to a remote island in the Aleutians. During the Cannikin underground nuclear test of November 1971, my colleague CRAIG HOSMER and I joined Dr. Schlesinger and his wife and two of his children in the test bunker on Amchitka Island. After the successful test, which was an important step in the development of the Safeguard defensive system, Congressman HOSMER and I accompanied Dr. Schlesinger in a helicopter tour of the island and an inspection of ground zero.

Dr. Schlesinger's decision to be closely identified with the controversial Cannikin test was his own, and associates said he took his wife and two daughters to Amchitka to demonstrate to the world that the AEC was fully confident the test could be conducted in complete safety.

My visit to the test site reflected the confidence I have in Dr. Schlesinger and to the dedication he has inspired throughout the AEC and its many important programs. I share the opinion President Nixon has expressed regarding Jim Schlesinger. After Cannikin the President noted—

Much has been written about the strength of a man, but few men during the past decade have withstood so calmly the level of pressure exerted against you concerning Cannikin. The test was a success, of course—just as you had predicted and, equally important, the test showed most conclusively that the AEC had indeed "done its homework" on the environmental aspects.

Another occasion when we spent several days together was in July 1972, when Dr. Schlesinger visited the national reactor testing station in Idaho. At that time he lucidly outlined the Nation's energy predicament and reaffirmed the AEC's commitment to meet the energy challenge, as well as the environmental challenge. In dealing with what he appropriately calls the "energy dilemma," Dr. Schlesinger reminded the Idaho audience that—

The public has a right to choose among the energy alternatives, but the haphazard choice, based on immediate emotion, is potentially crippling.

He has rendered a great service by placing the choices and their implications in perspective.

While on this trip to Idaho Falls, Dr. Schlesinger and four of his children spent 3 days with me on a backpacking trip into the Bighorn Crags of the Idaho Primitive Area.

Based on my personal knowledge of Jim Schlesinger, I am confident that he would serve his country effectively no matter what the task. A Harvard-trained economist who once showed the Department of Defense how to trim $6 billion from its budget, Jim Schlesinger assumed control of the AEC at a time when the agency was sagging. It was in difficulty with environmental and conservation groups, was being criticized for lack of candor, and was under pressure from industry to unsnarl the burgeoning stack of applications for nuclear powerplants.

Schlesinger, who has the reputation of being a tough, driving administrator, went to work with zeal. On his second day as AEC Chairman, he told one senior staff member—

I don't know what the working hours have been around this place, but I sort of like the sound of 7:30 a.m. to 7:30 p.m.

An enthusiastic birdwatcher, Schlesinger has long been concerned over modern society's encroachment on nature. He welcomed criticism from environmental and conservation groups, and convened meetings with leaders of these organizations during his first months in office.

He set about to restructure the Commission's organization, both the operations staff and the regulatory staff, frequently going outside the agency to fill key positions. He took a personal role in recruiting because many of the people he wanted—and got—were taking salary cuts to join government.

The Commission bureauracy—which Dr. Schlesinger once privately described as the most talented in Government—reacted initially to the strong Schlesinger approach with apprehension, but soon staff morale was going up, and a key Commission official commented—

We've got the damndest *esprit de corps* in Washington. The man is tough and can be harsh—but he has turned this agency completely around and the people here are with him.

Although recognized for his strong environmental posture at the AEC, Dr.

Schlesinger also commands respect throughout the national security community.

As director of strategic studies at the Rand Corp. at Santa Monica, Calif., from 1963 to 1969, he specialized in strategic analysis with special emphasis on nuclear weapons. He also served as project leader of a study on nuclear proliferation conducted by Rand for the White House.

In December 1969, Senator HENRY M. JACKSON, chairman of the Subcommittee on National Security and International Operations of the U.S. Senate Committee on Government Operations, introduced testimony by Dr. Schlesinger, then Acting Deputy Director of the Bureau of the Budget, as follows:

. . . The subcommittee is well aware of Dr. Schlesinger's ability to cut through to the heart of problems. His memorandum on "Uses and Abuses of Analysis" contributed to this inquiry in April 1968 and was widely read and reflected upon in this country and abroad in both government and university circles. I recall in particular his closing comment in that memorandum: "Admittedly, analyses vary substantially in quality. Each should be taken with a large grain of salt. On the other hand, if one does not demand too much of it, analysis will prove to be a most serviceable instrument."

At the same hearing, subcommittee member Senator EDWARD J. GURNEY commented:

I would also say it is most refreshing to see a man in your area, Dr. Schlesinger—budget-making and systems analysis—with the awareness of the political realities of life which you have obviously shown in your statement. I am not talking about partisan politics, but rather the politics of people.

The New York Times, commenting on the scope of Dr. Schlesinger's assignment as Chairman of the Atomic Energy Commission, said—

He faces the dual problem of assuring conservationists that the AEC does care about the environment and, at the same time, assuring ardent nuclear energy proponents in Congress that he will not limit nuclear progress to satisfy conservationists. Some skeptics doubt that he can reconcile the conflicts, but he has the credentials.

Reviewing Dr. Schlesinger's first few months as Chairman of the Commission, Nucleonics Week, a McGraw-Hill publication, quoted an AEC official as saying:

When Schlesinger came out, it was like Patton assuming command of a beaten army . . . Schlesinger swept in here with a new sense of purpose and bent the agency to his will overnight.

The article added that—

The Commission has changed decisively from an unabashed promoter of nuclear energy to an ombudsman weighing environmental problems . . . Schlesinger has treated the industry—and particularly the utilities—with the benign severity of a man house-training a puppy, and there have been yelps and snarls aplenty. But, while it is hard to accurately monitor the feelings of the industry, there seems now to be a consensus that most of the new directions taken by Schlesinger needed to be taken. Generally, the more knowledgeable and the more sophisticated the industry observers, the more favorable their reaction to Schlesinger.

Washington Post writer Thomas O'Toole wrote on July 9, 1972, after an interview:

Few men speak more straightforwardly about the nation's rising energy needs than James R. Schlesinger. . . . He briefs the White House, lectures the Treasury Department, scolds industry and testifies before Congress on it. He's concerned with all forms and aspects of energy—not just atomic . . . He's regarded on Capitol Hill and in the White House as a man who's truly interested in finding the right solutions to our energy problems.

Dr. Schlesinger was born in New York City on February 15, 1929. At Harvard, where he majored in economics, he earned three degrees, including the Ph. D. in 1956. While at Harvard, he married Rachel Mellinger, a Radcliffe College student from Springfield, Ohio. They have eight children and presently reside in Arlington, Va.

The Joint Committee on Atomic Energy will miss the invigorating appearances of Dr. James R. Schlesinger. Whenever he came over to testify, I, for one, knew we were in for an interesting session. And when his testimony was completed, we knew where the Atomic Energy Commission stood. I regret that he is leaving the atomic energy field, but wish him success in his new assignment.

MAURICE H. THATCHER: INSPIRATION FOR THE YOUTH OF OUR COUNTRY

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

Mr. FLOOD. Mr. Speaker, one of the greatest compensations for being a Member of the Congress is the privilege of knowing so many present and former colleagues in this distinguished body. Among the latter was former Representative Maurice H. Thatcher, of the Louisville district of Kentucky, who died at his residence in Washington at the age of 102 on January 6, 1973, the 54th anniversary of the death of former President Theodore Roosevelt, the key figure in launching the Panama Canal.

For many years the sole surviving Member of the Isthmian Canal Commission, which supervised construction of the Panama Canal, and as the head of the Department of Civil Administration in the Canal Zone Government, 1910–13, Governor Thatcher was well acquainted with leading Panamanian personages in the Panama revolution of 1903 that brought about the secession of that country from Colombia. He was on the isthmus during the time of peak construction of the great interoceanic link and knew various leaders of the United States in that vast undertaking, such as President William Howard Taft, George W. Goethals, William L. Sibert, David D. Gaillard, and William Crawford Gorgas.

Throughout his congressional tenure—1923–33—Governor Thatcher served with outstanding distinction on the House Committee on Appropriations and was later described by one of his former colleagues on the committee, its late chairman, Clarence Cannon, of Missouri, as the "ablest Member of the Congress" with whom he had served

Thus, long before first meeting Governor Thatcher on May 12, 1956, when I addressed the Panama Canal Society of Washington, D.C., on the subject of "John F. Stevens: Basic Architect of the Panama Canal," he was already a great tradition on the isthmus and a highly respected former Member of the Congress.

Because of his many contributions while in his Canal Zone position, his sustained interest in the Panama Canal after leaving the isthmus, and various beneficent contributions to the people of our country, the Commonwealth of Kentucky, the zone territory, and Panama, the Congress in 1961, under the leadership of his former colleague, the late Chairman Cannon, unanimously designated the great new bridge across the Pacific entrance of the Panama Canal at Balboa as the Thatcher Ferry Bridge.

An able lawyer, and gifted leader, especially in the field of conservation and matters of historical interest, he was also a poet with the abundance of genius. He has left a rich legacy of writings of research value that are enshrined in the Thatcher collection in the House of the Temple of the Scottish Rite Masons, Southern jurisdiction, in Washington The most comprehensive summary of the life and achievements of Governor Thatcher was the program of the Panama Canal Society of Washington, D.C., on August 15, 1970, quoted by Senator STROM THURMOND in an address to the U.S. Senate on September 9, 1970. (CONGRESSIONAL RECORD, 91st Cong., second sess., vol. 116, pt. 23, Sept. 9, 1970, pp. 30960–67).

Acutely aware of current events as well as those in the past, Governor Thatcher not only kept his old friends but made new ones as he grew in age and stature; and was especially interested in young people whom he always encouraged.

A courageous as well as thoughtful man, when he saw the end of his eventful life approaching, and in line with precedent, he participated in the preparation of his own obituary, which supplies an authoritative summary of his major contributions and served as source material for numerous published news stories on his life following his death.

In Washington, the funeral of Governor Thatcher was held on January 9, 1973, in the chapel of the Lee Funeral Home, with Dr. Edward Gardiner Latch, Chaplain of the U.S. House of Representatives, as the officiating clergyman. This part was followed by the Scottish Rite Rose Croix funeral service conducted by Peter Burich, Thomas H. Dyer, and William D. Jackson, all 33d degree Masons.

A second service was held at the graveside located on a commanding hilltop in historic Frankfort Cemetery that affords a dramatic view of the State capitol of Kentucky and that is not far from the grave of Daniel Boone. Dr. Robert J. Laughlin, pastor of the First Presbyterian Church of Frankfort, officiated.

It was singularly appropriate that the eulogy for Governor Thatcher in both ceremonies was given by Capt. Miles P. DuVal, Jr., U.S. Navy retired, the distin-

guished historian of the Panama Canal, with which project the Governor was so long associated.

In order that the career of Governor Thatcher may be suitably recorded in the permanent annals of the Congress and thus serve as an inspiration to the youth of our country, I quote as part of my remarks the obituary notice which he helped to write, the eulogy by Captain DuVal and three of the major newspaper obituaries as follows:

HON. MAURICE HUDSON THATCHER

Hon. Maurice Hudson Thatcher, last surviving Member of the Isthmian Canal Commission that supervised construction of the Panama Canal, former Governor of the Canal Zone, and former Member of Congress from Kentucky died on 6 January 1973 at his residence in Washington at the unusual age of 102 years with clear mental perception to the last, ending a notable career of dedicated public service of more than 80 years. His wife, the former Anne Bell Chinn, died in 1960.

Born on August 15, 1870, and educated in public and private schools of Kentucky, Governor Thatcher in early life decided upon a career in the law and politics. His first important public position was Clerk of Butler County Circuit Court, Kentucky, 1892–1895. Others were Assistant Attorney General of Kentucky, 1898–1900; Assistant U.S. District Attorney, Western District of Kentucky, 1901–1906; State Inspector and Examiner of Kentucky, 1908–1910; Member of the Isthmian Canal Commission, 1910–1913, with duty as Civil Governor of the Canal Zone; Member of the Board of Safety of Louisville, 1917–1919, and that City's Department Counsel, 1919–1923; and Member of Congress from the Louisville District of Kentucky, 1923–1933.

While a Member of the Isthmian Canal Commission, Governor Thatcher served at the time of peak construction (1910–1913), and with great distinction. While a Member of the Congress, he was throughout his terms of office on the powerful House Committee on Appropriations rendering important services for his district, state and nation, including the Panama Canal and its employees.

Among the pioneer legislative services in the Congress for which he was responsible were: The establishment across the Pacific Entrance of the Panama Canal at Balboa of a toll-free ferry and the construction of a highway in the Canal Zone connecting the ferry with the road system of Panama, both named in his honor; the building of the Gorgas Memorial Laboratory in the City of Panama to house the activities of the Gorgas Memorial Institute of Tropical and Preventive Medicine; the creation of the Mammoth Cave National Park, the Zachary Taylor National Cemetery, and the Abraham Lincoln Birthplace National Historic Site; and the construction of the George Rogers Clark Memorial Bridge at Louisville, the first such bridge project authorized on a self-liquidating basis.

After leaving the Congress in 1933, Governor Thatcher devoted his life to beneficient endeavors. He has served as General Counsel (1939 to date), and Vice President (1948–1969) of the Gorgas Memorial Institute that supervises the work of the Laboratory in Panama—all without compensation.

During his life, Governor Thatcher received many honors. Among them were the naming by Congress in 1961 of the great bridge across the Panama Canal at Balboa to replace the Ferry, as the Thatcher Ferry Bridge; and in 1969, his election by the Gorgas Institute for life as its Honorary President, a position previously held only by Presidents of the United States.

In addition to his many official accomplishments, Governor Thatcher has written an extensive collection or verse of intrinsic merit, including poems on the Pilgrims, the Panama Canal, National Parks, and United States History. His library, writings and papers of historical value, scrap books, and memorabilia, have been placed in the Thatcher Collection at the Temple of the Scottish Rite Masons, Southern Jurisdiction, Washington, D.C., where they will be available for future researchers into his life and achievements. They include much of value concerning the U.S. Congress, the National Park System, the story of the Pilgrims, the Gorgas Institute and the Panama Canal.

Surviving relatives include Howard R. Thatcher of Baltimore, Maryland, and by marriage, Mrs. Prue Mason Darnell and Franklin C. Mason of Frankfort, Kentucky, and Mrs. Robert L. Montague III of Alexandria, Virginia.

A funeral service will be held at 1:30 PM o'clock on 9 January 1973 at the Lee Funeral Home in Washington, D.C., and later at the graveside in the Frankfort Cemetery, Frankfort, Kentucky, with interment alongside his wife.

REMARKS AT THE FUNERAL OF HON. MAURICE H. THATCHER

(By Capt. Miles P. Duval, Jr.)

Friends and Relatives of Governor Thatcher, Ladies and Gentlemen: As a close associate of Governor Thatcher for many years, it was my privilege to have shared various labors with one whose high order of ability, extensive activity, broad vision, and eloquence, caused him to be known as a universal man.

Twelve years ago on the occasion of the funeral of his wife, the former Anne Bell Chinn, he stood before a gathering of friends and, with perfect control, paid her a remarkable tribute. As many of the thoughts then expressed by this dedicated and gifted man are in two verses of sonnets composed soon afterward in her memory, apply with equal force to him, I shall read them:

GOODBYE, MY DEAR, GOODBYE TO ANNE BELL*

Goodbye, my dear, goodbye. Long have we fared
The course of life in mutual helpfulness,
Love, and esteem; and together we have shared
Full many the events that cheer and bless.
We've known the stress of struggle, and the touch
And joy of something done along the way.
I owe you much, O very, very much—
Far more than gratitude can ever pay.
There yet remains, to lend me needed strength,
The mem'ry of yourself and all your worth;
Too many were your gifts to name at length;
You were the One I knew, in all the Earth,
That matched the standard that I raised to test
All that which in a helpmeet seemeth best.

In briefness only would I wish to speak
Of what beyond the grave may lie or ope;
The answers I have sought, and ever seek;
But have them not—tho reason nurtures hope
And broadens faith; and thereby, thinking so,
I leave the matter thus, trusting the Power
That gave to Man his mortal life, to know
What's wise and just—when comes the final hour.
Within your breast, my dear, there gently burned,
Thru all the years, the purest, noblest flame;
A blessed immortality you've earned,
Which should be yours, what'er the form or frame.
Goodbye, my dear, goodbye; and now I pray
To join you later in a new Today.

* Mrs. Thatcher passed away October 10, 1960.

All who knew Governor Thatcher well recognized his outstanding qualities and appreciated the extent of his accomplishments, which are recorded in the principal libraries of the Nation. His own library, writings and papers of historical value, scrap books and memorabilia are enshrined in the Thatcher Collection in the Temple of the Scottish Rite Masons in Washington, where they are available for researchers of future generations.

Thus, Governor Thatcher's life illustrates again the truth of President Benjamin Harrison's statement:

"Great lives do not go out. They go on." [1]

[From the New York Times, Jan. 7, 1973]

MAURICE THATCHER DIES AT 102; OLDEST FORMER REPRESENTATIVE

WASHINGTON, Jan. 6—Maurice H. Thatcher, the oldest surviving former member of Congress, died here today at the age of 102.

Mr. Thatcher, who served in the House of Representatives from 1923 to 1933, was also the last surviving member of the Isthmian Canal Commission, which oversaw the construction of the Panama Canal.

Born in Chicago in 1870, Mr. Thatcher grew up in the Green River section of Western Kentucky. At the age of 22, he was elected clerk of the circuit court for Butler county.

After studying law, he joined the state government and in 1898 was appointed an assistant attorney general for Kentucky.

On April 12, 1910, President William Howard Taft, searching for a replacement member for the Isthmian Canal Commission, chose Mr. Thatcher to head the Department of Civil Administration and serve as the civil governor of the Canal Zone. On May 6, he sailed from New York for the Isthmus with his bride of two days, the former Anne Bell Chinn.

During the period of the canal's construction, Mr. Thatcher witnessed the first nonstop transcontinental airplane flight when a small seaplane flew in April, 1913, from Panama Bay to the Atlantic entrance of the canal.

FRIEND OF GORGAS

He also became friendly with Col. William C. Gorgas, the canal's chief sanitation officer and a pioneer in the conquest of Yellow Fever. During construction of the canal, Gorgas kept the spread of tropical diseases to a minimum.

In 1922, Mr. Thatcher was elected to the House as a Republican Representative from Louisville. He served on the powerful Appropriations Committee. "The Congressional arena, has indeed been my briar patch."

In the House, he sponsored legislation to expand foreign and domestic airmail service; to convert the temporary World War I Camp Knox into the permanent military post of Fort Knox, and to create Mammoth Cave National Park.

Mr. Thatcher never forgot the Canal Zone. He sponsored legislation to establish a free ferry across the Pacific entrance of the canal and a highway connecting the ferry with the road system in Panama. The ferry and highway were named in Mr. Thatcher's honor. In 1962, the ferry was replaced by a bridge also named for him.

SUPPORTED DISEASE RESEARCH

In 1928, he introduced a bill to establish and fund the Gorgas Memorial Laboratory in Panama City for tropical-disease research.

Mr. Thatcher was nominated for a sixth House term in 1932, but decided instead to run for the Senate. He was defeated, but remained in Washington to practice law.

Here he was chosen vice president and general counsel of the Gorgas Memorial Institute of Tropical and Preventive Medicine, which supervises the work of the Gorgas laboratory. He held these posts until 1969

[1] Address at Mount McGregor, N.Y., August 20, 1891.

when at the age of 99, he was elected honorary life president.

Asked in an interview a few years ago for his secret of long life, Mr. Thatcher replied:

"I don't eat meat. I eat vegetables, eggs and milk. I don't drink, I don't smoke, and I don't drink tea or coffee."

He was a member of the General Society of Mayflower Descendants, the Sons of the American Revolution and the Panama Society of Washington.

Mrs. Thatcher died in 1960 at the age of 84. They had no children.

[From the Washington Star and News, Jan. 8, 1973]

MAURICE THATCHER DIES; EX-CONGRESSMAN, 102

Former Rep. Maurice H. Thatcher, 102, the only surviving member of the Isthmian Canal Commission and once civil governor of the Panama Canal Zone, died Saturday at his home on 16th Street NW.

Mr. Thatcher also was the oldest surviving member of Congress. A Republican, he represented the Kentucky district that included Louisville from 1923 to 1933. He was nominated for reelection to the House in 1932 but gave up that nomination to seek his party's nomination for the Senate instead. He failed to win the Senate nomination.

After leaving Congress he practiced law here until about two years ago.

Mr. Thatcher was born in Chicago, but when he was 4 years old his family moved to Butler County, Ky., and settled near Morgantown.

After working as a farmer he was employed by a newspaper and by several county offices. From 1882 until he resigned in 1896 to study law, he was clerk of the Butler County Court.

KENTUCKY OFFICIAL

He began practicing law in Frankfort, Ky., in 1898 and later that year began serving as assistant attorney general of Kentucky. He moved to Louisville next and from 1901 to 1906 was assistant U.S. attorney for the western district of Kentucky. From 1908 to 1910 he was the state examiner and inspector for Kentucky.

President William Howard Taft appointed Mr. Thatcher to the Isthmian Canal Commission in 1910 and also as head of the department of civil administration of the Canal Zone. The canal opened in 1914. The only bridge over the canal carries his name.

Mr. Thatcher next returned to his law practice in Louisville, where he later served on the board of public safety and as department counsel for Louisville.

While in Congress, Mr. Thatcher was active in supporting legislation providing Canal area improvements. He returned to the Canal Zone on a number of visits, including a 1956 trip and another in 1958 that was held on the 100th anniversary of the birth of Theodore Roosevelt.

Mr. Thatcher also sponsored legislation that expanded the foreign and domestic airmail services, converted Camp Knox, Ky., of World War I into the permanent military post there, created the Mammouth Cave National Park and expanded the Abraham Lincoln Birthplace National Historical Site and the Zachary Taylor National Cemetery.

He also sponsored legislation establishing a free ferry across the Pacific entrance of the Panama Canal and a highway connecting it to the Panama road system.

Mr. Thatcher was the author of legislation in 1928 that established and continued operation of the Gorgas Memorial Laboratory in Panama City. Named for his friend, Col. William C. Gorgas, a pioneer in yellow fever work, the laboratory is prominent in tropical disease research.

Mr. Thatcher served seven terms as president of the District Society of Mayflower Descendants and also was counselor and deputy governor of the General Society of Mayflower Descendants.

His wife, the former Anne Bell Chinn of Frankfort, Ky., died in 1960. At one time she was a member of the governing board of the League of Republican Women of the District.

Services will be held at 1:30 p.m. tomorrow at the Lee Funeral Home, 4th Street and Massachusetts Avenue NW. It is requested that expressions of sympathy be in the form of contributions to the Scottish Rite Foundation, 1773 16th St. NW, for an educational fund.

[From the Washington Post, Jan. 7, 1973]

EX-REPRESENTATIVE MAURICE THATCHER, 102, DIES

(By Martin Weil)

Maurice H. Thatcher, who helped supervise construction of the Panama Canal, served five terms as a congressman from Kentucky and practiced law here until he was 100 years old, died here yesterday at 102.

Mr. Thatcher died in his home at 1801 16th St. NW, where he had been bedridden almost constantly since suffering a fractured thigh on July 15.

From 1910 to 1913, during the period of peak activity, Mr. Thatcher served as one of the seven members of the Isthmian Canal Commission appointed to superintend and carry out the construction of the Panama Canal.

In his four years on the commission, Mr. Thatcher headed the department of civil administration of the Canal Zone, and was known as the Zone's civil governor.

In recent years, he was reported to be the last surviving member of the canal commission, the chairman of which had been Lt. Col. George W. Goethals, the celebrated Army engineer who brought the project to completion in 1914.

When Mr. Thatcher returned to Panama in 1964 at the age of 95 to help mark the canal's 50th anniversary, he was hailed by a local newspaper as the "Grand Old Man of the Panama Canal."

While serving as a Republican congressman from Kentucky from 1923 to 1933, Mr. Thatcher continued to take an interest in the development of the canal and in the welfare of those who built and operated it.

As a member of the Appropriations Committee, he helped make available funds for improvements in the Canal Zone, and for annuities for construction workers and other canal employees.

A ferry across the Pacific entrance of the canal, for which he obtained federal funds, was named the Thatcher Ferry. The bridge, dedicated in 1962 on the site of the ferry, was named the Thatcher Ferry Bridge.

In addition, an important highway in the canal area was named for him.

Moreover, it was Mr. Thatcher who is credited with enactment of the measure creating in Panama the Gorgas Memorial Laboratory of the Gorgas Memorial Institute of Tropical and Preventive Medicine.

It is named for William Crawford Gorgas, the Army doctor who helped make possible the construction of the canal by destroying the mosquitoes that carried yellow fever and malaria. Mr. Thatcher and Dr. Gorgas served together on the canal commission.

After closing his congressional career by making an unsuccessful race for the Senate in 1932, Mr. Thatcher went into the private practice of law here in 1933.

On his 99th birthday, although his activity had declined, he was still in practice, with an office in the Investment Building at 15th and K Streets NW.

"I don't eat meat," he told an interviewer who was interested in his secrets of longevity. "I eat vegetables, eggs and milk. I don't drink, I don't smoke and I don't drink tea or coffee.

"Of course," he added, "You can't escape meat altogether, meat products creep into a lot of things."

Said Mr. Thatcher, who could still hear well, read without glasses, and make himself heard across a room:

"It's not a religious thing. I just wanted to live what I considered a sound, biological life."

A slender, white-haired man with bushy eyebrows, he said, "I just noticed that the smokers and chewers and drinkers had a hard time quitting when they wanted to.

"I just quit early. I'm a good sleeper, always was, and I still get about eight hours' sleep a night."

Mr. Thatcher was born in Chicago, and grew up in Butler County, in the western part of Kentucky. An official congressional biography said that he "attended public and private schools; engaged in agricultural pursuits; (and) was employed in a newspaper office and in various county offices."

His formal career in public life began at the age of 22 when he was elected clerk of the Butler County Circuit Court. He later studied law, was admitted to the bar in 1898, and became an assistant state attorney general.

After moving to Louisville in 1900, he became an assistant U.S. attorney, and later was named to what has been described as the state's chief appointive office: state inspector and examiner.

In that job, he was credited with saving thousands of dollars for the taxpayers and with bringing about numerous needed reforms. He left it in 1910 to join the Isthmian Canal Commission. After leaving Panama, he held municipal posts in Louisville before being elected to Congress.

In addition to championing measures designed to improve the canal, during his House service, Mr. Thatcher was responsible for much other legislation, including that establishing Mammoth Cave National Park in Kentucky.

In later years, when he interested himself increasingly in the writing of poetry, he memorialized the park in verse:

"Caverns immense, wrought thru the endless ages:
What lessons for the human soul and mind!
The great Lord God, in those arresting pages,
Hath writ a matchless story for mankind.

While in Congress, Mr. Thatcher was also credited with writing legislation for federal appropriations for Braille books and equipment for the nation's blind students.

In later years, besides serving as vice president and general counsel of the Gorgas Institute, Mr. Thatcher maintained contact with his old colleagues by attending meetings here of the Panama Canal Society.

But, as he announced in 1958 at the group's 23d annual meeting, "the ranks are thinning . . ."

Looking back on the occasion of his 99th birthday, he told an interviewer: "I don't lay any claims to a great career. But I've done some useful things. I tried to be useful wherever I was, whatever I did. I've lived a busy and useful life."

His wife, the former Anne Bell Chinn, died in 1960.

THE PEACE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 10 minutes.

Ms. ABZUG. Mr. Speaker, it had to end sometime.

Those of us in the peace movement who thought U.S. intervention in the war in Vietnam never had to begin at all can now rejoice 13 years later that the bloodshed and horror will finally stop when the cease-fire goes into effect on January 27. I congratulate every American who has spoken out and demonstrated and worked for peace over these long, hard years.

We have at last stopped a war which the hawks in the Pentagon were prepared to see continue until an entire land was reduced to rubble and all its people wiped out.

It is difficult now to speak in terms of victory for anyone when we consider the cost of this terrible war:

For the Americans, an outlay of $135 billion, 45,933 killed and 303,616 wounded. More than a thousand missing in action and 545 taken prisoner.

Almost a million killed in North Vietnam, 189,528 killed and 499,026 wounded in South Vietnam among the military forces alone.

In South Vietnam, 415,000 civilian men, women, and children killed and 935,000 wounded from 1965 to 1972 alone.

More than 600,000 Vietnamese driven from their homes, their land destroyed by American bombs and herbicides.

More bombs dropped and ammunition expended by the U.S. military forces than in all of World War II. In that war, which spanned three continents and two oceans, U.S. airmen and artillerymen used 2 million tons of bombs and 6 million tons of shells to defeat the Nazis and Japanese. In this war, the U.S. dropped 6.8 million tons of bombs on Indochina and U.S. land and ship-based artillery fired another 7.5 million tons of shells at the people in South and North Vietnam.

For many of us all the horror capsuled in these cold statistics will forever remain in our minds in the photographs of the blood-drenched bodies of women and children scattered on a road in My Lai and of a little girl running naked and screaming down a highway, her body seared by American napalm.

So I cannot share President Nixon's verdict that he has negotiated "peace with honor," a phrase of monumental hypocrisy that he has used to rationalize an unnecessary prolongation of the war for 4 more years of human agony.

For the past decade a succession of U.S. Presidents and their military and civilian advisers have clung to the public myth that American men were fighting in Vietnam to allow the people there the right of self-determination. All wars feed on diplomatic lies, but the war in Indochina has produced among the biggest lies and self-deceptions, as has been chronicled in the Pentagon papers and in the stark contrasts between self-serving Presidential statements and the grisly reportage from the tormented cities and rural areas of Indochina.

The truth is that we intervened to back up President Diem in his decision to prevent the Geneva Agreement of 1954 from being implemented by the promised reunification elections. We used unparalleled force to prevent the people of Vietnam from determining their own destiny and used that force to maintain in power one dictator after another, from Diem to Ky to Thieu.

The unexpected military ability and determination of the North Vietnamese and the National Liberation Front in South Vietnam, as well as massive opposition to U.S. policies among the American people and peace forces throughout the world, stopped the American executive branch and the Pentagon from totally demolishing North Vietnam and most of South Vietnam, Laos, and Cambodia, as they were prepared to do.

Now at last the United States has pledged to withdraw its forces and what we have, in effect, is a cease-fire in place.

We must recognize that President Nixon's insistence on salvaging the Thieu government has delayed the achievement of a lasting and realistic political settlement for the people of Vietnam.

The agreement described today by Henry Kissinger leaves very hazy the actual political future of Vietnam. An election within South Vietnam is provided for at some unstated time, but under the conditions set for the "National Council of Reconciliation and Concord," either party—the Saigon government or the Provisional Revolutionary Government, which represents the National Liberation Front of South Vietnam—can exercise a veto.

The result may well be that President Thieu, who had himself reelected without opposition almost two years ago, will try to dig in and refuse to agree to any election that allows either the Communists or the many neutralist groups in South Vietnam a free role in the political process.

We are now at the crucial moment for Congress to assert its power and to play a responsible role in the months ahead, and particularly in connection with the planned international conference with the Soviet Union and China. We must insist that this conference become the basis for a total military disengagement of the United States from Southeast Asia.

With American sea and air forces still poised in the seas off Vietnam and in Thailand, Congress must use its fund cutoff powers to disabuse the President of any notion that he can reenter or refuse the war in Indochina. We must also use congressional authority to cut off funds for any military or paramilitary assistance to the government of President Thieu. The sooner he knows that he can no longer rely on the Treasury of the United States to support him, the sooner he will be impelled to reach a realistic peace settlement with the Provisional Revolutionary Government and the neutralist groups in South Vietnam.

I believe it is still essential for Congress to use its fund cutoff powers because although the cease-fire agreement specifies the withdrawal of American forces from Vietnam within 60 days, the Pentagon apparently is planning to maintain a long-term military presence in Southeast Asia.

In an article in the New York Times of January 23, 1973, William Beecher reported from Washington:

Pentagon planners report that United States air power is scheduled to be withdrawn from Southeast Asia very slowly in the initial period following any cease-fire in the Indochina war.

Until every one of our prisoners of war has been returned and the missing accounted for, one high-ranking defense official declared, very few of the approximate total of 1,000 Air Force, Navy and Marine Corps combat aircraft will be pulled back in the first 60 days of any truce.

Thereafter, the Pentagon officials say, many B–52 and fighter-bomber squadrons will be reassigned. But, they add, a force of several hundred strike aircraft probably will remain for several months while American analysts study events in South Vietnam, Laos and Cambodia to see whether any serious truce violations occur.

Over the longer run, assuming there are no major military operations by North Vietnamese forces, the planners continue, the United States will probably scale down to a presence in Thailand of three to six combat squadrons, totaling 72 to 144 aircraft.

This plan would also include one aircraft carrier with 70 to 90 planes aboard that would occasionally cruise off the coast of Indochina to demonstrate the availability of additional air power to respond to any possible invasion of the South by tanks and troops from the North.

Mr. Beecher says further:

Other Administration officials, in the Pentagon and other departments, said that Henry A. Kissinger had made it clear during his negotiations with North Vietnamese representatives in Paris that President Nixon would not hesitate to reapply air and sea power in Indochina if Hanoi should violate any cease fire agreement in a blatant way.

After the experience of this past December when President Nixon ordered his ferocious temper tantrum bombing of Hanoi and Haiphong in an action that horrified the world, we must guarantee that there be no repetition of this awesome and unconstitutional exercise of Presidential power.

Congress must use its fund cutoff powers to lock the door behind the President so that there can be no continued presence in Indochina, no renewal of bombing, and no further military aid to the Thieu regime.

We must also permanently limit the power of the President to intervene in the affairs of other nations or to use military forces without congressional authorization. There must be no more Vietnams.

SENATOR McGOVERN'S LECTURE AT OXFORD

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, it is not often that I have the occasion to agree with an editorial in the Washington Post, but when I do, I like to say so.

I call attention to two articles appearing in the Post for Tuesday, January 23. One is the column by the perceptive Joseph Kraft and the other is an editorial

related to it on the subject of Senator GEORGE MCGOVERN's lecture at Saint Catherine's College, Oxford, England.

Senator MCGOVERN's childish display of sour grapes serves only to affirm what most of the American people had already concluded about his candidacy for the Presidency, manifesting it at the polls in November, that he is too little a man to be President of the United States. MCGOVERN's platform and everything he proposed, including his so-called appeals to the idealism and mortality of America were soundly rejected by the American people. Now the loser searches in vain for a scapegoat. Surely, even Senator MCGOVERN does not believe as he has indicated, that the press was so unfair to him during the campaign, while protecting the President from criticism. Let us call a spade a spade. If there has been anyone who has been attacked and ridiculed constantly by the national press since he assumed office in 1969, it has been President Nixon. The only difference is the President has shown he can take it, the Senator cannot.

I think that Mr. Kraft sums it up well:

To begin with, the basic deficiency in the McGovern campaign was the candidate himself.

I include the above referred to articles taken from the Post to follow my remarks:

[From the Washington Post, Jan. 23, 1973]

MCGOVERN'S LOSS WAS OF HIS OWN MAKING

(By Joseph Kraft)

Losers in presidential elections generally have the grace to keep quiet for awhile. Not George McGovern.

Privately, and now in a lecture at Oxford, he has been blaming his defeat on the deficiency of the American people, the Congress, the political parties, the liberal tradition and the press. So, despite the custom of going easy on losers, a few home truths are in order.

To begin with, the basic deficiency in the McGovern campaign was the candidate himself. Senator McGovern lacked the toughness of mind, the breadth of experience, the judgment of men and the personal presence that are required for the White House.

Because of these failings, the Senator never had the enthusiastic support of the strong men who have been the mainstays of the Democratic Party in the past. For the same reason, most of us in the press who knew him over a long period were consistently skeptical about his candidacy.

The program the Senator put forward was studded with examples of a poor grasp on issues. For instance, his defense program would have destabilized the nuclear balance by increasing the number of American attack submarines. It would have cost more than necessary because aircraft carriers would have been scrapped instead of being allowed to become obsolescent.

Perhaps the most notable feature of the Senator's staff were the number of former journalists in his entourage. I love the press. But I don't think we have much experience in doing the business of the world—certainly not to the point of knowing how to run the country.

The Senator's slam at the press positively exudes sour grapes. If it is true that we did not, as he puts it, "lay a glove" on President Nixon, that is because Mr. Nixon had the good sense to stay above the battle.

Some sharp criticism was thrown at Senator McGovern, particularly in connection with his handling of the Eagleton affair. But you didn't hear the Senator screaming with pain when he was being built up by the media after the Wisconsin primary as the giant-killer of American politics, farseeing and courageous with a rare inner toughness. The truth is that anybody insubstantial enough to have to live by the media is probably going to die by the media.

A far more serious point comes up for examination when Senator McGovern talks about renegade liberals—"those who charge that liberalism has been tried and found wanting." Certainly the perception that the program of the Great Society did not work is widespread—especially among many former backers of the programs.

That view is endorsed by what anybody can see in the work done by such orthodox liberals as Mayor John Lindsay in New York, and former Mayor Carl Stokes in Cleveland. It is reinforced by some careful studies, including notably Christopher Jencks' monumental work on education entitled "Inequality."

Maybe these perceptions are wrong. If so, the thing to do is to demonstrate the fact by finding and holding up for public admiration examples where the Great Society programs have succeeded. For my own part, I have looked without great success.

A second serious charge the Senator makes is that the country is in danger of "one man rule." In fact, the most recent decisions on Vietnam have been made almost alone by President Nixon. He has gone way beyond precedent in impounding funds appropriated by the Congress and in asserting executive privilege against testimony to the Congress.

But "one man rule?" That sounds farfetched to me. The Congress, the courts, and the rest of the vast and infinitely filigreed apparatus of due process in this country are still very much in place. The Congress can easily take the President in tow by developing its own budget, and asserting the power of the purse.

Only that requires that many Congressmen and Senators develop an ability once possessed by Senator McGovern which he seems to have lost in the heady whirl of Presidential politics. It requires the ability not to be a prima donna.

SENATOR MCGOVERN AT OXFORD

On the page opposite today, the columnist Joseph Kraft has analyzed the unfortunate and rather embarrassing speech Senator McGovern delivered Sunday at St. Catherine's College, Oxford. We think Mr. Kraft's appraisal is correct. It is incredible that Senator McGovern should have chosen this occasion to flail about at the "so-called liberals," the U.S. Congress, the two political parties and the press, and it is equally incredible that he should have chosen to indulge his penchant for casual and damaging overstatement, speaking so glibly of the "elective dictatorship" the presidency is supposedly becoming and blandly asserting that "the exhaustion of American institutions is matched by an exhaustion of the American spirit." For our part, we have no objections to an American politician letting his countrymen have it in a speech overseas. After all—why not? Our objection is to the petulant, self-pitying tone and the inaccurate and misleading conclusions that flowed from it. Can Senator McGovern really believe that his defeat at the polls in November was largely a product of the malefactions of the press? Can he really believe that it represents some larger decline of the national spirit reflected in the decline of our institutions?

Apparently the answer is yes. And the resentment is truly deep. Thus: "some liberal intellectuals . . . seem to draw a curious personal consolation from the evidence that my appeals to the idealism and morality of America were rejected by the majority of Americans." And again: "I was subjected to the close, critical reporting that is a tradition in American politics . . . Mr. Nixon escaped a similar scrutiny . . . Much of this can be blamed on the incestuous character of the White House press corps itself." Believing as we do, that Senator McGovern's problems with the electorate scarcely proceeded from an overdose of idealism or morality, and recalling as we do the prodigious reportorial effort that went into disclosures concerning campaign spending, the Watergate affair and the rest, all this seems to us more appropriate for a letting-off-steam in the immediate wake of defeat than for a speech that is meant to produce something more reflective. Indeed the self-righteousness, the sanctimony, the comprehensive resentments and the pervasive suspicion of bad motive and foul play put us in mind of something else. They put us in mind of Mr. Nixon on a bad day, Mr. Nixon at his speech-making worst.

What is so distressing about all this is what it may portend in the future role Senator McGovern intends to play in his party. For his speech struck us as a model of what a Democratic Party leader should not be thinking or saying at the moment—which is not to deny his God-given right to do both nor to suggest that such remarks are wrong on tactical grounds. They are wrong because they are wrong headed. We do not draw much "consolation"—"curious," "personal" or otherwise—from the fact that the Democratic candidate evidently perceives the meaning of the 1972 election this way, evidently believes that the liberal resurgence of which he speaks so eloquently toward the end of his address can be built on such a perception of events.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Messrs. DERWINSKI, BURKE of Florida, CHAMBERLAIN, and MCCLORY (at the request of Mr. GERALD R. FORD), to February 8, on account of official business.

Messrs. HAMILTON, PATTEN, NEDZI, and JARMAN (at the request of Mr. MCSPADDEN), to February 8 on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ABDNOR) to revise and extend their remarks and include extraneous matter:)

Mr. BELL, for 5 minutes, today.

Mr. HANRAHAN, for 5 minutes, today.

Mr. MINSHALL of Ohio, for 1 hour, on January 31.

Mr. ANDERSON of Illinois, for 15 minutes, today.

Mr. RAILSBACK, for 5 minutes, today.

Mr. SEBELIUS, for 5 minutes, today.

Mr. KEMP, for 15 minutes, today.

Mr. STEIGER of Wisconsin, for 10 minutes, today.

Mr. HANSEN of Idaho, for 15 minutes, today.

(The following Members (at the request of Mr. MCSPADDEN) and to revise and extend their remarks and include extraneous matter:

Mr. FLOOD, for 30 minutes, today.

Mr. HARRINGTON, for 5 minutes, today.

Ms. ABZUG, for 10 minutes, today.

Mr. BENITEZ, for 60 minutes, on January 30.

Mr. BADILLO, for 60 minutes, on January 30.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mrs. GREEN of Oregon in five instances.

Mr. GERALD R. FORD and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and will cost over the limit.

Mr. BINGHAM 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 $595.

(The following Members (at the request of Mr. ABDNOR) and to include extraneous matter:)

Mr. LENT in five instances.
Mr. VEYSEY.
Mr. BELL.
Mr. ASHBROOK in two instances.
Mr. RINALDO in five instances.
Mr. FREY in two instances.
Mr. BURKE of Florida.
Mr. ERLENBORN in two instances.
Mr. DERWINSKI in three instances.
Mr. ZWACH.
Mr. GILMAN.
Mr. BOB WILSON.
Mr. CONTE.
Mr. COCHRAN in two instances.
Mr. MALLARY.
Mr. SHOUP in two instances.
Mr. WYMAN in two instances.
Mr. RAILSBACK in two instances.
Mr. MCCLOSKEY in two instances.
Mr. FINDLEY.
Mr. CHAMBERLAIN in two instances.

(The following Members (at the request of Mr. MCSPADDEN) and to include extraneous matter:)

Mr. ROGERS in five instances.
Mr. GONZALEZ in three instances.
Mr. BREAUX in three instances.
Mr. RARICK in three instances.
Mr. LEHMAN in two instances.
Mrs. SULLIVAN.
Mr. DINGELL in three instances
Mr. GAYDOS in 10 instances.
Mr. CASEY of Texas.
Mr. DULSKI in six instances.
Mr. ZABLOCKI in four instances.
Mr. WALDIE in five instances.
Mr. REID.
Mr. BURLISON of Missouri.
Mr. ANDERSON of California.
Mr. MCSPADDEN.
Mr. CHARLES H. WILSON of California.
Mr. JOHNSON of California.
Mr. ROE in two instances.
Mr. ANNUNZIO in two instances.
Mr DRINAN.
Mr. FOUNTAIN.
Mrs. GREEN of Oregon in five instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 421. An act to provide that appointments to the Office of Director of the Cost of Living Council shall be subject to confirmation by the Senate; to the Committee on Banking and Currency.

ENROLLED JOINT RESOLUTION

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 163. Joint resolution designating the week commencing January 28, 1973, as "International Clergy Week in the United States," and for other purposes.

ADJOURNMENT

Mr. MCSPADDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 26 minutes p.m.), under its previous order, the House adjourned until Friday, January 26, 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:

276. A communication from the President of the United States, transmitting notice of his intention to exercise his authority under section 614(a) of the Foreign Assistance Act of 1961, as amended, to waive the requirements of section 620(m) of the act, so as to allow funding for fiscal year 1973 of the educational-cultural component of the Agreement of Friendship and Cooperation between the United States and Spain, pursuant to section 652 of the act; to the Committee on Foreign Affairs.

277. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting notice of the proposed transfer of the Mine Sweep Boat (MSB–5) to the Pate Museum, Fort Worth, Tex., pursuant to 10 U.S.C. 7308; to the Committee on Armed Services.

278. A letter from the Deputy Assistant Secretary of the Interior, transmitting a report on the acceptance of gifts for the benefit of Indians, covering fiscal year 1972, pursuant to 25 U.S.C. 451 (Public Law 90–333); to the Committee on Interior and Insular Affairs.

279. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract for the provision, operation, and maintenance of visitor accommodations, facilities and services at Grand Canyon (North Rim), Zion, and Bryce Canyon National Parks, for a term of 10 years ending December 31, 1982, pursuant to 67 Stat. 271 and 70 Stat. 543; to the Committee on Interior and Insular Affairs.

280. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend section 1306(a) of the Federal Aviation Act of 1958, as amended, to authorize the investment of the war risk insurance fund in securities of, or guaranteed by, the United States; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 2773. A bill to make it clear that code standards prescribed for purposes of the Federal laws relating to housing and urban development do not supersede the corresponding standards embodied in local building, plumbing, electrical, fire prevention, or related codes where the local standards are higher; to the Committee on Banking and Currency.

By Mr. BELL:

H.R. 2774. A bill to provide a national program in order to make the international metric system the predominant but not exclusive system of measurement in the United States and to provide for converting to the general use of such system within 10 years; to the Committee on Science and Astronautics.

By Mr. BIAGGI:

H.R. 2775. A bill to amend title 10 of the United States Code to establish procedures providing members of the Armed Forces redress of grievances arising from acts of brutality or other cruelties, and acts which abridge or deny rights guaranteed to them by the Constitution of the United States, suffered by them while serving in the Armed Forces, and for other purposes; to the Committee on Armed Services.

H.R. 2776. A bill to amend the Maritime Academy Act of 1958 in order to authorize the Secretary of the Navy to appoint students at State maritime academies and colleges as Reserve midshipmen in the U.S. Navy, and for other purposes; to the Committee on Armed Services.

H.R. 2777. A bill to require local governmental approval for section 235 or 236 housing; to the Committee on Banking and Currency.

H.R. 2778. A bill to amend the National Housing Act to provide that rentals in housing projects assisted thereunder shall be subject to regulation under State or local laws, with any Federal authority to regulate rentals in such projects being inapplicable where such State or local laws exist, and to assure to tenants in such projects the right of hearing and judicial review on the establishment of such rentals or any increase therein; to the Committee on Banking and Currency.

H.R. 2779. A bill to amend the Economic Stabilization Act of 1970 to authorize the hiring of senior citizens as price control wardens to enforce price and wage control regulations; to the Committee on Banking and Currency.

H.R. 2780. A bill to revise the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

H.R. 2781. A bill to provide for the comprehensive development of correctional manpower training and employment, and for other purposes; to the Committee on Education and Labor.

H.R. 2782. A bill to amend the Elementary and Secondary Education Act of 1965 to provide Federal assistance for interscholastic athletic programs in secondary schools associated with community improvement programs; to the Committee on Education and Labor.

H.R. 2783. A bill to provide for a Federal loan guarantee and grant program to enable educational institutions and individuals to purchase electronic reading aids for the blind; to the Committee on Education and Labor.

H.R. 2784. A bill to amend the Noise Pollution and Abatement Act of 1970; to the Committee on Interstate and Foreign Commerce.

H.R. 2785. A bill to require the disclosure of the operational noise level of machinery distributed in interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 2786. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purpose; to the Committee on the Judiciary.

H.R. 2787. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of certain public safety officers who die in the performance of duty; to the Committee on the Judiciary.

H.R. 2788. A bill to authorize the Attorney General of the United States to delegate to any common carrier by railroad, or any employee thereof, certain functions relating to the enforcement of certain Federal laws affecting railroads and property moving by railroad interstate or foreign commerce and for other purposes; to the Committee on the Judiciary.

H.R. 2789. A bill for the relief of residents of Northern Ireland; to the Committee on the Judiciary.

H.R. 2790. A bill authorizing the President to proclaim the third week of May as "Lone Defenders Week"; to the Committee on the Judiciary.

H.R. 2791. A bill to amend the Postal Reorganization Act of 1970, title 39, 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.

H.R. 2792. A bill to provide for the issuance of a special postage stamp in commemoration of the life and work of Dr. Enrico Fermi; to the Committee on Post Office and Civil Service.

H.R. 2793. A bill to amend title 38 of the United States Code in order to establish a separate nonservice-connected disability pension system for certain veterans age 72 or over, and for other purposes; to the Committee on Veteran's Affairs.

H.R. 2794. A bill to amend title 38 of the United States Code to exclude certain increases in benefits under the Social Security Act from consideration as income for the purpose of determining eligibility for pension under title 38, and for other purposes; to the Committee on Veteran's Affairs.

H.R. 2795. A bill to amend title 38 of the United States Code to provide that Paget's disease developing a 10 percent or more degree of disability within 5 years after separation from active service during a period of war shall be presumed to be service connected; to the Committee on Veteran's Affairs.

H.R. 2796. A bill to provide payments to States for public elementary and secondary education and to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

H.R. 2797. 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.

H.R. 2798. A bill to amend the Internal Revenue Code of 1954 to provide that the personal exemption allowed a taxpayer for a dependent shall be available without regard to the dependent's income in the case of a dependent who is over 65 (the same as in the case of a dependent who is a child under 19); to the Committee on Ways and Means.

H.R. 2799. A bill to amend the Internal Revenue Code of 1954 to permit the full deduction of medical expenses incurred for the care of individuals of 65 years of age and over, without regard to the 3 percent and 1 percent floors; to the Committee on Ways and Means.

H.R. 2800. A bill to amend the Internal Revenue Code of 1954 to provide that tuition for the education of a handicapped dependent at a private school shall be treated as a medical expense of the taxpayer when such education is recommended by a physician; to the Committee on Ways and Means.

H.R. 2801. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means:

H.R. 2802. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to tenants of houses or apartments for their proportionate share of the taxes and interest paid by their landlords; to the Committee on Ways and Means.

H.R. 2803. 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. 2804. A bill to amend the Internal Revenue Code of 1954 to allow an itemized deduction for certain amounts expended for marine sanitation devices which comply with the Federal Water Pollution Control Act; to the Committee on Ways and Means.

H.R. 2805. 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. BROYHILL of North Carolina:

H.R. 2806. A bill to amend section 1402(a) of title 10, United States Code, to revise the rule for entitlement to retired or retainer pay to reflect later active duty; to the Committee on Armed Services.

By Mr. BROYHILL of Virginia:

H.R. 2807. A bill to provide elective coverage under the Federal old-age, survivors, and disability insurance system for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. CAREY of New York:

H.R. 2808. A bill relating to the income tax treatment of charitable contributions of inventory and certain other ordinary income property; to the Committee on Ways and Means.

H.R. 2809. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

H.R. 2810. A bill relating to the treatment of certain changes in wills and trust instruments for purposes of the Tax Reform Act of 1969; to the Committee on Ways and Means.

H.R. 2811. A bill to amend the Internal Revenue Code of 1954 to subject Federal land banks, Federal land bank associations, and Federal intermediate credit banks to the taxes imposed by such code; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 2812. A bill to amend the Rural Electrification Act of 1936, as amended, to reaffirm that such funds made available for each fiscal year to carry out the programs provided for in such act be fully obligated in said year, and for other purposes; to the Committee on Agriculture.

By Mr. DON H. CLAUSEN:

H.R. 2813. A bill to designate certain lands in the State of California as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. COLLINS (for himself, Mr. BROWN of Michigan, Mr. BYRON, Mr. W. C. (DAN) DANIEL, Mrs. HOLT, Mr. MELCHER, Mr. NICHOLS, Mr. PARRIS, Mr. POWELL of Ohio, Mr. QUIE, Mr. RARICK, Mr. ROE, Mr. ROY, Mr. RUPPE, Mr. SEBELIUS, Mr. SHRIVER, Mr. STEIGER of Arizona, Mr. WARE, Mr. BOB WILSON, Mr. WON PAT, Mr. YOUNG of South Carolina, and Mr. ZWACH):

H.R. 2814. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. CONTE (for himself, Mr. BERGLAND, Mr. CLEVELAND, Mr. COHEN, Mr. CRONIN, Mr. DINGELL, Mr. FASCELL, Mr. FRELINGHUYSEN, Mr. GIAIMO, Mrs. HECKLER of Massachusetts, Mr. HEINZ, Mr. HORTON, Mr. MCCLOSKEY, Mr. PEYSER, Mr. PIKE, Mr. ROBISON of New York, Mr. SARASIN, Mr. STOKES, and Mr. WHALEN):

H.R. 2815. A bill to repeal the Connolly Hot Oil Act; to the Committee on Interstate and Foreign Commerce.

By Mr. CONTE (for himself, Mr. ADDABBO, Mr. ANDREWS of North Dakota, Mr. BADILLO, Mrs. CHISHOLM, Mr. COHEN, Mr. CONYERS, Mr. DAVIS of Georgia, Mr. DE LUGO, Mr. DRINAN, Mr. ECKHARDT, Mr. EILBERG, Mr. FISH, and Mr. GUDE):

H.R. 2816. A bill to prohibit the President from impounding any funds, or approving the impounding of funds without the consent of the Congress, and to provide a procedure under which the House of Representatives and the Senate may approve the President's proposed impoundment; to the Committee on Rules.

By Mr. CONTE (for himself, Miss HOLTZMAN, Mr. MCCLOSKEY, Mr. MINISH, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. RIEGLE, Mr. ROYBAL, Mr. STEPHENS, Mr. STOKES, Mr. WOLFF, Mr. WRIGHT, and Mr. YATRON):

H.R. 2817. A bill to prohibit the President from impounding any funds, or approving the impounding of funds without the consent of the Congress, and to provide a procedure under which the House of Representatives and the Senate may approve the President's proposed impoundment; to the Committee on Rules.

By Mr. CONTE (for himself, Mr. ADAMS, Mr. ADDABBO, Mr. BERGLAND, Mr. CLEVELAND, Mr. COHEN, Mr. DANIELSON, Mr. DINGELL, Mr. DRINAN, Mr. FASCELL, Mr. FRELINGHUYSEN, Mr. FRENZEL, Mr. GIAIMO, Mrs. HECKLER of Massachusetts, Mr. HEINZ, Miss HOLTZMAN, Mr. HORTON, Mr. KING, Mr. MCCLOSKEY, and Mr. MALLARY):

H.R. 2818. A bill to terminate the oil import control program; to the Committee on Ways and Means.

By Mr. CONTE (for himself, Mr. MCCLORY, Mr. MATSUNAGA, Mr. OBEY, Mr. PEYSER, Mr. RAILSBACK, Mr. REID, Mr. REUSS, Mr. ROBISON of New York, Mr. ROE, Mr. RUPPE, Mr. ST GERMAIN, Mr. SARASIN, Mr. SMITH of New York, Mr. STOKES, Mr. J. WILLIAM STANTON, Mr. STRATTON, Mr. VANIK, Mr. WHALEN, and Mr. ZWACH):

H.R. 2819. A bill to terminate the oil import control program; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 2820. A bill to require the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the House of Representatives and the Senate may approve the President's action or require the President to cease such action; to the Committee on Rules.

By Mr. DEVINE:

H.R. 2821. A bill to amend the Communications Act of 1934 to provide for regulation of television networks to assure that their operations are in the public interest; to the Committee on Interstate and Foreign Commerce.

By Mr. DORN:

H.R. 2822. A bill to raise the Veterans Administration to the status of an executive department of the Government to be known as the Department of Veterans Affairs; to the Committee on Government Operations.

H.R. 2823. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of disability and death pension, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2824. A bill to amend title 38 of the United States Code to permit the furnishing of benefits to certain veterans conditionally discharged or released from active military, naval, or air service; to the Committee on Veterans' Affairs.

H.R. 2825. A bill to amend title 38, United States Code, to provide that payments made to a hospitalized incompetent veteran will not be terminated unless his estate exceeds $2,000, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2826. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

H.R. 2827. A bill to amend chapter 23 of title 38, United States Code, so as to provide that where death occurs in a State Home, the Administrator shall pay the actual cost (not to exceed $250) of the burial and funeral, and transport the body to the place of burial in the same or any other State; to the Committee on Veterans' Affairs.

By Mr. DORN (for himself, Mr. TEAGUE of Texas, Mr. HALEY, Mr. DULSKI, Mr. ROBERTS, Mr. SATTERFIELD, Mr. HELSTOSKI, Mr. EDWARDS of California, Mr. MONTGOMERY, Mr. CARNEY of Ohio, Mr. DANIELSON, Mrs. GRASSO, Mr. WOLFF, Mr. BRINKLEY, Mr. CHARLES WILSON of Texas, Mr. HAMMERSCHMIDT, Mr. SAYLOR, Mr. TEAGUE of California, Mrs. HECKLER of Massachusetts, Mr. ZWACH, Mr. WYLIE, Mr. HILLIS, and Mr. ABDNOR):

H.R. 2828. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DOWNING:

H.R. 2829. A bill to amend the Rural Electrification Act of 1936, as amended, to reaffirm that such funds made available for each fiscal year to carry out the programs provided for in such act be fully obligated in said year and for other purposes; to the Committee on Agriculture.

H.R. 2830. A bill to authorize an increase in funds for land acquisition at Colonial National Historical Park, in the State of Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ERLENBORN (for himself, Mr. FUQUA, Mr. QUIE, Mr. WAGGONNER, and Mr. ANDERSON of Illinois):

H.R. 2831. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rates prescribed by that act, to expand employment opportunities for youths, and for other purposes; to the Committee on Education and Labor.

By Mr. EVANS of Colorado:

H.R. 2832. A bill to amend the Rural Electrification Act of 1936, as amended, to reaffirm that such funds made available for each fiscal year to carry out the programs provided for in such act be fully obligated in said year, and for other purposes; to the Committee on Agriculture.

By Mr. FASCELL:

H.R. 2833. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. GERALD R. FORD:

H.R. 2834. A bill to create a National Agricultural Bargaining Board, to provide standards for the qualification of associations of producers, to define the mutual obligation of handlers and associations of producers to negotiate regarding agricultural products, and for other purposes; to the Committee on Agriculture.

By Mr. FOUNTAIN:

H.R. 2835. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program; to the Committee on Agriculture.

By Mr. GAYDOS:

H.R. 2836. A bill to revise the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

H.R. 2837. 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. GIBBONS:

H.R. 2838. A bill to suspend until the close of June 30, 1974, the duties on certain forms of copper; to the Committee on Ways and Means.

H.R. 2839. A bill to provide for the duty-free treatment of the copper content of all copper-bearing ores; to premanently suspend the duty on copper waste, copper scrap, and certain forms of copper; to repeal the market price test for determining rates of duty on copper-bearing materials; and for other purposes; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon (for herself, Mr. WYATT, Mr. ALEXANDER, Mr. CAREY of New York, Mr. DENT, Mr. DOWNING, Mr. GAYDOS, Mr. GIAIMO, Mr. GIBBONS, Mr. ICHORD, Mr. LEGGETT, Mr. MAZZOLI, Mr. MOLLOHAN, Mr. PIKE, and Mr. YATES):

H.R. 2840. A bill to provide congressional due process in questions of war powers as required by the Constitution of the United States; to the Committee on Armed Services.

By Mr. GUDE (for himself, Mr. SAYLOR, Mr. TAYLOR of North Carolina, and Mr. SKUBITZ):

H.R. 2841. A bill to provide for the establishment of the Clara Barton House National Histroic Site in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GUYER:

H.R. 2842. A bill to improve and implement procedures for fiscal controls in the U.S. Government, and for other purposes; to the Committee on Rules.

By Mr. HARVEY:

H.R. 2843. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

H.R. 2844. A bill to amend the Federal Aviation Act of 1958 and the Interstate Commerce Act to authorize reduced-fare transportation on a space-available basis for persons who are 65 years of age or older; to the Committee on Interstate and Foreign Commerce.

H.R. 2845. A bill to amend the Internal Revenue Code of 1954 to promote additional protection for the rights of participants in private pension plans, to establish minimum standards for vesting, to establish an insurance corporation within the Department of the Treasury, and for other purposes; to the Committee on Ways and Means.

H.R. 2846. A bill to amend title II of the Social Security Act to increase to $3,000 the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 2847. A bill to amend title II of the Social Security Act to provide that a beneficiary who dies shall (if otherwise qualified) be entitled to a prorated benefit for the month of his death; to the Committee on Ways and Means.

By Mr. JOHNSON of Colorado:

H.R. 2848. A bill to amend the Wild and Scenic Rivers Act of 1968 (82 Stat. 906) by designating a portion of the Colorado River, Colorado, for study as a potential addition to the National Wild and Scenic Rivers system; to the Committee on Interior and Insular Affairs.

By Mr. JONES of Oklahoma:

H.R. 2849. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program; to the Committee on Agriculture.

By Mr. JONES of Tennessee (for himself and Mr. WAMPLER):

H.R. 2850. A bill to provide price support for milk at not less than 85 percent of the parity price therefor; to the Committee on Agriculture.

By Mr. MALLARY:

H.R. 2851. A bill to grant a child adopted by a single U.S. citizen the same immigrant status as a child adopted by a U.S. citizen and his spouse; to the Committee on the Judiciary.

H.R. 2852. A bill to provide for the establishment of a national cemetery in the State of Vermont; to the Committee on Veterans' Affairs.

By Mr. MATSUNAGA:

H.R. 2853. A bill to authorize and direct the Librarian of Congress to establish and maintain a library of television and radio programs, and for other purposes; to the Committee on House Administration.

By Mr. MILLS of Arkansas:

H.R. 2854. A bill to amend the Internal Revenue Code of 1954 to exempt certain agricultural aircraft from the aircraft use tax, to provide for the refund of the gasoline tax to the agricultural aircraft operator with the consent of the farmer, and for other purposes; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 2855. A bill to amend the Rural Electrification Act of 1936, as amended, to reaffirm that such funds made available for each fiscal year to carry out the programs provided for in such act be fully obligated in said year, and for other purposes; to the Committee on Agriculture.

H.R. 2856. A bill to amend the Communications Act of 1934 in order to provide that licenses for the operation of a broadcasting station shall be issued for a term of 5 years; to the Committee on Interstate and Foreign Commerce.

H.R. 2857. A bill to amend the Railroad Retirement Act of 1937 to remove all of the existing limitations upon the dollar amount of outside income which a disability annuitant or a survivor annuitant may earn while receiving an annuity thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS (for himself, Mr. DENT, Mr. ANNUNZIO, Mr. ASHLEY, Mr. BADILLO, Mr. BINGHAM, Mr. BLATNIK, Mr. BRADEMAS, Mr. BROWN of California, Mr. BURKE of Massachusetts, Mr. BURTON, Mrs. CHISHOLM, Mr. CLARK, Mr. CLAY, Mr. DOMINICK V. DANIELS, Mr. DANIELSON, Mr. DULSKI, Mr. HAYS, Mr. HAWKINS, Mr. HOLIFIELD, Mr. KYROS, Mr. LEGGETT, Mr. LEHMAN, and Mr. MCCORMACK):

H.R. 2858. A bill to revise the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

By Mr. PRICE of Illinois:

H.R. 2859. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain emergency grants to assure adequate rapid transit and commuter railroad service in urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 2860. A bill to establish mining and

mineral research centers, to promote a more adequate national program of mining and minerals research, to supplement the act of December 31, 1970, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2861. A bill to provide for cooperation between the Secretary of the Interior and the States with respect to the regulation of surface mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2862. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize design standards for schoolbuses, to require certain standards be established for schoolbuses, to require the investigation of certain schoolbus accidents, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2863. A bill to prohibit common carriers in interstate commerce from charging elderly people more than half fare for their transportation during nonpeak periods of travel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2864. A bill to amend the Internal Revenue Code of 1954 so as to permit certain tax exempt organizations to engage in communications with legislative bodies, and committees and members thereof; to the Committee on Ways and Means.

By Mr. RAILSBACK (for himself, Mr. O'BRIEN, Mr. MILFORD, Mr. ANDERSON of Illinois, Mr. ZWACH, Mr. MCCLORY, Mr. HANRAHAN, and Mr. FRASER):

H.R. 2865. A bill to authorize the President to establish a system to ration fuel oil among civilian users in order to provide for an equitable distribution of fuel oil in areas of shortage; to the Committee on Banking and Currency.

By Mr. RAILSBACK (for himself, Mr. COLLINS, Mr. MILFORD, Mr. ZWACH, Mr. MCCLORY, and Mr. HANRAHAN):

H.R. 2866. A bill to provide for the deregulation of natural gas; to the Committee on Interstate and Foreign Commerce.

By Mr. RARICK:

H.R. 2867. A bill to amend the Duck Stamp Act and other laws to prohibit the charging of any Federal fee to any individual who has attained age 65 for the privilege of hunting, trapping, or fishing; to the Committee on Merchant Marine and Fisheries.

H.R. 2868. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 2869. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by a taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

H.R. 2870. A bill to amend title II of the Social Security Act to permit an individual receiving benefits thereunder to earn outside income without losing any of such benefits; to the Committee on Ways and Means.

By Mr. ROBERTS:

H.R. 2871. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program; to the Committee on Agriculture.

H.R. 2872. A bill to abolish the U.S. Postal Service, to repeal the Postal Reorganization Act, to reenact the former provisions of title 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2873. A bill to create a public works program for the purpose of reducing unemployment; to the Committee on Public Works.

H.R. 2874. A bill to authorize and direct the Secretary of the Army to classify project lands at Lake Texoma for sound recreational use; to the Committee on Public Works.

H.R. 2875. A bill to modify the project at Lavon Reservoir, Tex.; to the Committee on Public Works.

By Mr. ROSTENKOWSKI:

H.R. 2876. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. ROY:

H.R. 2877. A bill to authorize the payment of a death gratuity to the survivors of certain members of the Armed Forces who have been in a missing-in-action status and subsequently determined to have died during a period when no Government life insurance program was in effect for active duty personnel; to the Committee on Armed Services.

H.R. 2878. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2879. A bill to provide for the disposition of funds appropriated to pay certain judgments in favor of the Iowa Tribes of Oklahoma and of Kansas and Nebraska; to the Committee on Interior and Insular Affairs.

H.R. 2880. A bill to provide for the establishment of the Agricultural Hall of Fame National Cultural Park in the State of Kansas, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2881. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize design standards for schoolbuses and require the establishment of certain standards for schoolbuses; to the Committee on Interstate and Foreign Commerce.

H.R. 2882. A bill to prohibit common carriers in interstate commerce from charging elderly people more than half fare for their transportation during nonpeak periods of travel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2883. A bill to reduce pollution which is caused by litter composed of soft drink and beer containers, and to eliminate the threat to the Nation's health, safety, and welfare which is caused by such litter by banning such containers when they are sold in interstate commerce on a no-deposit, no-return basis; to the Committee on Interstate and Foreign Commerce.

H.R. 2884. A bill to amend the Uniform Time Act of 1966 to provide that daylight saving time shall begin on Memorial Day and end on Labor Day of each year; to the Committee on Interstate and Foreign Commerce.

H.R. 2885. A bill to change the minimum age qualification for serving as a juror in Federal courts from 21 years of age to 18 years of age; to the Committee on the Judiciary.

H.R. 2886. A bill to retain November 11 as Veterans Day; to the Committee on the Judiciary.

H.R. 2887. A bill to amend title 39, United States Code, to authorize the transmission, without cost to the sender, of letter mail to the President or Vice President of the United States or to Members of Congress, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2888. A bill to designate certain segments of the Interstate System as the "Dwight D. Eisenhower Highway"; to the Committee on Public Works.

H.R. 2889. A bill to amend title 38 of the United States Code to insure that beneficiaries under the Servicemen's Group Life Insurance Program of certain members of the Armed Forces in missing status are not denied the benefits of such program; to the Committee on Veterans' Affairs.

H.R. 2890. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

H.R. 2891. A bill to allow a credit against Federal income taxes or a payment from the U.S. Treasury for State and local real property taxes or an equivalent portion of rent paid on their residences by individuals who have attained age 65; to the Committee on Ways and Means.

By Mr. ROYBAL (for himself, Mr. BRASCO, Mrs. CHISHOLM, Mr. CONYERS, Mr. CORMAN, Mr. DANIELSON, Mr. EDWARDS of California, Mr. FUQUA, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. ROSENTHAL, Mr. CHARLES H. WILSON of California, Mr. WOLFF, and Mr. HARRINGTON):

H.R. 2892. A bill to establish a program to replace, through the cooperative efforts of Federal, State, and local governments, elementary and secondary schools which are in dangerous location or unsafe condition or are otherwise deficient; to the Committee on Education and Labor.

By Mr. ROYBAL (for himself, Mr. ANDERSON of California, Mr. BADILLO, Mr. BELL, Mr. BURTON, Mr. CONYERS, Mr. CORMAN, Mr. EDWARDS of California, Mr. HAWKINS, Mr. JOHNSON of California, Mr. HANNA, Mr. LEGGETT, Mr. LEHMAN, Mr. LUJAN, Mr. MCFALL, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MURPHY of New York, Mr. PODELL, Mr. REES, Mr. RIEGLE, Mr. WALDIE, and Mr. HELSTOSKI):

H.R. 2893. A bill to authorize grants to the Deganawidah-Quetzalcoatl University; to the Committee on Education and Labor.

By Mr. ROYBAL (for himself, Ms. ABZUG, Mr. BROWN of California, Mrs. BURKE of California, Mr. BURTON, Mrs. CHISHOLM, Mr. CORMAN, Mr. DRINAN, Mr. EDWARDS of California, Mr. HECHLER of West Virginia, Mr. LEGGETT, Mr. MELCHER, Mr. MITCHELL of Maryland, Mr. REES, Mr. RIEGLE, and Mr. WOLFF):

H.R. 2894. A bill to provide reimbursement to certain individuals for medical relief for physical injury suffered by them that is directly attributable to the explosions of the atomic bombs on Hiroshima and Nagasaki, Japan, in August 1945 and the radioactive fallout from those explosions; to the Committee on the Judiciary.

By Mr. ROYBAL (for himself, Mr. BENNETT, Mr. BURTON, Mr. DANIELSON, Mr. DERWINSKI, Mr. HARRINGTON, Mr. MCFALL, Mrs. MINK, Mr. MURPHY of New York, Mr. REES, Mr. SISK, Mr. TALCOTT, Mr. VAN DEERLIN, and Mr. WALDIE):

H.R. 2895. A bill to amend the Internal Revenue Code of 1954 to provide that any resident of the Republic of the Philippines may be a dependent for purposes of the income tax deduction for personal exemption; to the Committee on Ways and Means.

By Mr. SATTERFIELD:

H.R. 2896. A bill to amend chapter 17 of title 38, United States Code, so as to authorize reimbursement for hospital care or medical service for any disability of a veteran who has a total service-connected disability permanent in nature; to the Committee on Veterans' Affairs.

H.R. 2897. A bill to amend title 38, United States Code, to provide that the Administrator of Veterans' Affairs may furnish medical services for a nonservice-connected disability to any war veteran who has a disability rated at 50 percent or more resulting from a service-connected disability; to the Committee on Veterans' Affairs.

H.R. 2898. A bill to amend section 620 of title 38, United States Code, to authorize direct admission to community nursing homes of those veterans needing such care for a service-connected condition; to the Committee on Veterans' Affairs.

H.R. 2899. A bill to amend section 620 of title 38, United States Code, to extend the length of time community nursing home care may be provided at the expense of the United States; to the Committee on Veterans' Affairs.

By Mr. SATTERFIELD (for himself, Mr. DORN, Mr. TEAGUE of Texas, Mr. HALEY, Mr. DULSKI, Mr. ROBERTS, Mr. HELSTOSKI, Mr. EDWARDS of California, Mr. MONTGOMERY, Mr. CARNEY of Ohio, Mr. DANIELSON, Mrs. GRASSO, Mr. WOLFE, Mr. BRINKLEY, Mr. CHARLES WILSON of Texas, Mr. SAYLOR, Mrs. HECKLER of Massachusetts, Mr. ZWACK, and Mr. WYLIE):

H.R. 2900. 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.

By Mr. SEBELIUS (for himself, Mr. COCHRAN, Mr. SHRIVER, Mr. SKUBITZ, and Mr. WINN):

H.R. 2901. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program; to the Committee on Agriculture.

By Mr. SHOUP:

H.R. 2902. A bill to authorize the Secretary of Agriculture to develop and carry out a forestry incentives program to encourage a higher level of forest resource protection, development, and management by small nonindustrial private and non-Federal public forest landowners, and for other purposes; to the Committee on Agriculture.

H.R. 2903. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES (for himself, Mr. FISHER, Mr. RARICK, Mr. JONES of North Carolina, Mr. MONTGOMERY, Mr. ALEXANDER, Mr. DAVIS of Georgia, Mr. HALEY, Mr. SLACK, Mr. BOWEN, Mr. HANSEN of Idaho, Mr. LEGGETT, Mr. DENHOLM, Mr. SCHERLE, Mr. LOTT, Mr. ROYBAL, Mr. BLACKBURN, Mr. MEEDS, Mr. DERWINSKI, Mrs. HANSEN of Washington, Mr. BEVILL, Mr. LATTA, Mr. WILLIAMS, and Mr. GUYER):

H.R. 2904. A bill to authorize the Secretary of Agriculture to develop and carry out a forestry incentives program to encourage a higher level of forest resource protection, development, and management by small nonindustrial private and non-Federal public forest landowners, and for other purposes; to the Committee on Agriculture.

By Mr. SIKES (for himself, Mr. JOHNSON of Pennsylvania, Mr. ICHORD, Mr. FLOOD, Mr. MELCHER, Mr. WON PAT, Mr. NICHOLS, Mr. YATRON, Mr. CLEVELAND, Mr. WHITTEN, Mr. HUBER, Mr. BAKER, and Mr. FUQUA):

H.R. 2905. A bill to authorize the Secretary of Agriculture to develop and carry out a forestry incentives program to encourage a higher level of forest resource protection, development, and management by small nonindustrial private and non-Federal public forest landowners, and for other purposes; to the Committee on Agriculture.

By Mr. TEAGUE of Texas:

H.R. 2906. A bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either; to the Committee on Veterans' Affairs.

H.R. 2907. A bill to amend title 38, United States Code, to provide that the effective date of disability pension shall be the date that permanent and total disability is established, if application for such benefit is received within 1 year from such date; to the Committee on Veterans' Affairs.

H.R. 2908. A bill to provide for the payment of aid and attendance benefits to certain totally disabled veterans; to the Committee on Veterans' Affairs.

H.R. 2909. A bill to amend chapter 19, title 38, United States Code, so as to provide a statutory total disability for insurance purposes to any veteran who has undergone kidney or heart transplant or anatomical loss or loss of use of both kidneys; to the Committee on Veterans' Affairs.

H.R. 2910. A bill to amend chapter 11, title 38, United States Code, to provide a statutory compensable rating of not less than 10 percent for any veteran who was a prisoner of war; to the Committee on Veterans' Affairs.

H.R. 2911. A bill to amend title 38 of the United States Code to provide that progressive muscular atrophy developing a 10 percent or more degree of disability within 7 years after separation from active service during a period of war shall be presumed to be service connected; to the Committee on Veterans' Affairs.

H.R. 2912. A bill to amend title 38, United States Code, to provide that psychosis developing a 10-percent degree of disability or more within 2 years after separation from active service during a period of war shall be presumed to be service connected; to the Committee on Veterans' Affairs.

H.R. 2913. A bill to amend section 410 of title 38, United States Code, to provide a statutory presumption of service-connected death of any veteran who has been rated totally disabled by reason of service-connected disability for 10 or more years; to the Committee on Veterans' Affairs.

H.R. 2914. A bill to amend title 38, United States Code, to authorize increased benefits for veterans requiring regularly scheduled hemodialysis; to the Committee on Veterans' Affairs.

H.R. 2915. A bill to amend chapter 11, title 38, United States Code, to increase the statutory rates for certain anatomical loss or loss of use; to the Committee on Veterans' Affairs.

H.R. 2916. A bill to amend title 38 of the United States Code to assist veterans with a permanent and total service-connected disability due to the loss or loss of use of one upper and one lower extremity to acquire specially adapted housing; to the Committee on Veterans' Affairs.

H.R. 2917. A bill to amend section 312 of title 38, United States Code, by providing a 10-year presumptive period of service connection for chronic diseases of certain prisoners of war; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (for himself and Mr. SATTERFIELD):

H.R. 2918. A bill to amend title 38 of the United States Code to permit veterans to determine how certain drugs and medicines will be supplied to them; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of New Jersey (for himself, Mr. DENT, Mr. MAYNE, Mr. MEEDS, Mr. MILFORD, Mr. MOLLOHAN, Mr. MOORHEAD of Pennsylvania, Mr. MORGAN, Mr. MOSS, Mr. MURPHY of New York, Mr. NIX, Mr. PEPPER, Mr. PIKE, Mr. PREYER, Mr. PRICE of Illinois, Mr. RANDALL, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SARBANES, Mr. SEIBERLING, Mr. STOKES, Mr. TIERNAN, Mr. WON PAT, and Mr. YATRON):

H.R. 2919. A bill to revise the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

By Mr. VAN DEERLIN (for himself, Mr. CONTE, Mr. ADDABBO, Mr. ASHLEY, Mr. BADILLO, Mr. BRASCO, Mr. BROWN of Ohio, Mr. BROYHILL of North Carolina, Mr. BUCHANAN, Mr. CORMAN, Mr. DELANEY, Mr. DELLENBACK, Mr. DENT, Mr. DERWINSKI, Mr. DONOHUE, Mr. DU PONT, Mr. EDWARDS of Alabama, Mr. EILBERG, Mr. ESHLEMAN, Mr. FISH, Mr. GIAIMO, Mrs. GRASSO, Mrs. HANSEN of Washington, Mr. HARVEY, and Mr. HILLIS):

H.R. 2920. A bill for the establishment of a Council on Energy Policy; to the Committee on Interstate and Foreign Commerce.

By Mr. VAN DEERLIN (for himself, Mr. CONTE, Mr. JOHNSON of Pennsylvania, Mr. KING, Mr. LONG of Louisiana, Mr. LUJAN, Mr. MAILLIARD, Mr. MALLARY, Mr. MATHIS of Georgia, Mr. MAZZOLI, Mr. MOAKLEY, Mr. PEPPER, Mr. PODELL, Mr. PRICE of Illinois, Mr. REES, Mr. RODINO, Mr. ROSENTHAL, Mr. ROSTENKOWSKI, Mr. ROYBAL, Mr. STEELE, Mr. VEYSEY, Mr. WALDIE, Mr. WARE, Mr. WHITEHURST, Mr. WOLFF, and Mr. ZION):

H.R. 2921. A bill for the establishment of a Council on Energy Policy; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE:

H.R. 2922. A bill to authorize the Secretary of Agriculture to cooperate with the governments of Central and South America in order to control outbreaks of certain insect pests when necessary to protect the agriculture of the United States; to the Committee on Agriculture.

H.R. 2923. A bill to authorize Federal cost sharing in promoting public safety through the elimination of hazardous open canals by converting them to closed conduits and by fencing; to the Committee on Interior and Insular Affairs.

H.R. 2924. A bill to authorize the construction of extensions of the American Canal at El Paso, Tex., operation and maintenance, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2925. A bill to amend the Railroad Retirement Act of 1937 to provide that actual entitlement to a social security benefit shall not have the effect of reducing an individual's railroad retirement annuity by depriving such individual of the full advantage of the so-called social security guarantee formula in the computation of his or her annuity; to the Committee on Interstate and Foreign Commerce.

H.R. 2926. A bill to amend the Civil Service Retirement Act to increase from 2 to 2½ percent the retirement multiplication factor used in computing annuities of certain employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. WHITEHURST:

H.R. 2927. A bill to amend title 10, United States Code, to provide that officers appointed in the Medical Service Corps of the Navy from other commissioned status shall not lose rank or pay or allowances; to the Committee on Armed Services.

By Mr. WHITEHURST (for himself and Mr. ROBERT W. DANIEL, JR.):

H.R. 2928. A bill to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of January 2, 1971 (Public Law 91-646); to the Committee on Public Works.

By Mr. BOB WILSON:

H.R. 2929. A bill to amend title 10, United States Code, in order to remove an inequity from the laws concerning medical care for dependents of members of the uniformed services; to the Committee on Armed Services.

H.R. 2930. A bill to amend the Strategic and Critical Materials Stock Piling Act, and for other purposes; to the Committee on Armed Services.

H.R. 2931. A bill to further amend the Federal Civil Defense Act of 1950, as amended, to authorize establishment of national standards for threads and couplings of firehoses, and for other purposes; to the Committee on Armed Services.

By Mr. CHARLES H. WILSON of California:

H.R. 2932. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WYATT:

H.R. 2933. A bill to improve the quality of unshelled filberts and shelled filberts for marketing in the United States; to the Committee on Agriculture.

H.R. 2934. 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.

By Mr. WYLIE:

H.R. 2935. A bill to revise the Welfare and Pension Disclosure Act; to the Committee on Education and Labor.

H.R. 2936. A bill to revise the Welfare and Pension Plan Disclosure Act; to the Committee on Education and Labor.

H.R. 2937. A bill to provide procedures for calling constitutional conventions for proposing amendment to the Constitution of the United States, on application of the legislatures of two-thirds of the States, pursuant to article V of the Constitution; to the Committee on the Judiciary.

H.R. 2938. A bill to amend title II of the Social Security Act to increase to $4,200 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. WYLIE (for himself, Mr. FREY, and Mr. WHALEN):

H.R. 2939. A bill to amend the Internal Revenue Code of 1954 to provide that the first $3,000 of an individual civil service retirement annuity (or other Federal retirement annuity) shall be exempt from income tax; to the Committee on Ways and Means.

By Mr. WYLIE:

H.R. 2940. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the annuities and pensions (and lump-sum payments) which are payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 2941. A bill to amend title 38 of the United States Code to provide for cost-of-living increases in compensation, dependency, and indemnity compensation, and pension payments; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Florida:

H.R. 2942. A bill to establish a national land use policy, to authorize the Secretary of the Interior to make grants to assist the States to develop and implement State land use programs, to coordinate Federal programs and policies which have a land-use impact, to coordinate planning and management of Federal lands and planning and management of adjacent non-Federal lands, and to establish an Office of Land Use Policy Administration in the Department of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2943. A bill to amend title II of the Social Security Act to increase to $3,000 the amount of outside earnings which (subject to further increases under the automatic adjustment provisions) is permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 2944. A bill to make the use of a firearm to commit certain felonies a Federal crime where that use violates State law, and for other purposes; to the Committee on the Judiciary.

By Mr. ANDERSON of California:

H.J. Res. 236. Joint resolution proposing an amendment to the Constitution of the United States to prevent a Member of Congress from serving more than 12 consecutive years in either the House or the Senate; to the Committee on the Judiciary.

By Mr. BELL:

H.J. Res. 237. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.J. Res. 238. Joint resolution authorizing the President to proclaim the first day of January of each year as Appreciate America Day; to the Committee on the Judiciary.

By Mr. MILFORD:

H.J. Res. 239. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. NEDZI (for himself, Mr. O'HARA, Mrs. GRIFFITHS, Mr. DINGELL, Mr. BROOMFIELD, Mr. WILLIAM D. FORD, and Mr. HUBER):

H.J. Res. 240. Joint resolution proposing an amendment to the Constitution of the United States relative to the assignment of public school students; to the Committee on the Judiciary.

By Mr. ROY:

H.J. Res. 241. Joint resolution expressing the sense of the Congress with respect to the foreign economic policy of the United States in connection with its relations with the Soviet Union and any other country which uses arbitrary and discriminatory methods to limit the right of emigration, and for other purposes; to the Committee on Foreign Affairs.

H.J. Res. 242. Joint resolution proposing an amendment to the Constitution of the United States lowering the age requirements for membership in the Houses of Congress; to the Committee on the Judiciary.

H.J. Res. 243. Joint resolution to provide for a 1974 centennial celebration observing the introduction into the United States of hard red winter wheat; to the Committee on the Judiciary.

H.J. Res. 244. Joint resolution to create a select joint committee to conduct an investigation and study into methods of significantly simplifying Federal income tax return forms; to the Committee on Rules.

By Mr. WYLIE:

H.J. Res. 245. Joint resolution to establish a Joint Committee on the Environment; to the Committee on Rules.

By Mr. BIAGGI:

H. Con. Res. 95. Concurrent resolution expressing congressional recognition of a declaration of general and special rights of the mentally retarded; to the Committee on Interstate and Foreign Commerce.

H. Res. 161. Resolution relative to Irish national self determination; to the Committee on Foreign Affairs.

By Mr. DIGGS:

H. Res. 162. Resolution authorizing the Committee on the District of Columbia to conduct an investigation and study of the organization, management, operation, and administration of departments and agencies of the Government of the District of Columbia; to the Committee on Rules.

By Mr. HALEY:

H. Res. 163. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; to the Committee on Rules.

By Mr. ROY:

H. Res. 164. Resolution to create a Select Committee on Aging; to the Committee on Rules.

By Mr. WYLIE:

H. Res. 165. Resolution maintaining U.S. sovereignty, Panama Canal Zone; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H.R. 2945. A bill for the relief of Jesse McCarver, Georgia Villa McCarver, Kathy McCarver, and Edith McCarver, to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 2946. A bill to convey certain lands located in Spotsylvania County, Va., to J. E. Bashor and Marie J. Bashor; to the Committee on Interior and Insular Affairs.

H.R. 2947. A bill for the relief of Giuseppa Alessandrini (nee Belacchi); to the Committee on the Judiciary.

H.R. 2948. A bill for the relief of Andreas A. Antypas, and his wife Barbel Antypas; to the Committee on the Judiciary.

H.R. 2949. A bill for the relief of Antonio L. Azores; to the Committee on the Judiciary.

H.R. 2950. A bill for the relief of Mrs. Gertrude Berkley; to the Committee on the Judiciary.

H.R. 2951. A bill for the relief of James Phillip Briggs; to the Committee on the Judiciary.

H.R. 2952. A bill for the relief of George E. Chiplock, to the Committee on the Judiciary.

H.R. 2953. A bill for the relief of Edna Clarke; to the Committee on the Judiciary.

H.R. 2954. A bill for the relief of Col. and Mrs. Allen B. Crane; to the Committee on the Judiciary.

H.R. 2955. A bill for the relief of Robert L. Johnston; to the Committee on the Judiciary.

H.R. 2956. A bill for the relief of Thomas A. Lucid; to the Committee on the Judiciary.

H.R. 2957. A bill for the relief of M. Sgt. Robert M. Stachura; to the Committee on the Judiciary.

H.R. 2958. A bill for the relief of Jane M. Vida; to the Committee on the Judiciary.

H.R. 2959. A bill for the relief of Charles D. Waldron; to the Committee on the Judiciary.

By Mrs. HOLT:

H.R. 2960. A bill for the relief of D. Jane Klemer; to the Committee on the Judiciary.

By Mr. RARICK:

H.R. 2961. A bill to incorporate in the District of Columbia the National Inconvenienced Sportsmen's Association; to the Committee on the Judiciary.

By Mr. ROE:

H.R. 2962. A bill for the relief of Sister Amelia Callegarin; to the Committee on the Judiciary.

By Mr. ROY:

H.R. 2963. A bill for the relief of Mrs. Clare McManigal; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of the rule XXII,

32. The SPEAKER presented petition of the city council, Worcester, Mass., relative to the proposed moratorium on urban funds; to the Committee on Banking and Currency.

EXTENSIONS OF REMARKS

EXPERIENCED FARMER COMMENTS ON FARM PROGRAM

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ALEXANDER. Mr. Speaker, it is often said that experience is the best teacher. G. A. Hale of Burdette who has owned and operated an 800-acre seed farm for the last 25 years has shared some of his experiences and suggestions with me for use in drafting new farm legislation. Mr. Hale was reared on a southwestern Arkansas farm, graduated from the Colleges of Agriculture of Iowa State University and University of Missouri, employed as agronomist and president of Burdette Plantation, assistant agronomist of the Georgia Experiment Station, associate agronomist of the USDA-Soil Conservation Service in Texas, Louisiana, Arkansas, and Oklahoma and is a registered plant breeder by the Arkansas State Plan Board. It is with great pleasure that I share his recommendations and advice with my colleagues:

RECOMMENDATIONS OF G. A. HALE

The recommendations and views below are based largely on actual farm records for this time for crops of cotton, soybeans and wheat. My net farm income before income taxes has varied from $38,000 in 1954 and 55 to $9,000 in 1968 and 69, with an average net income of about 3 per cent on my investment in land and equipment. My lowest income has been during the 1965 and 1970 Acts and I am asking that you amend and add to the 1970 Act the following provisions to correct the boom and bust economy of farmers during recent years:

1. CROP SUPPLY AND DEMAND IMBALANCE

If politically feasible, provide in the new Act that determinations of probable demand and supply for crops be made before planting time, similar to a study now under way by Cotton Incorporated for cotton so that growers can have this information as a guide line for planting plans. Much information is available on past crop history, but this is of very little help in making the right decisions for the future. Until we are better organized only the power of the federal government is strong enough to control to a certain degree the supply of farm products. Three million farmers can not control our production without the help of laws to regulate the crop acreages. No matter how efficient we may be and how much advertising, promotion, research and technology we have working for us, if we over-produce and build up unwanted supplies, we are in deep trouble as in past years.

2. GOVERNMENT LOANS AND PRICE SUPPORTS

The original purpose and justification for CCC crop loans was to provide for orderly marketing and a reasonable floor under crop prices, but in recent years loans have been set at very low amounts in an attempt to make our crop prices competitive in foreign markets, which has not proved effective for cotton. The new Act should return crop loans to the original purpose and for such amounts that with direct payments add up to at least 80 per cent of parity prices. Cottonseed is a good example of a crop without a loan or subsidy payment that I sold for $45.00 per ton, with parity price of $85.00 which did not pay for ginning as compared to cotton lint which I sold for 28 cents, with parity of 56 cents, but with a subsidy payment of 15 cents for allotted acres. According to the latest study made in 1969 by the USDA the average cost of producing a pound of cotton lint was 29 cents for this area.

3. DIRECT OR SUBSIDY PAYMENTS

Until crop supplies are more in line with demands, and loans are nearer parity prices, direct or support payments must be provided for some crops. Limitations on the size of these payments should not be made as this practice is socialistic and eliminates many of our most efficient producers and discourages young people from beginning and continuing in farming. The average age of U.S. farmers is now 56 years and getting higher, while the average age of business executives is 35 years. We would prefer to get all our income from profitable marketing instead of the federal treasury.

4. ACREAGE ALLOTMENTS AND SET-ASIDES

Critics of strict crop allotments and penalties or set-aside requirements say that these will not control supplies, but my observation has been that when administrators do their duty and reduce allotments this is not true from past history. Until a better way is found to prevent burdensome crop surpluses, this method must be provided for in new legislation. Freedom to plant all our farm in one crop will return us to conditions before 1933. The program for rice proves that it was a mistake to allow freedom to plant in the case of corn, wheat and cotton, which are not now as profitable to grow as rice in this region. Acreage allotments should be based on the last three to five year history of acreage of each farm, with consideration for good economic and soil conservation practices. Only the wisdom and power of the Congress is strong enough to enforce these allotments until farmers are better organized to do the job for themselves.

5. THE PARITY PRICE CONCEPT, PARTIAL OR FULL

The price I received for cotton was the one factor most closely related to my net income during the 25 years I have farmed the same land. When crop prices plus direct payments equals less than about 80 per cent of full parity, most farmers are in deep economic trouble. Before the Farm Act of 1965, when crop loans were at least 80 per cent, my net income was comparable to that of most non-farmers except in a few years when crop yields were very low. Recently the cost of producing crops has risen rapidly and the new Act should provide for loans plus direct payments to equal at least 80 per cent of parity.

6. EXPORTS AND IMPORTS OF FARM CROPS

My visits to most of the free-world cotton and soybean growing countries during the last decade has convinced me that it is ridiculous to expect our farmers to compete with foreign growers without large subsidies for both farmers and exporters. Likewise, dumping our surplus, or selling it under the P.L. 480 for foreign money, tends to reduce foreign growers incentive to supply their needs and should be outlawed in a new Farm Act. The recent sales of wheat to Russia and China helped the price received by growers very little as I sold my 1972 crop for $1.30 per bushel when the full parity price was about $3.00 per bushel. More than a million bales of raw cotton equivalent in the form of textiles made from foreign-grown cotton is imported and Congress should give our cotton growers, textile workers, and mills tariff protection from this competition like they have for many of our other industries. This action along with the natural increase in population and promotion of Cotton Incorporated and others should provide a market for about three million bales now exported and free us from foreign cotton competition in the domestic markets. From my very limited experience of exporting registered grade soybean planting seed, I have learned that individual farmers have to depend on professional exporters to sell their crops on foreign markets. We are not interested in growing and selling our crops at low prices and below production costs just to reduce our balance of payments and profit exporters and other agri-business that often benefit from large crops. Most of us would prefer to get an American price on the domestic market rather than depending on the failure of foreign production during years of poor crops for the sale of our crops.

No doubt, some of you are not hearing from and getting the views and the advice of the majority of your farm constituency; namely mostly small and retired farmers who are renting their land out, owner-operators and renters who are paying high taxes, high rents and getting low prices as their only source of income. May I suggest that you write the managers of local Production Credit and Federal Land Banks Associations, Farm Supply and Marketing Cooperatives and Country Banks for mailing lists and send these people short yes and no questionnaires on provisions of new farm legislation. If I can help by sending you more details on my experience, please let me know.

PLIGHT OF THE GREAT LAKES

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. KEATING. Mr. Speaker, on January 18, 1973, I cosponsored Congressmen WILLIAM STANTON and CHUCK VANIK's bill to permit the construction of shore protection devices along nonpublic section of U.S. coastlines.

Such legislation is needed with great urgency if we are to protect the shoreline surrounding the Great Lakes. Unusually high water levels on the lakes have resulted in uncontrollable flooding and erosion.

Due to record rainfall during the last year, the rising water level in Lake Erie is expected to reach a record 5 feet above normal in late spring. It is estimated that damage could run into millions of dollars and could involve thousands of acres in the urbanized Great Lakes Basin.

All the water in the Great Lakes eventually flows into Lakes Erie and Ontario before emptying into the St. Lawrence River.

With the water level in Lake Ontario last month only 3 feet below the all-time record and a projected 2-foot rise in the near future, coastlines around Lake Ontario are in imminent danger.

The only way to lower the level of Lake Ontario would be to increase the flow of water through the dams at the mouth of the St. Lawrence River.

Yet this would endanger Montreal, as well as flooding other parts of Canada.

Even extensive lowering of Lake Ontario would have little effect on Lake Erie as there is no way of speeding up the flow of Lake Erie waters over Niagara Falls into Lake Ontario.

Obviously destruction and needless waste of the Great Lakes shorelines is inevitable unless immediate efforts are made to lower the water levels of the lakes and maintain controlled levels in the years to come. I urge my colleagues to give every consideration to this legislation.

RED WOODWARD: A STUDY IN COURAGE

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. CHARLES H. WILSON of California. Mr. Speaker, Sir Winston Churchill said:

Courage is rightly esteemed the first of human qualities because it is the quality which guarantees all others.

I first met Red Woodward when, as a sergeant in World War II, I danced to his band during my occasional recreational nights at Fort Worth. An ebullient, talented man, Red played a "mean" saxophone, and his smooth sounds and good humor were the perfect antidote for a tired soldier.

Red Woodward has continued to brighten the lives of others; for, after an operation several years ago for throat cancer, he has dedicated much of his time and efforts to helping other laryngectomees learn to use artificial speaking aids.

Red Woodward understands the difficult hurdles these patients face. For 7 months after his operation, he could not talk because his esophagus was not large enough to permit the swallowing and belching of air which some other laryngectomees do in order to form words. During this 7 months of silence, Red dubbed himself, "the fastest slate in the State" because he depended upon a small writing slate to communicate with others.

Yet, through experimentation and a deep desire to speak again, Red Woodward was able, by assiduous and often painful practice, to master the use of a pneumatic speaking device which permitted him to talk through a curved tube fitted into the hole left in his throat by the operation.

But he knew that others were not as fortunate. Many laryngectomees, going for 2 or 3 years without speaking, became resigned to their disability, and that, in the words of Red Woodward, "makes me so mad I could eat nails."

However, this is a man who puts his anger to purposeful use. For those who had given up trying, Red Woodward created an artificial speech aids agency which includes a "voice bank" offering a large assortment of artificial speech aids for those who cannot talk on their own.

And, although he continues to manage and play in the Red Woodward Orchestra—substituting the guitar for his saxophone—he works at a part-time job as well so that he can contribute half his salary to the voice bank. As a result of his selfless efforts, 17 other people have learned to speak through artificial devices. One man learned to talk over the telephone after 11 days—a feat it took Red 2 months to accomplish.

While his help has proved invaluable in giving others a literal "voice" in this life, in his typically modest way Red dismisses his efforts by saying, "I assist them; they teach themselves."

Adversity has met its master in Red Woodward. And he in turn has, by sheer persistence and a contagious joy in living, helped others retrieve optimism from despair and strength from helplessness.

THE CONTINUING PLIGHT OF SOVIET JEWS

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. BELL. Mr. Speaker, in light of the continuing policy of arrest and harassment of Soviet Jews desiring to emigrate to Israel, I should like to submit the following letter from Lev Lerner, who, with his family, recently had the good fortune to be allowed to leave Russia.

The letter was forwarded to me by one of my constituents, Stuart Lotwin. I have entered in the RECORD previous correspondence and the transcript of a telephone conversation between Mr. Lotwin and Mr. Lerner, describing the problems the latter gentleman confronted in his efforts to emigrate.

While I still decry the exorbitant taxes imposed on Soviet Jews, such as the 19,000 Israeli pounds which Mr. Lerner was forced to pay—and have again cosponsored legislation to prohibit the granting of most-favored-nation treatment to the Soviet Union because of this policy—I am nonetheless happy to know of the Lerners' safe arrival in Israel and urge thoughtful consideration of this poignant letter. The text of the letter follows:

DECEMBER 13, 1972.

DEAR MR. STUART J. LOTWIN: I was glad to get your congratulations on the threshold of realization of our dream. I and my family already in Israel. We were excellently welcome. We live in one of the areas of Tel Aviv. I already have seen those jerusalem which every year in our prayers hoped to see only in the next year. My daughter already goes to the school and study those language which lived only in her genes but was quite recently so far from her.

We hope that it will be really for us to see our friends who so much helped us and believed, as it now and then seemed hopelessly, in the realization of our dream.

In the time of our departure we were forced to pay the gigantic sum and to our regret persistent attempts to get in the last days abolition the payment for the education only has redoubled our situation. We were forced to pay even for my mother-in-law who in 1923 studied on the first course of pedogogical institute.

Dear Mr. Lotwin! If it is possible to organize for us the help in the repayment, common sum of which forms 19,000 of Israel pounds, it would help us in the settling our affairs.

Only understand us rightly. We don't consider that anybody must to help us. We are happy that we are here, on that top to which was so hard our way. All the rest is the problem of other order. Do only that which is possible, because the impossible already has took place—we are here.

Here my exact address: Lev Lerner, Bet Milman Tagole 32, Ramat-Aviv, Israel. If for the sending money is necessary some account in the Bank of Israel make this with the help of small sum which we got in the time of our departure from Russia.

Dear Mr. Lotwin! I should want to ask you to help to my friends which as before get only the refusals and now are in the very hard situation. And first of all help to my friend Daniel Teitelbaum. I consider that your help to me was very effective and I hope that you will help to him to see as it is possible soon our homeland too.

I hope on our meeting soon. Shalom to you and your family.

LEV.

The best regards from my wife, daughter and mother-in-law. We are very thankful to you for your picture and shall send our one soon.

MICHAEL CAFFERTY

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. ROSTENKOWSKI. Mr. Speaker, last Wednesday, January 17, 1973, Michael Cafferty, chairman of the Chicago Transit Authority and one of the Nation's best known public transportation figures, passed away after a short illness.

Mr. Cafferty, 48, was appointed to the CTA Board by Mayor Richard J. Daley in April 1971. From 1969 to 1971, while with Secretary John Volpe at the U.S. Department of Transportation, he helped to establish the new office of Assistant Secretary for Environment and Urban Systems. He was Acting Assistant Secretary of Transportation at the time he left the Department to come to Chicago.

Mr. Cafferty believed that the mobility of citizens in a free society was essential to the well-being of that society. He was particularly concerned that the aged, the handicapped and the poor suffered the greatest inequities from insufficient and expensive public transportation.

His environmental concerns, a carryover from his Department of Transportation days, led to the development of programs which controlled rapid transit noise pollution.

Recognized as one of the chief spokesmen on public transportation for the Nation's cities, Mr. Cafferty led the crusade for operating assistance—subsidies, a battle that some think is close to being won, largely due to his efforts. He was frequently called to Washington to testify before various congressional committees on urban problems.

In short, Michael Cafferty was a man of unselfish devotion to his colleagues, his city and his Nation. I join Mayor Daley and the city of Chicago in mourning the loss of a true friend.

SENATOR WILLIAM F. KNOWLAND ON PRESS FREEDOM

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. WALDIE. Mr. Speaker, the distinguished former Senator from California, the Honorable William F. Knowland, recently spoke out forcefully and eloquently regarding the recent court decisions and actions resulting in a very real threat to freedom of the press.

The Senator, now publisher and editor of the Oakland Tribune, rightfully calls to our attention the very real threat raised to the people's right to know if newsmen are compelled to release their sources or source material to the courts or other government bodies.

Mr. Speaker, I think that my colleagues in the House and the other body will find Senator Knowland's comments of great interest.

The article follows:

[From the Oakland Tribune, Jan. 10, 1973]

KNOWLAND'S STAND ON PRESS FREEDOM

William F. Knowland, publisher and editor of The Tribune, said yesterday he'd "personally take the responsibility of declining to furnish" investigative reporting notes if they were sought by subpoena, and would personally take the consequences. "It might be prison," said newsman Trevor Thomas of television station KQED, who interviewed Knowland for last night's "Newsroom."

"It might be," Knowland replied adding:

"I would take that responsibility, and I would not expect one of my reporters, or one of our people here, who was carrying out the job he had been assigned to do by his editors—and, in the final analysis, I have the final responsibility as the editor and publisher—I would not expect him to go to jail carrying out the instructions from this office."

When asked what he'd do if he received a subpoena "and it directed you to supply information, or one of your reporters, of a confidential source, for a story that had been written and published in The Tribune," Knowland replied:

"Assuming it was a case where our people have been doing investigative reporting on a matter which we felt was of great public interest, my instructions would be to the managing editor and the city editor that the notes would not be produced.

"I would suggest respectfully that the publisher himself would of course, obey an order of the court to appear in court, and I would then feel—with great respect, because I have great respect for the courts and the processes of law—that the notes could not be turned over without doing great damage to the whole process of the newspaper performing its function as an agency essential under the Constitution to this country, and I would personally take the responsibility for declining to furnish the material, and the consequences. . . ."

Thomas noted Tribune editorials which have condemned court-ordered jailing of reporters for not identifying a source or refusing to answer grand jury questions, exclusion of newsmen from courtrooms and from access to previously public government documents, and a government official's report of planned legislation to "correct imbalance or consistent bias" in television network news reporting.

Knowland said "no newspaperman, or television or radio, has ever maintained that, if an employe of one of those media were in a bank on his regular banking business and should see a holdup or a teller shot, that he would claim immunity from that sort of thing. This is not what we are talking about."

The issue, he said, basically concerns situations where reporters from any media "are working on a story which may be to uncover corruption in government" or on another topic, and have sources who have disclosed information to them and "by doing so may have placed their own lives in jeopardy from people who would wipe them out if they knew where the material was coming from. . . ."

He said "those raw notes of the reporter, using it in its broad sense, should not be subject to subpoena or being produced in court."

He said that "if you once bring those into court, then I think you dry up sources of information and you do a great disservice to the American public, because ultimately, they would be dependent only on government handouts, on handouts of business institutions that wanted to cover up things which shouldn't be done, even in cases of corruption."

He said "I don't believe that the Nixon administration created the problem. I think it's been existing for a number of years . . . they have enlarged upon the problem, and what I am concerned about, as time passes on and other administrations, whether they be Democrat or Republican, succeed, may enlarge upon what is now confronting us, and this would not be good for the country."

Knowland pointed to nations run by dictatorships and noted that "the first thing that is done is to gain control of the radio, of television and of the press, and this is a historic pattern all over the world.

"Now I do not say that this is the intent of anybody now, but I do say, with what's happened in the world, this country must never take the risk of permitting that to . . . happen, whether it be five, 10 or 50 years from now."

CONGRATULATIONS TO EMPLOYEES OF THE DISTRICT GOVERNMENT SELECTED FOR THE 1972 NATIONAL CIVIL SERVICE LEAGUE AWARDS

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. NELSEN. Mr. Speaker, I have recently been advised by the National Civil Service League, which has undertaken an annual project to spotlight outstanding employees of the District government, that the 1972 winners are:

George A. Grogan, Office of the Zoning Commission.

Mary C. Greenhow Hodges, Department of Human Resources.

Ruth Lee Brown Jackson, District of Columbia Personnel Office.

James E. Quigley, Department of General Services.

Jeane E. Rothman, Department of Human Resources.

Sidney A. Swann, Superior Court of the District of Columbia.

As the ranking minority member of the House District Committee and one who served as Chairman of the Commission on the Organization of the Government of the District of Columbia, which was charged with submitting recommendations for economy, efficiency, and improved services in the District of Columbia, I wish to take this opportunity to extend to these individuals my congratulations upon the presentation of these awards. I also commend the National Civil Service League for undertaking this project, which I consider to be very worthwhile.

ARMS CONTROL: WILL WE LOSE THE MOMENTUM?

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ZABLOCKI. Mr. Speaker, it was with deep concern that I read recent reports of the Nixon administration's alleged intent to reduce the budget of the Arms Control and Disarmament Agency by one-third during the next fiscal year. It is my sincere hope that this will not be the case. Such a reduction and other developments, including a reported budgetary request by the Pentagon for fiscal year 1974 to put MIRV warheads on all 1,000 of our land-based Minutemen missiles, leave serious doubts as to the priority which will be placed on controlling the arms race.

At the outset let me make clear that U.S. national security has always been uppermost in my mind. As President John F. Kennedy said so eloquently:

Let us never negotiate out of fear but let us never fear to negotiate.

We must, in other words, remain firm and resolute—negotiating always from a position of strength. However, if the last few years have taught us anything it is that the United States and the Soviet Union share one common foe—a dangerous and costly arms race. Even more importantly, I hope we have also learned that our national security can in fact be enhanced by slowing the arms race and reducing expenditures in that area.

As President Nixon himself said in his February 9, 1972, "U.S. foreign policy for the 1970's" report to the Congress:

By contributing to international stability and restraint, arms control agreements can provide a greater measure of security than could be achieved by relying solely on military power.

The ABM treaty and the interim agreement on offensive weapons negotiated at SALT I and signed by Mr. Nixon in May in Moscow offer dramatic proof of the truth of his words.

Recognizing that these arms control efforts were truly consistent with our national security they were welcomed by the Congress, the American people, and the entire world. However, reassuring as that progress was and hopeful as we were for continued progress in SALT II, many in this Nation were troubled and perplexed when in the wake of that agreement Pentagon officials recommended that defense spending on offensive weapons had to be increased, not reduced. In the face of such apparent contradiction, one is led to wonder whether in

fact the right hand knoweth what the left hand doeth.

Granted that arms control negotiations are complex and results too often slow in coming. It is, in fact, that very complexity—as measured against the importance of results—that compels the wisdom of competent and fully supported and adequately funded machinery for achieving those results. To reduce the funding of the ACDA, the Agency charged with this noble and urgent task, is tragically shortsighted.

From my vantage point as chairman of the House Foreign Affairs Subcommittee on National Security Policy and Scientific Developments I have come to appreciate the distinction and success with which ACDA has met that challenge. For the past 4 years the subcommittee has received periodic and informative briefings from Ambassador Gerard Smith, recently resigned head of ACDA and our chief negotiator at SALT. On the basis of those regular briefings and other extensive review and study it has become abundantly clear that the limited investment made in funding ACDA has paid rich dividends. To curtail that support now would seriously hamper the Agency's role in seeking further arms control agreements. In the eyes of the world it would be the epitome of pennywise, pound foolish myopia.

These and other issues—all of which trouble me greatly—were discussed by Marquis Childs yesterday in his column in the Washington Post. He focuses clearly on various unsettling signs in the arms control area and asks the crucial question of whether our positive momentum in this area will be lost. In particular I agree that unless the Honorable U. Alexis Johnson will be given all the titles, tools, and strength of position necessary for him to exert effective leadership in ACDA, it will be a distinct handicap. It would be indeed unfortunate if, as indicated, the ACDA is dismembered, its budget slashed, and its semiautonomous position destroyed.

These are questions which we in Congress especially should ponder seriously. Because Mr. Childs' remarks merit the attention of my colleagues I place them in the RECORD at this point and recommend their careful reading:

[From the Washington Post, Jan. 23, 1973]

UNSETTLING SIGNS FOR ARMS CONTROL: WILL MOMENTUM BE LOST?

(By Marquis Childs)

To return to this capital from even a brief absence is to feel like Rip Van Winkle confronting a world utterly changed. Questioning those who have lived through the Nixon upheaval is of little help.

Why has so much of the government been turned upside down? We don't know. Only the secretive man in the White House now entered on his second four year term knows the answer. And, in a voice dropped to a whisper, we're not sure he knows.

The most dismaying change, in many ways the most mysterious, is the dismantling of the disarmament and arms control apparatus. Inaugural rhetoric cannot conceal the damage done to the effort that for a decade has made increasing progress toward controlling and to some degree scaling back the vast mountain of nuclear armaments with the judgment of life and death over all mankind.

What makes this more mysterious is that one of the great achievements of the Nixon first term was the nuclear arms agreement culminating in the President's mission to Moscow. With a limit on defensive missiles and a five year agreement to restrain further building of offensive weapons, it was a small beginning hailed around the world.

A dedicated public servant, Garard C. Smith, with 20 years experience in the nuclear jungle, worked tirelessly for four years as chief American negotiator in the SALT talks at Vienna and Helsinki. When he went back at the start of SALT II he was without any clear and finally arrived at position approved by the White House. On returning from Geneva, the new site of the talks, Smith resigned.

In his place the President appointed U. Alexis Johnson, under secretary of state for political affairs. Johnson is a career diplomat with no experience in nuclear matters. Grievously overworked, suffering from ill health, he is within a year of retirement age. The private word is that his will be a temporary appointment.

But this can mean that the momentum growing out of the modest success of last year will be lost. It can also mean that the Joint Chiefs of Staff who have reluctantly gone with arms limitation will have the dominant voice. Arms control specialists with long knowledge of the tortuous process of arriving at agreement with the Soviet Union are dismayed by the Johnson appointment. They say that he has been in the lap of the JCS for 10 years.

A further handicap is that Johnson will not be head, as was Smith, of the Arms Control and Disarmament Agency (ACDA). The semi-autonomous agency created in 1961 has played an important part in developing programs and conducting research on the techniques of control and the verification of limitation agreements. A recent agency study showed that in 120 countries surveyed $207 billion was spent in 1970 for military purposes as against only $168 billion for education and $80 billion for health care.

The Arms control agency now seems in the process of being dismantled. A budget slash of 30 per cent will cut the agency back to $6.7 million. Division heads with long experience in disarmament were asked to submit their resignations. They have thus far had no response. Happening throughout government, this is a sure fire prescription for demoralization.

Members of the General Advisory Commission on Disarmament also were asked to submit their resignations. The commission includes distinguished men concerned over the years with the growing nuclear burden one of them being William C. Foster who for seven years was head of the arms control agency. Chairman of the commission is John J. McCloy, a Republican with long time credentials in public life. McCloy has been trying in vain for several weeks to see the President and present the commission's view.

The President has made plain his intention of paring down one domestic program after another—education, poverty, welfare. But these parings will not bring the budget into balance. The only real economy can come out of defense with a total somewhere above $80 billion including all the costly new toys for the three services. The only way is a verifiable agreement with the Soviet Union to scale back this appalling burden.

PEACE, AT LAST

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ERLENBORN. Mr. Speaker, our war in Vietnam has lasted longer than any of us wanted and, I think, longer than Mr. Nixon expected when he declared his ambition, 4 years ago, to be a peacemaker. His announcement of Tuesday night promises an end to our military involvement; and I hope it will be the beginning of the end of the divisions among Americans.

We have spilled too much blood; and finding a formula for stopping the fighting has been so hard that some Americans have doubted President Nixon's will for peace. I have not shared those doubts.

I thank God for our deliverance from this war. I hope that the doves and the hawks can now join hands so that we Americans can be at peace with ourselves.

If we can do that, there is a chance for an even greater goal—a generation of peace. There is a lot of work still to be done. Let us do it.

TRIBUTE TO JAMES V. SMITH

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. MIZELL. Mr. Speaker, I rise at this time to join my colleagues on the Committee on Agriculture and other distinguished Members of the House in paying well-deserved tribute to James V. Smith, who is leaving Washington after 4 highly successful years as Administrator of the Farmers Home Administration.

Many of my colleagues have already commented on the fact that Jim Smith served in this body with distinction during the 90th Congress before assuming the leadership of FHA.

I came to Washington with the beginning of the 91st Congress and did not have the privilege of serving with Jim here, but over the last 4 years, I developed an excellent working relationship with him as we labored together in the service of rural America.

In the 4 years of Jim Smith's tenure at FHA, that agency has distinguished itself as one of the most effective, efficient, and popular programs in the Government. That excellent record is due in no small measure to the personal efforts and talented guidance that Jim Smith gave to the program.

In the Fifth Congressional District of North Carolina, which I am privileged to represent, Jim Smith's name is a popular one, and his record of service is respected and appreciated there, just as it is throughout rural America and in the Congress.

The cause of rural America is an urgent and vital cause, and Jim Smith has been a strong and tireless advocate of that cause. His departure from the Government represents a great loss for rural America, but his service in the Government has added immeasurably to rural America's strength and vitality.

And so it is with great personal and professional respect and admiration that I join my colleagues in wishing Jim Smith well as he reenters private life. The title of "public servant" has fit him well, and he has worn it proudly. We need more, not fewer, men like James V. Smith.

THE NONIMMIGRANT VISA ACT

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ANNUNZIO. Mr. Speaker, last week I reintroduced a bill which would amend the Immigration and Nationality Act to facilitate the entry of foreign tourists and to establish penalties for the illegal employment of aliens. The purpose of this proposed legislation is to revamp the outmoded, inefficient, and inhospitable documentary requirements we make would-be visitors to this country go through.

Facilitation of the entry of foreign tourists would benefit the United States both financially and in terms of our image abroad. It would also benefit would-be foreign tourists and their relatives and friends here who have suffered unnecessary hardships under the current provisions of the law. In my 8 years in Congress, I have received countless letters from anguished relatives of all ethnic backgrounds asking why their relatives cannot visit them here briefly. It is in response to these letters, as well as in recognition of the broader implications for U.S. tourism, that I strongly endorse this legislation.

As you well know, the United States has a serious balance-of-trade problem. The international travel market represents the largest item of international world trade, with expenditures by international travelers in 1971, the latest figures available, estimated at $19.9 billion. Of this, the United States received only $2.9 billion, or 14.6 percent. The Department of Commerce says that in 1971, the difference between U.S. receipts and U.S. expenditures in international travel amounted to a deficit of some $2.68 billion. That is, Americans spent approximately $5.56 billion abroad, while foreign tourists spent an estimated $2.88 billion in this country. Estimates indicate that the travel deficit for 1972 will amount to some $2.83 billion. In 1972, Americans took 7,739,499 trips abroad and only 4,728,086 trips were made into this country by foreigners.

This travel deficit accounts for a considerable percentage of our imbalance in international payments. Further, our failure to compete more effectively in the world tourism market has deprived this country of a major source of employment. The potential value of this market to the U.S. economy is abundantly clear from the following statistics provided by the Commerce Department:

Each tourist from overseas countries equals an export item worth $400.

Each $20,000 spent by foreign tourists in the U.S. creates one job. Hence, in 1971 foreign tourist spending (excluding transportation) provided for 122,580 new jobs.

For every 100 people directly employed in the travel industry, 60 to 100 back-up jobs are created in related industries.

Dollars earned from tourists stay in the local area directly benefiting the residents and small business of the area.

Passage of this bill is long overdue. As long ago as 1967, President Johnson appointed the industry-Government special task force on travel to make, quoting from their transmittal letter, "Specific recommendations on how the United States can best increase foreign travel to this country, thereby improving our balance of payments." In their report submitted in 1968, they noted that the travel deficit gap could range between $2 and $5 billion, should the trend then apparent continue—in 1971 the deficit was $2.6 billion.

They recommended as the most satisfactory solution a seven-step program for stimulating and encouraging foreign travel to the United States, of which step three read as follows:

Remove barriers to the entry of travelers and to their free and pleasant movement around our country.

The following specific recommendation was made for implementing this proposed step:

U.S. laws and regulations should be changed to waive the visa requirements for business and pleasure visitors. Legislation has been drafted which would grant the Secretary of State and the Attorney General broad authority to waive visa requirements for business and pleasure visits of up to 90 days on the basis of reciprocity or for other reasons determined by the Secretary of State to be in the national interest. Foreign visitors entering without visas would be required to hold nonrefundable round-trip tickets.

The bill referred to here is essentially embodied in the bill before us today, and the reason for its need was succinctly stated in the 1968 special task force report:

Present entry procedures for vacation and business visitors to the United States are outmoded. They serve only to project an adverse image of this Nation's willingness to receive foreign guests. They are overly defensive and bespeak an unfriendly attitude based upon feelings of suspicion.

Under the current provisions of the Immigration and Nationality Act, the burden of proof rests with aliens wishing to visit this country to establish to the satisfaction of the American consul at the point of application that they have a residence in a foreign country which they have no intention of abandoning; that they are interested in visiting the United States temporarily for business or pleasure; and that they are not ineligible for entry on approximately 30 different grounds. These requirements are equally applicable to those seeking to enter as permanent residents and to those merely wishing to visit as tourists.

The bill before us would empower the Attorney General and the Secretary of State to exempt visitors coming for 90 days or less from all but the most serious of the 30-odd grounds of ineligibility, as well as from the visa requirement; only a passport would be necessary. This privilege would apply only to nationals of foreign countries designated by the Secretary of State on the basis of reciprocity or on the basis of a determination that such a designation would promote the foreign policy of the United States. Approximately 35 nations do not require visas from American tourists; we require them from nationals of all countries except Canada and Mexico.

There is no danger that this bill would create loopholes in our immigration law or escape hatches for illegal aliens. Sections 6 and 7 are specifically aimed at curbing the employment of illegal aliens by establishing penalties both for their employers and for nonimmigrants who accept employment in violation of their status.

Thorough safeguards are also provided to prevent abuse of the foreign visitor provisions. Aliens entering under this program would have no option either to extend their 90-day time limit or to adjust their status. They would be required to possess a valid passport and a nonrefundable round trip ticket. Any alien who willfully remained beyond the 90-day period would be penalized by a delay of 2 years in his priority date for issuance of an immigrant visa. Those who threaten danger to our people would continue to be totally excluded—the confirmed criminal, the insane, those afflicted with contagious diseases, anarchists, and violators of our narcotics laws, to give example. In brief, the bill would simplify the procedure for granting a visitor's permit without in any way jeopardizing the security of our country.

As I have said before, launching a strong and positive national effort to increase travel to the United States is long overdue. Toward this end, we must insure that citizens of other countries are made to feel welcome, and are able to gain entry to the United States for brief visits with a minimum of redtape. I have referred earlier to the financial benefits involved in tourism. There are others of equal or greater importance. An exchange of visitors enlarges our horizons, it renews our faith in each other, and encourages the friendship of other countries we as a nation have always sought. I urge the consideration and votes of my colleagues for this urgently needed legislation.

WILLARD EDWARDS—OUTSTANDING JOURNALIST

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. ARENDS. Mr. Speaker, I have been privileged to know Willard Edwards, of the Chicago Tribune, longer than most of my colleagues in the Congress; and I want to join with his many admirers in the House and Senate in paying a special tribute to him as he begins a well-earned retirement.

I shall miss Willard Edwards on Capitol Hill. I shall miss not only his keen reporting for the Tribune and his hard-hitting columns, but this long association and our frequent conversations. His was a friendship I value and enjoyed, but I always knew that friendship alone could not win me favor with his pen. That I would have to merit by the manner in which I served the public interest.

Willard Edwards had style. He is an individualist. He knew his profession

and the responsibilities that went with it. I have never known him to abuse the privileges of the press or resort to invective.

He reported four of the most eventful and fateful decades in our Nation's history. Willard knew what America was all about—our strengths and our weaknesses—and he wrote from his personal knowledge of the issues. A skillful investigator, his candor was refreshing and sometimes embarrassing, but always fair and forthright. He knew the great and near-great but was never dazzled by their power; and he always had time to listen to the little man.

Willard Edwards may have retired from his daily beat, but I cannot believe that he had laid down his pen—that he has nothing more to say. I hope not, because he represents the finest his profession will ever see. He has my best wishes for good health and abundant happiness in the years ahead.

STRIP MINING

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. SHOUP. Mr. Speaker, last week, my hometown paper in Missoula, Mont., carried a front-page article on the shortage of heating fuels and diesel fuel. One of the suppliers said, "I'd heard talk of an energy shortage but I really didn't believe it." This shortage is real, is spreading, and will have an ever-increasing effect on associated resources. One of these resources with which I am concerned is coal.

Shortages of oil and gas will be reflected in increasing activity in coal development. It is likely that a large number of electric generating plants will be forced to convert from oil to coal. This conversion appears inevitable. The alternative is increasing dependence on foreign imports of oil and gas.

An increase in imports could provide a short-term solution to the current fuel crisis but even intermediate solutions must focus on the development of domestic oil, gas, and coal resources.

At recent hearings before the Senate Interior Committee. Gen. George Lincoln, outgoing Director of the Office of Emergency Preparedness said national security would best be served by development of coal gasification and new exploration for domestic natural gas. Senator JACKSON said development of U.S. coal resources should "receive highest priority."

Montana is liberally endowed with coal. There is a need for this coal while we develop and build alternative energy sources. While we recognize this need, we also insist that the extraction of coal be carried out in such a way as to cause minimal damage to our environment. Necessary protection can only be provided by legislation on the national level.

On October 11, 1972, the House passed H.R. 6482, strip mining regulations. Had the Senate acted we would have taken a significant step toward the protection of our lands. I am reintroducing this legislation and will work for its enactment.

The bill calls for operators to get permits before any surface mining can take place. The permits will be issued for a nominal fee but not until the operator can show that the land can be reclaimed. He must show that he has notified all interested parties of his interest, he must have a certificate of public liability insurance and must give written permission to Federal agency representatvies for inspection purposes.

Any resident of an area having a valid legal interest involved, or agency representatives, can file written protests with the Secretary of Interior. If the protest fails in hearing, it can be appealed to the Federal district court.

Reclamation provisions are stringent. Applications must describe land use prior to mining, the mining operation, its impact on the land and the manner in which reclamation will be effected. The operator must also make provision for land stabilization and preservation of topsoil, air, water, and other pollution, water accumulation, backfilling, compaction, grading, resoiling, and revegetation.

No permits will be issued for areas within 100 feet of any public road or body of water nor within 1 mile of public lands if adverse impact is anticipated. If slopes involved exceed 20 degrees, the burden is on the operator to show that the land can be effectively reclaimed. No permanent spoils banks will be permitted on slopes steeper than 14 degrees.

The many provisions are tough but fair. The States involved can, if they so desire, adopt their own regulations provided they are no less stringent than the Federal law. The cost of State programs will be borne to a large part by grants from the Secretary.

I feel that this legislation, enacted into law, properly funded and enforced will go far toward answering the problems associated with strip mining. There is even a provision for a coal mine reclamation fund, established for the purpose of reclaiming lands mined prior to this legislation.

I am confident that my colleagues will once again demonstrate their concern for the orderly development of our coal resources and adopt this piece of legislation.

J. LEONARD STARKEY, ACTIVE CITIZEN AND ARTISAN

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BYRON. Mr. Speaker, there are always some citizens who take their retirement as an opportunity to help others and to pursue important avocations. Such a man is J. Leonard Starkey, of Smithsburg, Md. Mr. Starkey has been active in counseling an alcoholics group, organizing a senior citizens club, and perfecting his unusual hobby of tole painting.

After seeing several baskets full of early tinware, Mr. Starkey became interested in decorating the tinware in the manner of colonial days. With his background in art, he has become an expert in tole painting and now teaches the art to the senior citizens in the group he helped organize. His newest project is to organize local artisans into an association. These artisans in the Smithsburg area include specialists in macrame, decoupage, chair caning, picture framing, and other crafts.

J. Leonard Starkey is an asset to his community, and I join with others in wishing him well in the many endeavors he has undertaken.

UPDATING THE MINIMUM WAGE

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ERLENBORN. Mr. Speaker, much unfinished business from the 92d Congress remains for this 93d Congress to complete. Prominent among the issues to be resolved is that of bringing our minimum wage law up to date.

So that we may proceed in accomplishing this objective, Mr. FUQUA, Mr. QUIE, Mr. WAGGONNER, Mr. ANDERSON of Illinois, and I are today introducing an updated version of the minimum wage bill which foundered in the 92d Congress.

For the most part, our new proposal parallels the bill which came to be known as the Erlenborn-Fuqua substitute and which the House of Representatives in 1972 accepted in preference to the measure reported by the Education and Labor Committee. Unfortunately, that bill and the Senate-passed version, which closely resembled the committee bill we had turned down, were not sent to conference. The House was unwilling to do so under conditions which placed us in an unfavorable position; that is, with a majority of conferees who supported the committee bill rather than the substitute. This failure to agree on the question of conferees prevented the enactment of a new minimum wage law in 1972.

We believed then and we believe now that increases in the hourly minimum wage rates are in order, hence the introduction of this bill. To demonstrate this and our willingness to compromise some of the differences which were expressed last year, we have made some modifications in that House-passed bill.

First, the new bill proposes to raise the minimum wage for most nonagricultural workers from the present $1.60 an hour to $1.80, with a second increase to $2 per hour a year later. It differs from the 1972 House bill by adding a third step—to $2.10 an hour 1 year after that. These changes would affect jobs covered by the minimum wage law before 1966. They have been at the $1.60 level since 1968.

A second group of nonagricultural workers was not covered by the minimum

wage provisions until 1966. The floor under their wages was raised to $1.60 February 1, 1971. Our new proposal would send their pay also to $2.10 an hour, but in four steps, instead of three.

A third class to get higher minimums would be agricultural workers—from the present $1.30 per hour to $1.50, followed by yearly increases to $1.70 after 1 year and $1.80 after 2 years.

For each of these groups, the initial increase would take effect on the first day of the second full month after the bill's enactment; that is, if the President were to sign the measure at any time during March, for example, the first increase would take effect May 1.

The second modification involves young people. In conjunction with the House's insistence on a separate youth minimum rate, we again propose a youth differential; but our new bill departs somewhat from last year's on this aspect.

Our new bill would extend a youth differential rate to 16- and 17-year-olds for a 6-month period. In addition, all full-time students would have the benefit of the differential. That rate would be $1.60 an hour for nonfarm work and $1.30 for farm work or 80 percent of the applicable minimum rate, whichever is higher.

A section-by-section analysis of this proposal follows:

MINIMUM WAGE BILL INTRODUCED JANUARY 24, 1973, BY REPRESENTATIVES ERLENBORN, FUQUA, QUIE, WAGGONNER, AND ANDERSON OF ILLINOIS

SECTION-BY-SECTION ANALYSIS

Short Title—Fair Labor Standards Amendments of 1973.

Title I—Increase in Minimum Wage Rates.

TYPE OF EMPLOYEE, HOURLY RATE, EFFECTIVE DATE

Nonagricultural employees covered under the minimum wage provisions of the Fair Labor Standards Act prior to the effective date of the 1966 amendments (including Federal employees covered by the 1966 amendments). Section 101); $1.80, 30–60 days.*; $2.00, one year later; $2.10, one year after second step.

Nonagricultural employees covered under the minimum wage provisions of the FLSA by the 1966 amendments. (Section 102): $1.70, 30–60 days.*; $1.80, one year later; $2.00, one year after second step; $2.10, one year after third step.

Agricultural employees covered under the minimum wage provisions of the FLSA. (Section 103): $1.50, 30–60 days;* $1.70, one year later; $1.80, one year after second step.

Employees in Puerto Rico and the Virgin Islands (but not less than 60% of mainland minimum). (Section 104);

Nonagricultural employees covered prior to the 1966 amendments: Three steps (12.5%, 12.5%, and 6.25% of wage order issued immediately prior to the effective date of the FLSA of 1973): 60 days after effective date; 60 days after effective date. One year later. One year after second step.

Agricultural employees: Three steps (15.4% 15.4%, and 7.7% of wage order issued immediately prior to the effective date of the FLSA of 1973): 60 days after effective date. One year later. One year after second step.

Nonagricultural employees covered under the 1966 amendments: Four steps (6.25%, 6.25%, 12.5%, and 6.25% of wage order issued immediately prior to the effective date of the FLSA of 1973): 60 days after effective date. One year later. One year after second step. One year after third step.

(NOTE: With regard to employees in Puerto Rico and the Virgin Islands, the bill retains the review committee procedure established by the 1961 amendments and additionally permits the establishment of special industry review committees to make recommendations to the Secretary of Labor concerning the issuance of wage orders to implement the proposed increases.)

Employees in the Canal Zone: Excluded from increases.

Title II—Revision of exemptions.

Sales and Managerial Personnel—provides an exemption from overtime up to 48 hours a week for not more than seven weeks a year for employees in a retail or service establishment if in a sales capacity or as manager if such employee's regular rate of pay is not less than twice the minimum wage rate. (Section 201)

Newspaper Delivery Employees—extends the newsboy exemption from the minimum wage, overtime compensation, and child labor provisions to newsboys delivering shopping news, handbills or other types of advertising material. (Section 202)

House-Parents for Orphans—grants an exemption from the minimum wage and overtime provisions of the Act to house-parents of nonprofit educational institutions who reside on the premises, have a combined cash salary of $10,000 per year, and receive board and lodging. (Section 203)

Title III—Expanding employment opportunities for youths.

Section 301:

Permits employment in any field at an hourly rate of 80% of the applicable minimum wage or $1.60 ($1.30 in agricultural employment), whichever is higher, for:

Full-time students and

16- and 17-year olds who are not full-time students for the first six months on a job.

Eliminates certification by Secretary now required, but provides that the Secretary shall prescribe regulations to insure that such employment will not create a substantial probability of reducing full-time employment opportunities for other workers.

Specifies that violators of this subsection shall be subject to the penalties provided in the Act.

Title IV—Conforming amendments and effective date.

*The first day of the second full month after enatcment. E.g., if enacted in March, the effective date would be May 1, 1973.

THE LATE HONORABLE LEO ALLEN

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. GERALD R. FORD. Mr. Speaker, I regret I was unavoidably absent from the floor when the gentleman from Illinois (Mr. ANDERSON) announced the death of his predecessor in the House, the Honorable Leo Allen, on January 19. Leo Allen served with great dedication and distinction for 28 years in this body, and was already a senior Member when I was first elected in 1948. But he was very kind and generous with his counsel to new Members, and perhaps I received some special consideration since he was an alumnus of the University of Michigan. He was an able chairman of the Committee on Rules during the Republican 80th and 83d Congresses and his contributions as a legislator will be long remembered. I extend my deepest sympathy to his family.

ALEXANDER'S BILL SEEN AS CHALLENGE

HON. BILL D. BURLISON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BURLISON of Missouri. Mr. Speaker, on January 6, I took the floor of the House to express to my colleagues the concern I feel over the adverse actions which the Department of Agriculture has taken against our Nation's farmers. One of the issues about which I spoke was the USDA's termination of operation of the emergency loan program of the Farmers Home Administration.

Among my colleagues who share this concern is Mr. ALEXANDER, of Arkansas, who is a member of the Committee on Agriculture. He has introduced H.R. 1975, a bill designed to continue the emergency loan program which has provided assistance to agricultural producers who have suffered severe losses as a result of natural disasters.

Mr. ALEXANDER's bill was recently the subject of a column by Mr. Leland DuVall of the Arkansas Gazette. I believe that Mr. DuVall's comments on the proposal are worthy of consideration and would like, at this time, to insert it in the RECORD for review by my colleagues:

ALEXANDER'S BILL SEEN AS CHALLENGE

(By Leland DuVall)

Considerable evidence could be offered in support of the proposition that the dominant power center in government moves haphazardly among the legislative, administrative and even the judicial branches. In one season, Congress may be in the saddle; in another, the president holds the reins; and sometimes, even the court asserts its authority in a way that overshadows the other two branches.

Most persons would agree that, at the moment, President Nixon is riding tall in the saddle. This is particularly true in the government's dealing with agriculture—which happens to be the primary subject under consideration here—and Mr. Nixon has made it perfectly clear to everyone that he relishes his role as the lone cowboy. There are those who complain that he has driven some of the venerable farm programs over the cliff while Congress, which had bred and cared for the critters over the years, demonstrated its helplessness.

United States Representative Bill Alexander (Dem., Ark.,) apparently is convinced that the current exercise in presidential high-handedness has gone far enough and that the time has come for Congress to reassert the authority which, he believes, was reserved by the founding fathers for the legislative branch. Alexander believes that when Congress appropriates money for an authorized (farm) program and when the president signs the measure the president has no legal power to decree that the funds will not be spent or—as happened in the case of REAP and certain other segments of the general farm law—that the program no longer exists.

The first maneuver in the campaign was executed this week when Alexander introduced a bill which would, among other things, amend the emergency loan program under the Consolidated Farm and Rural Development Act. In its narrow interpretation, the amendment would "provide immediate relief to farmers who suffered losses due to disastrous weather conditions" last fall. It would provide farmers with long term

financing needed to cover their losses by making possible the extension of credit, either directly from the government or from private sources with a government guarantee of repayment.

The broader interpretation of the amendment reveals that it is a direct challenge to Mr. Nixon's decree that the emergency loan program no longer would be operated. Congress authorized the program with a whole body of laws and Alexander apparently is a leader of the group that believes the loans should be available.

Based on the economic interest of his district, Alexander is the logical leader of any move to preserve the emergency loan program. Agriculture is the dominant economic factor among his constituents and farmers suffered severe losses last year from excessive rains during the harvest season.

Despite the need for emergency loans, Mr. Nixon terminated the program. The Alexander bill could make it possible for farmers to obtain credit with which to finance their next crop.

The bill, which contains seven major sections, is not a give away. In fact, it repeals some of the standout features of the old law but Alexander believes the real need is for a source of credit.

"The bill provides farmers with sources of long-term financing which they need to cover their losses," Alexander said. "Farmers need to be able to get long term credit on a realistic basis."

He emphasized that the availability of credit was considerably more important than "cheap" interest.

Here are the major provisions of the bill:

It repeals the $5,000 "forgiveness" clause and the 1 per cent interest provision established by the "Hurricane Agnes" legislation. (Part of the emergency relief provided for the victims of the hurricane made credit available at 1 per cent interest and permitted the write-off of some of the debt under extreme conditions.)

Sections of the Consolidated Farm and Rural Development Act would be clarified with an amendment which would provide for an insurance or a guarantee of the credit.

The Agriculture secretary would be "required" to make, insure or guarantee loans to eligible applicants in areas designated by him as natural disasters and in areas designated by the president as major disasters. These are provided for under the Disaster Relief Act of 1970. (Under terms of the amendment, the secretary would not have to duplicate a designation already made by the president before offering the loans, since the area already would be qualified.)

Interest rates on the emergency loans, under the Consolidated Farm and Rural Development Act would be raised to "not more than 6 per cent". (Under the current arrangement, the interest rate can be as low as 1 per cent, which leaves the program open to criticism as a give-away. Alexander believes the pressing need is not ample credit rather than a drastically-subsidized interest rate.)

The "open money market" authority would be increased from the existing $100 million limit to $500 million.

The Agriculture Department would be authorized to guarantee loans originated, held and serviced by commercial institutions such as banks or Production Credit Associations. (This is the key provision, since it "directs" the Agriculture secretary to make disaster declarations for areas that have been subjected to severe damage. The existing law has been interpreted to mean that the secretary has an "option" in the matter.)

Finally, the bill would repeal parts of the Disaster Relief Act of 1970, which would cause the emergency loan program to revert to the permanent loan legislation. Alexander said the change would permit unlimited long-term loans to farmers victimized by disasters.

In its narrow interpretation, the proposed legislation simply was designed to make certain that farmers who suffered severe crop or property losses would be able to borrow money so that they could continue their business. The funds might come directly from the government or from a private lending institution but they would not be a gift by any means.

In a broader sense, the measure is a challenger to President Nixon's assumed authority under which, in the name of fiscal conservation, be limits or terminates programs that have been written by Congress and signed into law.

If Congress hopes to function in its traditional role as lawmaker and custodian of the nation's purse it will have to reassert its authority and the Alexander bill might be a good place to start. As an alternative, the supply clerk might order a fresh supply of rubber stamps, although this would appear to be an unlikely course at a time when the Democrats are supposed to control Congress while a Republican resides at the White House—or at Key Biscayne or at Camp David or at San Clemente or some alternate seat of power.

BUILDING CODES

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ANNUNZIO. Mr. Speaker, today I am introducing legislation designed to assure the continued authority of State and local governments to protect the public health and safety of their residents in accordance with the highest building code standards they wish to adopt.

Health and safety features of building and related codes are an exercise of the police powers that were reserved to the States when the Constitution was written. They have been delegated to localities in most instances, because the local governments can be the best administrators of such regulations.

Unfortunately, HUD has sought to encroach upon these powers. It has done so in an indirect manner, by insisting that as part of the workable program for community improvement, which is a prerequisite for certain program grants, building codes have to be adopted which permit lower standards than a community may wish to adopt. This has been done, moreover, despite evidence that such lower standards can be unsatisfactory and dangerous.

In Dade County, Fla., after the code was changed in response to Federal pressure, to permit plastic pipe to be used, there were complaints from homebuyers of new FHA-insured homes that "everything leaks." The danger of bad shocks and even death from electrocution, of which there are a few hundred each year, is increased by the use of plastic sheathed electric cable through which a nail can be driven.

The Federal law should not become an instrument to bludgeon local communities into accepting such code provisions.

My bill would provide that nothing in any other part of the Federal law shall prevent a locality from having in effect a code which the National Bureau of Standards has determined is as high or higher than minimum code standards specified by the Secretary of Housing and Urban Development to qualify under Federal law. Such local standards would be deemed satisfactory for all Federal requirements relating to acceptable code standards.

I believe that every community should have the right to determine its health and safety regulations, when embodied in building or other codes. My legislation would preserve that right, and I urge its early enactment.

PARCEL POST COMPETITION WITH PRIVATE DELIVERY SERVICES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. WALDIE. Mr. Speaker, recently I met with representatives of the United Parcel Service. The object of their concern was the problem of parcel post competition and the probability that the U.S. Postal Service might be attempting to form a monopoly in this area. It seems that the problem lies in the fact that the Postal Service has not adjusted its rates since 1970—based on costs incurred during 1969—despite the fact that rates for other classifications of mail have increased proportionately to their usage by the general public. The Postal Service claims that parcel post costs have not risen since 1969. It appears that the Postal Service is not cognizant of the fact that parcel post has more of an impact on itself than it is willing to admit and that the costs incurred above the 1969 limit are being subsidized by the other classifications of mail service. The result is the formation of a monopoly to the disadvantage of the United Parcel Service.

Those involved in the business of transportation the mail of our citizens feel that efficiency is the key to achieving success in this very competitive enterprise. These businesses pay 100 percent of the costs involved in their work, in addition to paying all taxes imposed upon them by our Government. Free enterprise was a cornerstone upon which this country was founded and the figures in this article do not further the idea of free enterprise upon which our economy is based. The Postal Reorganization Act of 1970 gave the U.S. Postal Service the freedom to manage its own business, not the freedom to destroy its competition.

The following article is a summation of the problem of parcel post competition and states rather clearly the difficulties that have occurred.

The article follows:

PARCEL POST COMPETITION WITH PRIVATE DELIVERY SERVICES

What was the intention of the Congress when parcel post was originated?

Parcel Post was established by act of Congress to fill a transportation void that existed at the turn of the century, particularly in rural areas. The service was designated to supplement the limited capacity of private

transportation companies to make service available to all. Congress included in the law the requirement that parcel post pay its own way so that the service would not compete unfairly with existing transportation or discourage the development of new services.

During the first 57 years of parcel post history that preceded the Postal Reorganization Act of 1970, parcel post remained the only class of mail service that was required by law to be self-supporting.

Parcel post began operating on January 1, 1913, by act of August 24, 1912. It authorized the postmaster general, subject to the consent of the Interstate Commerce Commission, to establish classification, weight limits, rates, zones and conditions of parcel post service, and to "insure the receipt of revenue from such service adequate to pay the cost thereof." (Quote from the law.)

This policy that parcel post must pay its own way was reiterated in legislation passed in 1925 and 1928. In 1950 the law was given reinforcement teeth to increase compliance. To encourage cost recovery, Congress prohibited the Post Office from drawing upon its appropriated funds until the postmaster general certified in writing that the rates for parcel post were sufficient to cover the cost of the service, or that rates were to be established that would have this effect.

In 1958 the law was revised to establish a percentage range within which cost recovery must be accomplished. The law required that the revenues from fourth class mail must cover the cost of the service plus or minus 4 percent.

Over the many years the Post Office demonstrated it could comply with the policy of Congress and maintained cost accounting procedures that enabled it to set parcel post rates that reflected the cost of providing this service. It is equally obvious that proper parcel post rates did not drive the Post Office out of the parcel business.

UPS WELCOMES PARCEL POST COMPETITION

Since the Postal Reorganization Act of 1970, both Postmasters General Blount and Klassen have publicly stated their intention to change this tradition in order to recover the parcel deliveries they say have been taken away by private motor carriers. They both singled out United Parcel Service as their prime target.

If they mean to compete fairly we welcome the competition as in the public interest. If they mean to use the vast resources of the U.S. Postal Service to subsidize parcel post in order to drive out private competition, UPS will vigorously oppose such tactics in every way available to us. We have always supported a strong parcel post service. In 1969 UPS president, Paul Oberkotter, appeared before the House Committee on Post Office and Civil Service to testify on legislation proposing postal reorganization. He said:

"Nationwide territorial coverage is an important feature of the government's parcel post service. We believe that this service should be conducted in the most efficient manner possible. It is in our best interest. It keeps us on our toes. We believe that the chief executive officer of the postal establishment must be given the freedoms, the controls, the access to resources and the rules to enable him to operate effectively. Accordingly, we hope to be able to support fully the form of postal reorganization this Committee may adopt, provided that parcel post is required to compete with privately owned carriers on a fair basis."

United Parcel has demonstrated its interest in helping parcel post become a strong but fair competitor through deeds. In the past, the company has established a liaison with top postal officials to provide Post Office technical staff and consultants with access to UPS facilities and information. We would hope that this spirit of cooperation could continue and that the public would benefit from it.

UPS SERVICE CONTINUES TO GROW

UPS operates in 46 of the 48 continental states. We are presently authorized to serve 40 entire states, parts of 6 other states and the District of Columbia.

In our authorized areas we serve every city, town, hamlet and farm. UPS rates are competitive with parcel post.

For those shippers who need an expedited service we provide a combined ground-air service that links up the West Coast states with those in the Midwest, South and East.

If applications now pending before the Interstate Commerce Commission are granted, UPS service will be available for both pickup and delivery at every point in the entire 48 states.

We presently have 225,000 customers using our service every day. We deliver over two and one-half million packages each day, to well over one million and a quarter consignees each day. We estimate that we have served over 15 million different consignees in the past year.

MYTHS THAT HAVE SPRUNG UP ABOUT UPS

There have been references to the fact that UPS "skims the cream" and picks and chooses customers. They are simply unfounded and untrue. Rather than picking and choosing customers with the most profitable volume, United Parcel Service provides total coverage of any area it is authorized to serve. Any person at any address can have a package picked up or delivered to his doorstep. UPS serves large towns, small towns, rural areas, and any remote location where a delivery vehicle can be driven.

By contrast, the Postal Service does not offer a package pickup except for favored large-volume shippers, and any citizen served by one of the 6,838 fourth class post offices gets no package delivery. In addition, the Postal Service limits package delivery from its 12,551 third class post offices. Postal management provides delivery at its option, and such service is usually given to areas that have a specified population density.

Under its tariffs as a common carrier, United Parcel Service cannot and does not refuse to give service to anyone who requests it. Such a refusal, made for the reason that the business would be unprofitable or marginal, would be grounds for revocation of the company's authority to operate. The company makes many deliveries into remote areas where a single package may move down miles of back roads before arriving at its destination.

While United Parcel Service serves many shippers with large volumes, the majority of the users of the service ship relatively low volumes. Of those customers who use the daily pickup service, more than half offer UPS less than four packages a day. About a quarter of these regular pickup customers offer on the average only one package or less a day.

United Parcel Service encourages use of its service by making it accessible to the greatest extent possible. Last year some 12 million packages were brought to the hundreds of United Parcel Service buildings where counters are maintained for the receipt of packages from any who wish to use the service.

The company offers a regular pickup service for a nominal weekly fee. The company's phone number appears in almost all phone books across the nation. Any customer may make a collect toll call and request one-time pickup service. The pickup is made for a nominal fee, usually the next day.

This phone system has been developed to make service available to everyone, even though UPS does not establish an office in every community. The Postal Service has established facilities in most large communities, and these are supported by the billions of dollars of revenue that is collected for the several classes of mail. United Parcel Service, working only with package volume, cannot duplicate the Postal building network, so it uses its package vehicles as mobile post offices that come to the door of the customer.

At present the company's pickup and delivery network covers its service areas so completely that its trucks have the capability of literally traveling down almost every road in America. Any activities designed to discourage the use of this service could reduce the number of packages being carried into areas that already generate too little package activity to be profitable. As long as United Parcel Service operates under the broad territorial grants of authority it now possesses, it must and does hold itself ready to continue to traverse almost every byway in America. It would be illogical for it to try to reduce the packages and revenue in any sparsely populated service area; since a reduction would cut into already thin or nonexistent profit margins for such areas.

UPS EMPLOYEES SHARE IN OUR BUSINESS

Our payroll for 1971 was $525,000,000. Our taxes in 1971 amounted to $94,000,000. We employ 53,000 people and operate a fleet of 28,000 vehicles fom 800 locations across the country.

The employees of UPS have a stake in the company over and above their jobs and pay checks.

With minor exceptions, all UPS stock is owned by 5,100 UPS supervisors and managers who are actively engaged in operating the business, or their families; or by former employees, their estates or heirs. No one shareholder owns as much as 6% of the total UPS stock.

Since 1961, we have had a Thrift Plan available to all employees after one year of service. This is a savings and profit sharing plan. Presently 30,200 UPS employees participate in the Thrift Plan. Those who have been in the plan since 1961 now have $8,000 each invested in the company's success.

This is why our employees are so concerned about the threat of the Postal Service using its monopoly service to subsidize parcel post which has always been considered by Congress to be a service competitive with private motor carriers.

PARCEL POST IS NOT PAYING ITS COSTS

The last parcel post rate increase took effect in November 1970 reflecting 1969 costs. Since then, rate increases have been put into effect for practically every class of mail except parcel post.

It is surprising that every class of mail *except* parcel post needed rate increases which reflected the rising costs of providing the services. It is now 1972 and the position of the Postal Service is that parcel post costs have not increased since 1969 despite substantial wage increases and rising costs in all other items of expenses.

1971 RATE INCREASES

1st Class, letters: up 33%.

2nd Class, newspapers, magazines: up 127%.

3rd Class, advertising: up 26%.

4th Class, parcel post: no increase.

Films, books, educational materials: up 17%.

The Postal Service is not allocating to parcel post costs caused by parcel post.

Of total fiscal 1970 postal costs of $7,981 million, only $435 million were attributed to parcel post service by U.S. Postal Service. We believe that approximately $770 million of those costs can be causally related to parcel post service. In addition, parcel post must bear a reasonable share of the remaining "institutional" costs of the Postal Service. Because 1972 parcel post revenues are projected to be $672 million, we feel a rate increase is clearly indicated.

Parcel post represents 40 percent of the cube and 25 percent of the weight of all mail handled by the Postal Service. Consequently, parcel post has a substantial impact on the costs of the Postal Service.

The Postal Service allocation of costs shown below does not reflect this impact:

[In percent]

Types of costs	U.S. Postal Service allocation of these costs to parcel post	UPS estimate of proper allocation
Sorting of parcel post	100.0	100
Movement between post offices:		
A. By private carriers on subcontract	5.0	15
B. By postal employees	0	30
Parcel post delivery driver: Payroll	1.5	5
Postal window service for receiving parcel post from customers	0	10
Motor vehicle costs: Depreciation, repairs, servicing, fuel, tires, etc	0	20
Buildings and equipment, maintenance and depreciation	0	21

Note: Figures based on testimony of USPS and UPS before Postal Rate Commission, Docket R71-1.

The above U.S. Postal Service allocations of costs to parcel post are much lower than the cost allocated to parcel post under the law prior to the Postal Reorganization Act of 1970. The old law required the Post Office to allocate full costs to parcel post and to set rates that would recover such costs.

UPS and the thousands of parcel delivery companies throughout the United States who are competing with parcel post pay 100% of all these costs as well as taxes.

The new law did not intend the allocation interpretations proposed by U.S. Postal Service shown above. Such interpretations, if allowed, would be destructive of private competition with parcel post.

The new law intended to give the U.S. Postal Service the freedom to manage its business—not the freedom to destroy competition.

UKRAINIAN INDEPENDENCE DAY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. GILMAN. Mr. Speaker, last Saturday at the inaugural ceremony of President Richard M. Nixon, I was once again moved by the recital of the inspirational preamble to our Constitution promising to secure "liberty . . . for all."

In reflecting the freedom that our forefathers desperately guaranteed for us, I am reminded of those nations throughout the world which are denied freedom.

One such nation, the Ukraine, a captive nation, celebrated its national independence day on January 22. This 55th celebration of the Ukrainian Independence Day serves as a reminder of a short-lived freedom.

After many years of control by Czarist Russia, on January 22, 1918, the Ukrainian State fought for and won its independence from Russia. However, this brief interlude was terminated in 1920 when Russia asserted force and took control of the Ukraine, making a stalwart people the largest captive nation in the U.S.S.R.

Through these many years of oppression, the spirit of the Ukraine people has not diminished. Both here and abroad, January 22 is sought out as a day for recollecting and reaffirming the hope that the Ukraine will not always be a captive nation.

As we pay our respects to the brave Ukrainian nationalists let us recall that the Ukrainian people have suffered in their subservience. Their fortitude and commitment, untarnished through the years, is an inspiration to the citizens of the free nations of the world.

A CONSTITUTIONAL AMENDMENT TO STOP BUSING

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. NEDZI. Mr. Speaker, the time nears when the U.S. Supreme Court will have the opportunity to make the critical decision on cross-district busing and busing in pursuit of racial balance.

The House of Representatives has made its legislative intent abundantly clear that all orders in busing cases be stayed until the Supreme Court has acted; that is, until all appellate review has been exhausted.

Those of us who are convinced busing is wrong hope that the Supreme Court will rule quickly and decisively against busing and thereby decide the question once and for all.

However, if the Court rules otherwise, and, for example, upholds the Roth decision in Michigan, the only alternative is a constitutional amendment.

It is unfortunate that some Federal judges have become like moths fatally attracted to a flame. They have ordered busing in the face of overwhelming public opinion to the contrary, in the face of the fact that busing for racial balance across district lines is a radical departure from case law and tested educational practice, and in the absence of any persuasive evidence that education or racial harmony will be thereby improved.

My constituents and I believe we are in a crisis situation which threatens dire consequences. We believe that the U.S. Constitution is a noble document which should be amended rarely and then only with care. We believe this occasion is so serious that an amendment must be considered.

Any proposed constitutional amendment must travel a difficult path. As we know, the proposal must be passed by two-thirds vote of both House and Senate and then be ratified by the legislatures of three-fourths of the States.

An antibusing majority now exists in the House. As local court cases increase and the problem becomes more immediate in more congressional districts, the necessary two-thirds margin will become attainable.

The Senate presents a formidable obstacle. There, antibusing probably has a bare majority.

It seems likely that Senators, having larger, racially mixed constituencies, are apprehensive lest they offend the black community. And some in the black community, perceiving that some, but not all, antibusing reflects antiblackness as well, react not to the issue of busing itself, but to the antiblackness. Therefore, some Senators are reacting to a divided black community opinion which itself is reacting to a side aspect of the issue and not the issue itself.

It is important that the language of the proposed constitutional amendment be carefully and simply drawn so that Members are not provided with an excuse for opposing it by real or fanciful interpretations of the language. For example, one argument that has been heard already is that a constitutional amendment prohibiting busing would cause a reversion to a totally segregated, dual school system.

Several versions of a constitutional amendment have been suggested. Today I have cosponsored an amendment which reads simply:

No part of this Constitution shall be construed to require a school system which assigns pupils on the basis of neighborhood attendance areas to assign pupils in any other manner.

Personally, when it comes time to vote, I will support that version of a constitutional amendment which has the best chance to win.

Courts and legislatures should avoid imposing quotas and percentages. The emphasis should be on managing resources, not quotas.

I am for the concept of the neighborhood school, which means that all schoolchildren, without regard to race, color, or creed, have the right to attend schools nearest their homes.

Cross-district busing and race-conscious quotas, if imposed, are likely to mean bitter divisiveness, educational chaos, and a collapse in public support for public schools. There is, moreover, no objective evidence that those for whose benefit these plans are devised will, in fact, be benefited.

Busing children to out-of-neighborhood and even out-of-county schools is really intolerable. Congress, reflecting the thoughtful conviction of an overwhelming majority of Americans in this matter, cannot allow itself to acquiesce.

JIM SMITH

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. RAILSBACK. Mr. Speaker, I have had the privilege of working closely with Jim Smith, who is now leaving as Administrator of the Farmers Home Administration. He will be missed not only by members of his Department, but also by Members of the Congress. Jim was a

dedicated public servant in the finest meaning of that word.

Jim Smith was born on July 23, 1926, and grew up on a family farm outside Tuttle, Okla. He was a member of the 4-H Club and Future Farmers; and educated in the Tuttle Public Schools and the Oklahoma College of Liberal Arts at Chickasha, Okla. Jim was engaged in farming and cattle raising, and active in civil affairs. In 1958, he was the Chickasha Junior Chamber of Commerce's "Outstanding Young Farmer," and, in 1965, was given the Chickasha Junior Chamber of Commerce "Outstanding Citizen Award."

Jim was elected to the 90th Congress on February 8, 1966, and on February 3, 1969, President Nixon appointed him as Administrator of the Farmers Home Administration. He was responsible for the implementation of several FHA projects which improved the quality of rural life tremendously. I am certain his dedication to this segment of the American public will continue, and I take this opportunity to wish him and his family every success and happiness in the years to come.

NORTH CAROLINA PLANS PUSH FOR FOREIGN INVESTORS

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. FOUNTAIN. Mr. Speaker, international investment, like international trade is a two-way street. North Carolina's accomplishments in securing foreign investment capital from 11 countries for 67 industries are, therefore, highly significant.

An article detailing some of North Carolina's past and future efforts in this area appeared in the January 15 edition of the Journal of Commerce, and is as follows:

NORTH CAROLINA PLANS PUSH FOR FOREIGN INVESTORS

RALEIGH.—North Carolina, like the other Southeastern states, has been sharing in the multi-million dollar bonanza called reverse investment.

So important has it become, that state industrial and tourist resources director, Robert E. Leak, calls it "the highlight of North Carolina's international program."

SIGNIFICANT FACTOR

Since the Tar Heel State started scanning the world for foreign investment capital, North Carolina now counts 67 industries from 11 nations. The significant factor is that more than half of these are in manufacturing. These industries have provided jobs for hundreds of North Carolina workers, and have become the forerunners of several more expected to come to the state this year.

Mr. Leak, who has been a member of several North Carolina missions abroad, and who has been the architect of many of them, sees 1973 as becoming one of the best years ever, on the basis of inquiry from foreign firms and because of information brought back by mission members.

Missions last year took North Carolina industries investment teams to Europe, Scandinavia and Japan, engaging in talks with 60 top industrialists in these countries.

MISSION IN EUROPE

As far as reverse investment is concerned, North Carolina has been one of the most aggressive states in the U.S. in seeking out foreign dollars.

Along with the reverse investment missions, manufacturers of a wide variety of items in the state have traveled abroad seeking what the overseas market can absorb, and to learn how best North Carolina can meet these needs.

The state industrial division in April of last year sent two representatives to Europe to visit over 40 key European industrialists as a follow-up to the 1970 North Carolina Industrial Development mission to the United Kingdom and Europe.

LOCATE IN STATE

Directly resulting from that mission, a number of European companies have located in North Carolina. A recent example is the Funder Company from Austria, which announced plans to construct a plant in Mocksville, N.C. for the manufacture of laminated panels for the furniture industry. The original capital investment of $2.5 million will eventually reach $7 million.

The division participated in reverse investment seminars held in May of last year in Dusseldorf, West Germany, and Stockholm, Sweden, sponsored by the U.S. Department of Commerce and the National Association of State Development Agencies.

About 200 European and Scandinavian companies attended these seminars, with 22 prospects showing interest in North Carolina.

Thereafter, the division's efforts focused upon the Far East. During August, advance arrangements were made in Japan to hold an "All North Carolina" reverse investment seminar in Tokyo.

Prior success in Europe, Scandinavia, and Canada dictated that the North Carolina story be carried to the Japanese industrialist, particularly in view of the realignment of monetary currencies influencing foreign companies to advance their time-tables on plant location decisions.

Over 150 major Japanese companies attended this two-day seminar, entitled "Establishing Manufacturing Facilities in North Carolina, U.S.A.," which was held in October in Tokyo.

Among the topics covered at the seminar, which was opened by Robert S. Ingersoll, Ambassador of the United States to Japan, were labor, wages, industrial training, site, and construction costs, transportation, and utilities, marketing, financing and taxes, pollution, research and development, legal aspects of doing business, and livability.

A number of Japanese companies now are seriously investigating the possibilities of locating plants in North Carolina.

There are several projects under study by the division for 1973.

In terms of reverse investment, a major thrust will be directed toward European and Japanese prospects. From the standpoint of export promotion, the division is considering a North Carolina trade mission to the U.S.S.R. and Eastern Bloc countries.

While 1972 was an exceptionally active year, 1973 is regarded as equally promising.

THE 55TH ANNIVERSARY OF UKRAINIAN INDEPENDENCE

SPEECH OF

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. DELANEY. Mr. Speaker, I am glad to have this opportunity to join my colleagues today to commemorate the 55th anniversary of Ukrainian Independence, the day when the gallant people of the Ukraine freed themselves from the tyranny of their Russian oppressors.

These great and noble people had been submerged under the czars since the middle of the 17th century. Although their czarist rulers did their utmost to eradicate Ukrainian national traits and make these people Russians, their efforts were in vain. The indomitable Ukrainians steadfastly clung to their national traditions and ideals.

When the czarist government was overthrown by the Revolution of 1917, the Ukarinians proclaimed their independence on January 22, 1918, and the Ukrainian National Republic was born. Unfortunately, the fledgling government was faced by overwhelming odds, and was overthrown by the Red Army in 1920. Tragically, it has been a captive nation since that time.

During the 55 years of bondage, these exceptionally gifted and dedicated people have never lost hope of achieving their eventual freedom. On this anniversary of Ukrainian independence, it is right that we should call to mind our own historic commitment to self-determination, and rededicate ourselves to assuring all people's right to a government of their own choosing is a continuing principle of international justice.

NORM LENT REPORTS

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. LENT. Mr. Speaker, earlier this month I sent my first newsletter of the 93d Congress to my Fourth District constituents. I include the text of my newsletter in the RECORD at this point:

YOUR CONGRESSMAN NORM LENT REPORTS FROM WASHINGTON

(Congressman NORM LENT's Washington report, January 1973)

NEW CONGRESS CONVENES WITH MUCH TO DO

The new 93rd Congress had scarcely lowered its collective right hand after a January 3rd swearing-in ceremony before hundreds of new legislative proposals had been dropped in the House bill hopper.

The new Congress could be one of the busiest in recent years, but the House leadership must speedily construct the 21 standing committees and dispense quickly with routine organizational functions before the arrival of Spring, lest the 93rd begin as too many of its predecessors—as a turtle race.

In years past, a slow start for new Congressional sessions has impeded legislative progress, and I am going to do all I can to see that we "get off the mark" more quickly this year.

Among some of the more critical legislation likely to see House action this year is a private pension reform measure, a National health care bill, and a new energy policy plan. In addition, I feel strongly the Congress must tackle some unfinished business it skirted before adjourning last November for the 1972 elections.

High on this list must be an effective curb on forced busing of schoolchildren, as well

as legislation to effectively waylay proposed offshore oil drilling in the Atlantic until more foolproof environmental safeguards can be developed.

REPRESENTATIVE LENT SAYS: LET'S WORK TOGETHER FOR FOURTH DISTRICT

With the redrawing of Congressional District lines, I now have the honor of representing you in the new Fourth Congressional District. I've represented many of you on the South Shore in years past, either as your State Senator or as your Congressman, and I look forward to continuing what for me has been a rewarding experience as your Representative.

For those of you in Levittown, Hicksville, East Meadow and the communities stretching north to Glenwood Landing and Glen Head, I will be representing you for the first time. I was able to meet personally with many of you during the past campaign, and I look forward to meeting many, many more of you in the months ahead.

For all of us, the just-begun 93rd Congress offers an opportunity of working together to tackle head-on some of the tough National questions that need to be solved. We will not always agree on each and every issue or the method of cure for every problem—but working together we can insure that the new Fourth Congressional District will be "getting in its two cents worth" in Washington.

As your part of the deal, I need to hear from you on the National issues that concern you, the Federal legislation that you're for or against. If you've got something on your mind that concerns our National government, sit down and drop me a letter or a card.

I'll be flying back from Washington, D.C. every weekend and during Congressional recesses so as to be available to attend your functions and meet with you to get your views and help you with your problems. I'll be polling you on your views on some of the major issues via a Congressional questionnaire in the near future and sending you more of these newsletters in the months ahead in an effort to keep you abreast of what the Congress is doing and what it's failing to do.

NEW BALDWIN OFFICE OPENS

On January 1st, my staff and I moved our District Office from Rockville Centre to Baldwin. The Fourth Congressional District Office is now located in Room 207 of the Baldwin Plaza Building, 2280 Grand Avenue, Baldwin (just South of Sunrise Highway and the Baldwin LIRR Station).

My staff and I are delighted with our new location which is convenient to the LIRR and major bus lines. It can easily be reached by car and there is ample parking.

The new Baldwin Congressional Office will be staffed full time with hours from 9 a.m. to 5 p.m. Monday through Friday and 9 a.m. to noon on Saturday. The phone number is BA 3-1616.

If you have a question or just want to voice your thoughts on pending Federal legislation, don't hesitate to call my Baldwin Office. If you are experiencing a problem with the Federal government that is particularly involved, it is best to write to me directly in Washington outlining the details of the matter. In this way, I will be able to provide you with a speedier response.

PROTRACTED BATTLE PAYS OFF—REVENUE SHARING DOLLARS FLOWING BACK TO NASSAU

After a two-year Congressional battle, the Federal Revenue Sharing program which I fought so hard for during the last session of the Congress is beginning to bear fruit for Nassau County and its Towns and Villages.

The Federal Revenue Sharing checks forwarded recently to Nassau localities proved a belated holiday surprise with many villages, as well as the Towns of Hempstead, Oyster Bay and North Hempstead—and Nassau County—receiving sums considerably higher than original estimates which had been based on outdated population and local taxation effort figures.

Freeport's slice of the Revenue Sharing pie, for example, increased from an original estimate of $205,000 to a whopping $319,000.

Both the Town of Hempstead and the Town of Oyster Bay virtually doubled their cut of the Federal monies. Hempstead receiving nearly $3½ million and Oyster Bay nearly $1½ million. Original Treasury Department estimates had allocated Hempstead Town only $1,250,000 and Oyster Bay only $800,000.

This returning of Federal tax monies from Washington to Nassau is a reversal of a long-time enigma which had our taxpayers sending money to Washington with little appreciable return for their dollar. It will translate into more effective and improved local services for Nassau residents and should ease the pressure for increases in local real property taxes.

REVENUE SHARING BOX SCORE

	Orignal estimate 1972	New share 1972
Nassau County	$9,377,773	$13,095,720
Town of Hempstead	1,250,000	3,416,212
Town of Oyster Bay	800,000	1,420,632
Town of North Hempstead	730,000	1,001,548
Brookville Village	13,889	13,688
East Rockaway	44,638	50,268
Freeport	205,766	319,510
Island Park	23,333	45,756
Muttontown	0	8,870
Old Brookville	0	7,608
Old Westbury	11,532	11,366
Westbury	66,427	65,470

WILL LONG ISLAND FIRM GET THE AX?—IN THIS CASE WE HOPE SO

After one of the most grueling performance competitions ever, the U.S. Air Force is on the verge of awarding a contract which could spell over 5,000 new jobs on Long Island and a sizeable infusion of money into our local economy.

One of the two finalists aming at the contract to build the AX close-support fighter plane is Farmingdale's Fairchild Republic Corporation, which has developed an outstanding prototype. Although Fairchild is not located in the 4th C.D., many District residents are employed at the Farmingdale firm, and I am devoting all of my energies to see that the nearby plant comes out on top when the award is made on January 19th.

Working in conjunction with the Long Island Association of Commerce and Industry, I have been "lobbying" on Capitol Hill and at the Pentagon to insure that the Fairchild proposal gets closely looked at.

Fairchild Republic officials estimate that $154,000,000 in subcontracting funds will flow to Long Island firms if they win the huge contract, and that is ample reason for us to be battling on behalf of the local firm.

NEVER AGAIN

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. HELSTOSKI. Mr. Speaker, all Americans, I am sure, share our happiness and relief at the announcement of the impending cease-fire in Vietnam, and the ensuing accounting for and return of our prisoners of war. It is vital, however, that this happiness not crowd from our minds the costly lesson we have learned in the Southeast Asian subcontinent.

Both sides have paid a heavy toll in manpower. The devastation of land in Indochina will take much to repair. Unless the signed agreement provides for the elimination of the seeds of discontent in Vietnam, political corruption and the press for land reforms could serve possibly to reignite the Indochinese civil war.

I sincerely hope that all Americans will evaluate and remember the price this Nation has paid in honor, morale, and men. I hope that we will resolve that we will never again allow ourselves to forget through what mazes twisted priorities can lead us; that we will never again allow ourselves to be drawn into such a situation; that we will never again pay such a price for such vague objectives.

Mr. Speaker, in our relief, let us study what Vietnam has to teach us, and remember this lesson. We must resolve that such a tragic war and involvement will never happen again.

END THE ELECTORAL COLLEGE

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BELL. Mr. Speaker, I have introduced into the House today a constitutional amendment to abolish the institution and functions of the electoral college. I am impatient that 92 Congresses of the United States have permitted this anachronism to continue to exist. Little need be said about it: It is undemocratic. It is uncontrollable. And it is potentially dangerous. I say let us get rid of it.

The text of my proposed amendment, which has strong bipartisan support in the Senate under the leadership of Senator BAYH, follows:

H.J. RES. 237

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The people of the several States and the District constituting the seat of government of the United States shall elect the President and Vice President. Each elector shall cast a single vote for two persons who shall have consented to the joining of their names as candidates for the offices of President and Vice President. No candidate shall consent to the joinder of his name with that of more than one other person.

"SEC. 2. The electors of President and Vice President in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that for electors of President and Vice President, the legislature of any State may prescribe less restrictive residence qualifications and for electors of President and Vice President the Congress may establish uniform residence qualifications.

"SEC. 3. The persons joined as candidates for President and Vice President having the greatest number of votes shall be elected President and Vice President, if such number

be at least 40 per centum of the total number of votes cast. If none of the persons joined as candidates for President and Vice President shall have at least 40 per centum of the total number of votes, but the persons joined as candidates for President and Vice President having the greatest number of votes cast in the election received the greatest number of votes cast in each of several States which in combination are entitled to a number of Senators and Representatives in the Congress constituting a majority of the whole number of Members of both Houses of the Congress, such persons shall be elected President and Vice President. For the purposes of the preceding sentence, the District of Columbia shall be considered to be a State, and to be entitled to a number to which it would be entitled if it were a State, but in no event more than the number to which the least populous State is entitled.

"If, after any such election, none of the persons joined as candidates for President and Vice President is elected pursuant to the preceding paragraph, the Congress shall assemble in special session, in such manner as the Congress shall prescribe by law, on the thirty-fourth day after the date on which the election occurred. The Congress so assembled in special session shall be composed of those persons who are qualified to serve as Members of the Senate and the House of Representatives for the regular session beginning in the year next following the year in which the election occurred. In that special session the Senate and the House of Representatives so constituted sitting in joint session, each Member having one vote, shall choose immediately, from the two pairs of persons joined as candidates for President and Vice President who received the highest numbers of votes cast in the election, one such pair by ballot. For that purpose a quorum shall consist of three-fourths of the whole number of Senators and Representatives. The vote of each Member of each House shall be publicly announced and recorded. The pair of persons joined as candidates for President and Vice President receiving the greater number of votes shall be elected President and Vice President. Immediately after such choosing, the special session shall be adjourned sine die.

"No business other than the choosing of a President and Vice President shall be transacted in any special session in which the Congress is assembled under this section. A regular session of the Congress shall be adjourned during the period of any such special session, but may be continued after the adjournment of such special session. The assembly of the Congress in special session under this section shall not affect the term of office for which a Member of the Congress theretofore has been elected or appointed, and this section shall not impair the powers of any Member of the Congress with respect to any matter other than proceedings conducted in special session under this section.

"SEC. 4. The times, places, and manner of holding such elections and entitlement to inclusion on the ballot shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations. The days for such elections shall be determined by Congress and shall be uniform throughout the United States. The Congress shall prescribe by law the times, places, and manner in which the results of such elections shall be ascertained and declared. No such election shall be held later than the first Tuesday after the first Monday in November, and the results thereof shall be declared no later than the thirtieth day after the date on which the election occurs.

"SEC. 5. The Congress may by law provide for the case of the death, inability, or withdrawal of any candidate for President or Vice President before a President and Vice President have been elected, and for the case of the death of both the President-elect and Vice President-elect.

"SEC. 6. Sections 1 through 4 of this article shall take effect two years after the ratification of this article.

"SEC. 7. The Congress shall have power to enforce this article by appropriate legislation."

A NATIONAL HOLIDAY ON DR. MARTIN LUTHER KING'S BIRTHDAY

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. HUDNUT. Mr. Speaker, I rise to support the proposal offered by the gentleman from Ohio (Mr. STOKES) and others to designate the birthday of Dr. Martin Luther King, Jr., as a national holiday.

On January 15, I was privileged to participate in a birthday celebration honoring the late Dr. King at the St. John's Missionary Baptist Church in Indianapolis. It seemed to me fitting and proper, as it does now, that the Congress should be sensitive and responsive to the yearning in the heart of black America for the enactment of legislation creating a national holiday in commemoration of their fallen hero's birthday.

There are several reasons why I believe January 15, or some other day that may be deemed more suitable on the national calendar, should be designated thusly.

First, our national history requires it. At present there is no national holiday that relates specifically to black America's contribution to our natural heritage, much less that of other national and racial minorities in our land. This is hardly an accurate reflection of what they have meant to our country across the generations.

Second, the merits of Dr. King himself require such action. Controversial though he was, I believe he stood for human rights, for equal opportunities for all, for brotherly love and for peaceful change. He was a man of courage, conscience, and conviction, a hero and champion within the black community who inspired many in white America and won worldwide acclaim and fame as well.

A third reason for such a national holiday, is that we live in a pluralistic society in which the rights of an individual to be himself, to make his unique contribution, and to advance to the limits of his ability and ambition, should be recognized. Dr. King perceived these rights as rights for all Americans, and helped his people to work for these goals.

The purpose of any holiday is to serve as a symbol. Obviously, we cannot have too many such holidays, or our country would be surfeited by a plethora of groups each demanding national recognition for their own particular ethnic or racial hero. But one such day, whether it be Dr. King's birthday or some other suitable date, would be an important symbol of our appreciation for many minority group's contributions to American history as well as our affirmation of their dignity and equality.

JAPAN AIR LINES AND THE ARAB BOYCOTT

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. EILBERG. Mr. Speaker, in February 1969, I first reported to my colleagues in the House of Representatives the findings of the Anti-Defamation League of B'nai B'rith that Japanese commercial interests had knuckled under to Arab pressure and were boycotting Israel. I further updated that report on Wednsday, October 14, 1970, with new material from the ADL.

The situation shows little improvement since these two reports, and today the Japan Air Lines still continues to play the Arabs' game with its participation in the Arab boycott.

Japan is one of 76 countries, including the United States and Israel, that are members of GATT—general agreement on tariffs and trade. Therefore, Japan Air Lines' submission to the Arab boycott is not only immoral, but in violation of GATT regulations.

The traditional practice in international commercial aviation is for national airlines to recommend to their respective governments that they enter into treaty agreements on landing rights. Yet, Japan Air Lines has consistently refused to make such a recommendation in relation to Israel and has called the situation an incredible saga of the airline's knuckling under to Arab boycott threats. Meetings and exchanges of correspondence by the ADL with Japan Air Lines over a period of nearly 5 years have been totally nonproductive. Japan Air Lines has used stalling tactics with El Al Israel Airlines while offering ADL abundantly clear is its refusal to change its position.

Last month in Philadelphia, I participated on the opening day of a weeklong demonstration protesting Japan Air Lines' participation in the Arab economic boycott of Israel at Japan Air Lines' Philadelphia office, 1518 Walnut Street. The demonstration was organized by Samuel Gaber, regional director of the Anti-Defamation League of B'nai B'rith in cooperation with: B'nai B'rith Council of Greater Philadelphia, B'nai B'rith Women District No. 3, B'nai B'rith Women Greater Philadelphia Council, the Board of Rabbis of Greater Philadelphia, Jewish Community Relations Council of Greater Philadelphia, Jewish Labor Committee—Metropolitan Philadelphia Area, Jewish War Veterans of the U.S.A.—Philadelphia County Council, and the Negro Trade Union Leadership Council.

I place in the RECORD the ADL fact file on "Japan Air Lines and the Arab Boycott" which was distributed by the ADL office in Philadelphia:

JAPAN AIR LINES AND THE ARAB BOYCOTT

Japan Air Lines is the national air carrier of Japan, with a fleet of 74 aircraft. With fifty percent of the airline owned by the government, the other 50% publicly held, in 1971, JAL flew approximately 1,630,000 international passengers.

In 1970, JAL inaugurated a Tokyo-London service via Moscow in addition to the already existing Tokyo-Paris-via-Moscow route. In its round-the-world flight, it services Honolulu, San Francisco, Los Angeles, New York, London, Paris, Rome, Moscow, Cairo, Beirut, Teheran, Karachi, New Delhi, Calcutta, Bangkok, Singapore, Hong Kong and several other cities along the route. Last year JAL requested landing rights in Chicago and Anchorage, Alaska.

JAL maintains 15 sales offices in the United States, 2 in Canada, 4 in Latin America, 19 in Europe, and 3 in the Middle East (Beirut, Teheran and Cairo). It also maintains over two dozen sales offices in Southeast Asia and Oceania.

BOYCOTT

Following the International Air Transport Association Conference in Manila during the winter of 1967, Mr. Ben-Ari, the Director General of El-Al Air Lines and Israel's Ambassador Bartur met in Japan with the president of Japan Air Lines. It was agreed that their respective business managers would enter into discussions regarding a mutual air agreement between El-Al and JAL, after which government discussions would follow respecting the establishment of an Israel-Japan mutual landing-rights treaty. Simultaneously, the president of JAL received an invitation from El-Al to visit Israel for discussions.

The business managers never met nor did the JAL president ever visit Israel; the reason given by JAL was that their executives were too busy. More than a year later, in the fall of 1968, the president of JAL formally cancelled the proposed trip, claiming that his heavy schedule made the trip unfeasible. Now, five years later, he has still not visited Israel despite repeated invitations.

In July of 1969, at a meeting between Mr. Elmer R. Brown, JAL's Passenger Sales Manager for the New York District, and Anti-Defamation League—B'nai B'rith representatives, the ADL explained that its leadership was troubled by reports that JAL was boycotting Israel. As a result, a second meeting between JAL and ADL— B'nai B'rith representatives took place on October 1, 1969, with Mr. Shigeo Kameda, the Vice President of JAL-American Operations heading the JAL delegation. The B'nai B'rith representatives stated their disappointment over the Japanese Government's tolerance of the JAL boycott. The airline representatives agreed to bring the problem to the attention of both the Japanese Ministry of Transportation and the Japanese Federation of Economic Organizations. On October 24, 1969, Mr. Kameda wrote to the Japanese Ministry of Transportation as promised, requesting that the matter be brought before the Minister of Transportation and before the President of the Federation of Economic Organizations. JAL's Vice President concluded:

"We would appreciate any action on your part to present the problem to the authorities concerned. We have been, and still are, receiving considerable business from B'nai B'rith and it is our sincere wish to be of whatever service we can be to this organization."

THE "NONNEGOTIATIONS"

On March 30, 1970, Mr. Arnold Forster and Mr. Lawrence Peirez met in Tokyo with Mr. Nobuo Matsumura, Director and Vice President of Japan Air Lines, and discussed the state of "non-negotiations" between El-Al and JAL.

Mr. Matsumura then asserted that no formal invitation had ever been extended to the president of JAL by the president of El-Al; that El-Al and the Israeli Government were perfectly content with the attitude and activities of JAL; that JAL would be perfectly happy to entertain propositions by El-Al but had heard none; and that in his talks with an Israeli Embassy representative he had persuaded the Israeli Government that there was no reason for any complaint. All of these statements were completely contrary to the known facts. Mr. Matsumura further stated that JAL business propositions were decided solely on their commercial merit, and that the airline was not planning on opening service to Israel because it was suffering from a shortage of planes and pilots needed for existing routes.

On April 13, 1970, B'nai B'rith, over the signature of the Director of B'nai B'rith National Tours, wrote a letter to JAL, which declared in part:

"It seems that the door has been firmly closed and no interchange is contemplated by JAL. Such a position on the part of your airline is forcing us to terminate the use of JAL by B'nai B'rith and their 600,000 membership."

In a meeting between Mr. Forster of ADL and Mr. Brown of JAL on April 14, 1970, the ADL explained that the evidence that JAL was boycotting Israel was corroborated by: the refusal of the president of JAL to accept the repeated invitations to discuss matters of mutual interest with the president of El-Al, and by the apparent unwillingness of the Japanese Government to open any kind of negotiations with the Israeli Government for a possible treaty on mutual landing rights.

Mr. Forster stated plainly that "any movement, any action, any deed indicating that JAL was not playing the Arab game" that any affirmative step, establishing collaboration between JAL and El-Al or between Japan and Israel (treaty rights) could persuade B'nai B'rith and other Jewish organizations that there was no longer reason to avoid JAL's facilities.

THE DILATORY TACTIC

At this juncture, Mr. Akamara, JAL's London representative, paid a courtesy call on Mr. Y. Rabin, Chief of Civil Aviation for the Ministry of Transport in Israel; nothing came of the visit. But on July 20, 1970, a meeting—we learned, was held in Tokyo between Israeli Government representatives, specifically from the Israel Civil Aviation Board, including the Vice President of El-Al Israel Air Lines, and Japanese Civil Aeronautics Board officials, at which time August, 1971, we were told, was set as a tentative date for the opening of government negotiations which El-Al had requested.

As a follow-up to this meeting, a formal diplomatic note was delivered in August, 1970, to the Japanese Foreign Ministry by the Israeli Ambassador requesting an air treaty between the two countries.

In the United States, Japan Air Lines attempted, from July, 1970, through October, 1970, to persuade ADL that it was not guilty of boycott submission. Accordingly, JAL proposed a series of drafts of a letter that would satisfy Jewish organizations regarding JAL's bona fides. In retrospect, this seems only to have been a tactic to buy time—time during which double-talk and additional promises put off the moment of truth about the boycott.

THE DOUBLE-TALK

Throughout this period, JAL maintained that its decisions were subject to the directives and recommendations from the Japanese Government, while the Japanese Government spokesman continues to advise that the matter was up to Japan Air Lines' decision and recommendations. Throughout that period, Japan Air Lines was writing letters to inquirers, informing them of the July 20th meeting and stating that the result of that meeting was an agreement to conduct a joint study of economics of the air route linking the two countries.

On September 9, 1970, during the IATA Convention in Honolulu, another meeting was held between the commercial managers of Japan Air Lines and El-Al—again no progress was achieved. This turns out to have been just another effort by JAL to extricate itself from pressures in the U.S. with excuses rather than with the actual change in policy.

In November, 1970, we learned that Japan Air Lines advised the Israeli Embassy in Tokyo that negotiations would now begin in May, 1971. When in late April, 1971, no appointments or schedules for negotiations or meetings had been set, the ADL charged Japan Air Lines with not fulfilling its promise to negotiate.

On May 11, 1971, Japan Air Lines issued a news release denying the charges of boycott. In its statement, it announced that "JAL is engaged in the commercial airline business only, and does not participate in any form of politics, either on an international scale or within any country. We are influenced by sound business practices." This statement continued: "In international commercial aviation, reciprocal landing rights are negotiated by governments concerned, on the basis of long, careful study to insure that any new route will be operated at a profit. In the past, such discussions and negotiations have often been lengthy."

JAL was still evading responsibility for the shutting out of Israel in obvious compliance with the regulations of the Arab Boycott Office.

But in a letter dated April 8, 1971, Mr. S. Yamada, Regional Manager, Southwest Region of Japan Air Lines, while admitting that it was the Japanese Government that had to decide on policy, clearly admitted JAL's own responsibility for the first time. He wrote: "It is true that the Japanese Government is withholding action on mutual air treaty with Israel but it is truly based on economic reasons of its flag carrier, Japan Air Lines . . . detailed market research has revealed that there is simply not sufficient movement of goods and personnel between these two countries to warrant a desired economic sustenance . . . we reiterate that Japan Air Lines is a money-making enterprise and definitely cannot afford to dash headlong into untried market areas merely to satisfy political objectives . . . We fly for profit and not for protocol. We sincerely look forward to the day when both our countries can enter into agreement to this end."

In response to that analysis, El-Al Israel Air Lines, we were informed, proposed that after negotiation of a mutual landing rights treaty, it (El-Al) would exercise its option of flying to Tokyo and sharing the profits with Japan Air Lines without an obligation on the part of Japan Air Lines to reciprocate in terms of committing planes or flight schedules to Israel. That offer, too, we now learn, has been rejected.

As a result of all the foregoing, to this date, there has been no development in terms of government negotiations on a landing treaty, nor any further negotiations between El-Al and Japan Air Lines.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks:

"How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,925 American prisoners of war and their families.

How long?

INTIMIDATION OF THE NETWORKS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. WALDIE. Mr. Speaker, the following is an eloquent criticism of the administration's attempts to intimidate the network television news and public affairs bureaus. This Los Angeles Times editorial of December 24, attacks the administration's actual intent in calling for the elimination of "the bias" and "ideological plugola" which allegedly characterize network news coverage. Clearly, the administration's intentions are not related to improving the quality of American television, but rather to the destruction of the news media's right to question, to inform the public free from the influences of governmental coercion.

The article follows:

INTIMIDATION OF THE NETWORKS

The White House has decided that television isn't as good as it should be and says it is going to do something about it. But hold your cheers. For there is evidence that it may be nothing more than a mask for an effort to intimidate network news and programming.

Clay T. Whitehead, director of the President's Office of Telecommunications Policy, unveiled the plan without unveiling the legislation that Mr. Nixon hopes Congress will adopt. In this circumstance, comment of necessity must be limited to what Whitehead said and the emphasis he chose.

What he offered, in essence, was a mix of new regulations on station license renewal, which didn't seem new at all; a broad-brushed attack on network programming, particularly the news function of the networks, and a warning to stations affiliated with networks to bring changes in network program and news operations or risk the loss of their station licenses.

It may be significant that Whitehead aimed most of his shots at the networks and had little to say about those non-network stations that often are the reservoir of the ultimate in warmed-over mediocrity. He was, in effect, beginning his crusade for better television by attacking the areas that at least harbor most of what quality there is in American commercial television.

His attack was the more mischievous because of its imprecision, bordering on smear, as he talked about "so-called professionals who confuse sensationalism with sense and who dispense elitist gossip in the guise of news analysis," of the "ideological plugola" of those who "stress or suppress information in accordance with their beliefs," of the "bias in the network," of unacceptable network standards of taste, violence and decency.

No names. No examples. But a threat. Clean it up, whatever it is. Or there will be no license renewal.

Network officials immediately interpreted Whitehead's words as an effort to drive a wedge between the networks and their affiliated stations. Of course it was. Carried to the ultimate application, his proposals could destroy network television by making its programming susceptible to every local attack, and leaving the affiliated stations more vulnerable to arbitrary loss of their licenses.

But in this regard, a contradiction is evident in what Whitehead has proposed. He has not matched his new threat with new rules. And he himself has defended his proposals as the means "to increase freedom and responsibility in broadcasting."

He proposed two criteria to determine license renewal: (1) a demonstration that the station is in tune with the needs and interests of the community it serves and (2) evidence that reasonable, realistic and practical opportunities have been given to present and discuss conflicting views on controversial issues.

So what's new? Station license renewal presently is tied to the so-called "community ascertainment" formula. And the fairness doctrine haunts every discussion of a controversial issue. If there is anything new, it is his suggestion that the station be evaluated "from the perspective of the people of his community and not the bureaucrat in Washington," but when he was questioned about this, he indicated the job would remain in the hands of the Federal Communications Commission.

His package includes two elements that might ease the chaos and confusion in present renewal procedures, however. He supports extending the term of a license from three years to five. And he argues that the burden of proof should rest with those who challenge a license renewal.

When the legislation is unveiled, it will be for Congress to determine the real intent of the White House. No doubt about it, some reform of procedures is desirable. An improvement of program quality would be welcome. But Whitehead's presentation of the President's ideas seems transparent to us, failing to hide an intent to weaken the networks, and particularly, to intimidate the network news and public affairs departments. That is not welcome.

RURAL ENVIRONMENTAL ASSISTANCE PROGRAM

HON. THAD COCHRAN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. COCHRAN. Mr. Speaker, as my colleagues are aware, the rural environmental assistance program has been terminated by the Department of Agriculture.

Today I am cosponsoring a bill to reinstate this most beneficial program. I am well aware of the aims of the administration to reduce expenditures, and I support efforts in that direction. However, the REAP program is not just an expenditure, it is a wise investment.

This program does more than assist farmers in bettering their productive efforts. It provides needed pollution controls which benefit the entire community.

In my district alone, during fiscal 1972, more than 25 percent of the funds expended were directed toward correcting soil erosion and water pollution.

Surely a program which requires equal participation from the private sector, and which results in increased land productivity, and at the same time helps secure a healthier environment, deserves further consideration by this Congress.

I urge my colleagues to join with me in the effort to reinstate the rural environmental assistance program.

FOREIGN ASSISTANCE APPROPRIATION BILL

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. CONTE. Mr. Speaker, last September 21, an amendment was offered on the foreign assistance bill that would have denied further funds to guarantee or insure future investments by the Overseas Private Investment Corporation—OPIC.

Fortunately, the amendment was defeated by a scant 26 votes, but the attendant debate unleashed a flood of misinformation and misunderstandings about OPIC, its operations, and the overall impact on domestic employment of U.S. foreign investment.

OPIC will be scrutinized by oversight reviews in subcommittees of both the House and the Senate later this year, so that the Members will be accorded the benefit of more deliberative examination than was possible last fall on the floor.

Meanwhile, I would like to share with my colleague an article from the current Business Europe that describes an investment-guarantee plan unveiled last month by the Brussels Commission in the Common Market to improve the competitive edge of EEC companies in the developing world.

This plan is in addition to individual investment-guarantee plans that most of the member countries provide their own oversea investors.

Before we get swept too far along the protectionist wave that is surging through both Chambers, it behooves us to view the world outside with more realism.

The article follows:

EEC To Guarantee Investments in Developing Countries

In a move designed to promote EEC investments abroad, the Brussels Commission last month unveiled a comprehensive investment-guarantee scheme that should considerably improve the international competitive position of companies and foreign subsidiaries within the EEC.

The plan, now before the EEC's Council of Ministers, calls for setting up an Office for Private Investment Guarantee (OPIG) with an initial capital of $10.8 million. OPIG should enable the EEC to: expand its foreign trade, particularly with the less developed countries (LDCs); strengthen its economic and political ties with them; and, probably the most important, secure long-term supplies of basic raw materials to its industries.

The scheme, expected to enter into effect this year, would cover three broad categories of noncommercial or political risks: war and revolution; nationalization, expropriation, and confiscation; and transfer of profits and capital, inconvertibility, and foreign exchange losses.

OPIG's guarantee would apply only to direct investments (equity participation, long-term loans, and advances) for the establishment or expansion of manufacturing or trading facilities outside the EEC. Geo-

graphically, the program would be extended to all countries that have concluded a bilateral convention on private investments protection with the Community; are associated with the EEC (e.g. Greece, Turkey, the 19 Africa associates, etc.); and provide sufficient legislative guarantees to foreign capital.

Foreign investments by EEC subsidiaries of non-EEC companies would be eligible for OPIG insurance. Coverage would also be available for investment projects carried out jointly by firms within the EEC and state-controlled enterprises of East European or Far Eastern countries. Top priority would be given to multinational foreign ventures (projects developed by firms based in two or more EEC countries), as well as to direct investments abroad considered to be in the overall Community interest.

ELIGIBILITY REQUIREMENTS

To qualify for the EEC guarantee projects in the LDC's would have to be approved by the host country, benefit the latter in terms of economic development, foster intra-LDC economic and trade cooperation, and leave "adequate" participation opportunities to local capital.

OPIG's guarantee would cover 100% of the value of the original equity and/or loan investment. On demand, however, the coverage could be increased to reflect a maximum 3% annual growth of the project's initial net worth due to reinvested earnings and/or new capital contributions.

Annual corporate profits (dividends, interest royalties) would be guaranteed up to 24% of aggregate invested capital. For transfer and inconvertibility risks, however, this ceiling would be lowered to an annual 8% of the investment's value. OPIG coverage would normally be limited to 15 years, but could be extended to 20 years in exceptional (as yet unspecified) cases.

Losses resulting from political risks, including an unfavorable change in the host country's legislation on foreign investments, would be compensated 100% during the first 10 years of guarantee, tapering off by an annual 10% in the next five years with special conditions for guarantees having a 20-year maturity.

THE FORMULA

EEC compensation for losses due to war, revolution, nationalization, expropriation, and confiscation would be computed on the difference between: 1) either the book or the nominal value (less repatriated capital and profits of the investment, whichever the lower; and 2) the residual value of the assets, plus any compensation paid by the host country.

For foreign exchange risks, OPIG would guarantee the exchange rate prevailing at the time the insurance contract was signed, but would not cover a difference of less than 10% between the exchange rate guaranteed and that at which transfers were actually made. The scheme would not provide for the investor's "self-coverage"—a system used by countries such as the US, Sweden, Japan, Switzerland, and Canada, whereby, for indemnification purposes, they deduct from the officially ascertained losses a varying amount—from 1% for the US to 30% for Switzerland.

Although the Commission's proposals fail to spell out the cost to private companies of the OPIG program, it is expected that annual guarantee fees would range between 0.75% and 1% of the investment's value, depending on the foreign country's political and economic situation. These rates would represent the aggregate cost of insurance coverage for the three groups of noncommercial risks.

The EEC scheme would complement, rather than replace, investment-guarantee programs presently operated by individual EEC countries (except Italy, which doesn't have an investment-guarantee program). Most of these national schemes, in fact, are limited not only with respect to their geographic scope, but also as to the type of investments and risks covered. Moreover, none of these programs affords insurance coverage to multinational EEC investments abroad.

STOCK DEALINGS

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ASPIN. Mr. Speaker, I have written today to Mr. William J. Casey, the Chairman of the Security and Exchange Commission concerning the unloading of more than 86,000 shares of common stock by Litton Industries former president Roy Ash.

Mr. Ash apparently unloaded the stock at a time when it was known privately, but not publicly that Litton was in big trouble on one of its major shipbuilding contracts. Litton failed to inform its stockholders either in its annual report or in its filings to the Security and Exchange Commission of developing problems on what is known as the LHA program.

As many of my colleagues may know, it is prohibited by Federal law for anyone to use insiders information in trading large blocks of stock. While no one is accusing Mr. Ash of insiders trading, the circumstances indicate to me that an investigation by the Security and Exchange Commission is warranted.

Yesterday, the distinguished Senator from North Carolina (Mr. ERVIN) and all of the Senate committee chairman introduced legislation which would require the Senate confirmation of Mr. Ash and his Deputy Director of the Office of Management and Budget. Mr. Ash should appear before both congressional committees and answer questions about his stock dealings and other matters which are relevant to his presidency of Litton and his tenure as the Director of the Office of Management and Budget. Before legislation passes the Congress requiring the confirmation of the Director of the Office of Management and Budget and his Deputy, I believe Mr. Ash should voluntarily appear before the Appropriations Committees of both Houses and discuss his stock dealings and other matters.

My letter to Mr. Casey follows:

CONGRESS OF
THE UNITED STATES,
Washington, D.C., January 24, 1973.

Mr. WILLIAM J. CASEY,
Chairman, Security and Exchange Commission, Washington, D.C.

DEAR MR. CASEY: I am writing to you today to request the Security and Exchange Commission to investigate the unloading of more than 80,000 shares of Litton Industries common stock in 1970 by Roy Ash.

As you know, under 15 U.S.C. 78(u), the Security and Exchange Commission has the right to investigate any violation of the so-called Insider's Rule (15 U.S.C. 78(j)).

15 U.S.C. 78(u) and 15 U.S.C. 78(ff) provide criminal procedures and penalties for anyone who violates the insider's trading rule. It is my belief that Mr. Ash may have violated these statutory provisions by selling more than 80,000 shares of Litton stock on the basis of "insider's information."

As you may know, according to SEC documents, during the months of March 1970—December 1970, Ash sold 86,797 shares of common stock.

By the time Ash was selling massive amounts of stock, evidence was already available privately but not publicly that Litton's LHA shipbuilding program was in deep trouble. Litton was awarded the $900 million contract to build nine landing helicopter assault ships in May 1969.

Evidence that the LHA program was in deep trouble was first revealed in a General Accounting Office staff study which was released in early 1971 but based strictly on mid-1970 data.

To be more specific, at the same time Ash was selling large amounts of stock, the Navy notified Litton that they were seriously considering canceling four of the nine ships. The cancellation did occur, boosting the per ship cost of the program at that time from $158 million per vessel to $197 million.

In addition, the GAO reported, based on its 1970 findings, that "the records show four months slippage in scheduled delivery . . . the contractor is about three months behind in his original schedule on his overall design effort . . . and in view of the indicated slippages in the delivery of the LHA and the total workload of the contractor's shipyards which may impact further on delivery, close surveillance should be maintained over oncoming ship programs such as 30 DD963 destroyers which are scheduled for production in the same yard."

At the same time problems were developing on the LHA and Ash was selling a great deal of stock, Litton lowered its bid from approximately $100 million per ship on the DD963 program to $83 million per vessel. Litton's reduction of its bid by about $213 million is a good sign that Litton is probably involved in some sort of buy-in on the contract. Hence, it was undoubtedly known privately to men like Mr. Ash but clearly not publicly to the stockholders, that the shipbuilding contracts were in trouble.

At the same time Ash was selling substantial amounts of stock and Litton was running into its first problems on the LHA, a rosy picture of Litton's shipbuilding operations was painted for the stockholders.

Immediately after the award of the DD963 contract, a Litton spokesman told Dan Dorfman of the *Wall Street Journal* that this contract will "start making important contributions to earnings in fiscal 1971 (beginning August 1)."

Even when Litton reported sharply decreased earnings in fiscal 1970, company officials pointed to the shipbuilding contracts as a future boost to the company's fortunes. The *Wall Street Journal* reported on Thursday, August 27, 1970, "Litton reiterated however that its major financial problems were due to external influences on its operations and said it was in a 'strong financial position' for the rest of the decade."

Part of Litton's optimism was based on recent bestowal of defense contracts including the DD963 destroyer program and several other smaller contracts.

Even when Litton stockholders tried to question the company about its shipbuilding activities at the 1970 annual meeting there was little response from company officials. The *Wall Street Journal* of Monday, December 14, 1970 reports "Litton Industries Inc., shareholders learned little about their company's plans at a two hour annual meeting here Saturday. Officials declined to answer most stockholders' questions because of a recent registration with the Security and Exchange Commission of a $60 million offering of six-year notes later this month.

In response to holders' questions ranging

from the company's shipbuilding activities to its backlog, Charles Thornton, Chairman, replied, "We've got some good comments that—we'll write to you."

Mr. Ash and Mr. Thornton did tell stockholders in the 1970 Annual Report that "Our marine operations became profitable in fiscal 1970 and we look forward to continued profits and increased sales in the 70's. We began fiscal 1971 with longterm contracts in excess of $3 billion for work to be performed in Litton's newest and the world's most automated shipbuilding facility . . . the management, scientific, engineering, production, and marketing talent now assembled at Litton is the strongest it ever has had."

Even in its January 1970 report to the SEC, Litton failed to mention any problems in its defense and maritime system group. Instead, Litton blamed lower earnings on "lower levels of economic activity and machines, tools, materials handling equipment, industrial equipment and motors." The result was a decrease in earnings per share from $1.01 for the six month period ending January 1, 1970 to $0.61 for the same period ending January 31, 1971.

Mr. Ash's massive unloading of stock, developing problems in the shipbuilding programs, and Litton's failure to mention them in either its quarterly reports to the SEC or its annual reports to the stockholders raises serious questions which should be investigated.

While no one is accusing Mr. Ash of insider dealings, the circumstances appear to warrant inquiry by the SEC.

All of these circumstances raise a basic question that both the SEC and Mr. Ash should answer. Did Mr. Ash withhold any information from the public or the stockholders concerning the shipbuilding division at the same time he knew there was trouble and was selling off millions of dollars of stock? This question deserves a straightforward answer directly from Mr. Ash in order to justify to the Litton stockholders and the public his unloading of 86,000 shares of stock when he may have known on the basis of inside information that Litton was in big trouble on its shipbuilding contracts.

I appreciate your attention to this matter.

Sincerely,

IKE ASPIN,
Member of Congress.

MELVIN R. LAIRD

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. TAYLOR of North Carolina. Mr. Speaker, I join my colleagues in paying a tribute to a distinguished Secretary of Defense and an outstanding American, Melvin R. Laird. When Melvin Laird was selected as Secretary of Defense 4 years ago those of us who had served with him as a colleague in the House knew that he would perform with devotion, dedication, and distinction. We expected much and we have not been disappointed.

Melvin Laird has served during a turbulent period of American history. An unpopular war and a changing environment on the international scene made difficult his task. Now as Mr. Laird leaves the office of Secretary of Defense he carries with him the respect and admiration of the Congress and the people of this Nation. We are deeply grateful to him for his years of devoted service to our Nation.

TOM WICKER ON WAR POWERS LEGISLATION

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ZABLOCKI. Mr. Speaker, in a two-part series recently in the New York Times the widely read columnist Mr. Tom Wicker discussed war powers legislation passed by the Senate during the 92d Congress and subsequently reintroduced into the 93d Congress as S. 440.

In his articles he reaches the conclusion of many of us in the House that the Senate bill "might well become a device for underwriting—not restraining—Presidential acts of war."

Unfortunately, Mr. Wicker seems not to have been aware of the joint resolution on war powers which three times has passed the House—a resolution which has been reintroduced into the 93d Congress in revised form as House Joint Resolution 2. This measure, while meeting objections which he has to the Senate bill, would put the Congress firmly on record in the area of war powers without also infringing upon the constitutional powers of the President.

Because Mr. Wicker's columns provide a cogent and convincing argument about the problems involved in S. 440 and similar legislation, I am inserting them in the RECORD at this point and urge my colleagues' attention to them:

[From the New York Times, Jan. 14, 1973]

MAKING WAR, NOT LOVE

(By Tom Wicker)

Senator Barry Goldwater, who sounds as if he'd still like to lob one into the men's room of the Kremlin, thinks it would be "nothing short of disaster" for Congress to supplant or reduce the President's war powers with some legislative procedure. And he is "sick and tired," he said with his usual subtlety, "of hearing demands, especially by the members of a political party whose leaders got us into this war, that President Nixon end the conflict on their terms."

Mr. Goldwater has a solid point about a good many Democrats, including some recent Presidential candidates, whose hawk feathers have turned dovish white since Lyndon Johnson left the White House and Richard Nixon came in. And while the matter still needs a lot of study, Mr. Goldwater also may be right in warning against tampering with the Constitution in reaction to Mr. Nixon's conduct of the war in Vietnam.

Nevertheless, recent events tend to support the conclusion of the historian Arthur Schlesinger Jr., who wrote in an article in The New York Times Magazine: "The inability to control Presidential war is now revealed as the great failure of the Constitution."

The most shocking thing about the Christmas bombing campaign launched by Mr. Nixon, for example, was that by the admission of official Administration sources it was intended to show Hanoi "the extent of his anger over what the officials say he regards as an eleventh-hour reneging on peace terms" and also to force Hanoi to "negotiate seriously." Put briefly, Mr. Nixon ordered out the B–52's for diplomatic reasons, tinged with personal anger.

It is true that this was done in the context of an actual, if undeclared, war; still, no one has seriously argued that the Christmas bombing was demanded by the exigencies of the war. Instead, it was necessary—in Mr. Nixon's view—to his diplomacy. If he can constitutionally order an act of war for a diplomatic purpose, could he order a similar act at any time he thought it could further his diplomatic or even economic policies?

Could a President, for example, bomb Lima in order to forestall or retaliate for some act of expropriation by Peru? If Fidel Castro refuses to help put an end to airline hijackings to Cuba, can Mr. Nixon constitutionally bomb Havana to make him negotiate seriously? Or, during the India-Pakistan war, could he legally have blasted New Delhi in order to show his anger at Mrs. Gandhi's belligerence?

These may seem frivolous questions—until it is recalled that American Presidents have sent in the Marines in numerous cases not much more outlandish. Bombing is quicker and generals would have you believe it is more effective; and a lot of people who might once have thought that American Presidents would not do such things have had a bitter education in the Dominican Republic, Guatemala, Laos, the Bay of Pigs, Cambodia and Vietnam.

Another chilling note was struck this week by William P. Clements, nominated to be Deputy Secretary of Defense, who told a Congressional committee he "wouldn't eliminate" the possibility of using nuclear weapons in Vietnam but in fact was "not prepared to give you a philosophical view" on what he seemed to think was "a very complicated issue."

The White House and the State and Defense Departments immediately put out what appear to be solid pledges that nuclear weapons will not be used in Indochina—whereupon Mr. Clements hastily fell in line. But two points can be fairly made. One is that the Administration has made a promise, which is in no way legally or perhaps even politically binding on Mr. Nixon or a successor; the other is that the American people on occasion have heard a President pledge one thing, then see him finally do another.

On the other hand, it can hardly be denied that in the era of nuclear-tipped missiles a President must have the power to respond quickly and decisively; without that power, the whole idea of a "nuclear deterrent" falls to pieces. Moreover, even if the last decade provides some horrid examples, it is possible to imagine situations in which some quick Presidential action or threat might be necessary to preserve or restore peace.

The problem, therefore, is to retain the President's capacity to function as Commander in Chief, but to define or restrain that function so that he cannot make war, or order acts of war, by whim, impulse, tantrum or imperial decision. The original intent of the framers, after all, was to place a civilian Commander in Chief in restraint of the military—not to make him their Generalissimo.

Restricting President powers in such a fashion—or defining them so that such limits are both understood and enforceable—is not going to be easy and Barry Goldwater is probably right that a legislative substitute is not the answer.

MAKING WAR, NOT LOVE

(By Tom Wicker)

WASHINGTON, Jan. 15.—President Nixon's order for the Christmas carpet-bombing of Hanoi and Haiphong was perhaps the most imperial military decision in American history, although its purpose was diplomatic. It was not taken during a declared war, or in a domestic emergency such as Lincoln had to deal with, or in general consultation with Congress and the United Nations, as was Harry Truman's decision to defend South

Korea, or even with the dubious authorization of the Tonkin Gulf Resolution upon which Lyndon Johnson relied. Mr. Nixon's bombing decision apparently was not discussed even with his own Joint Chiefs of Staff.

But it is unlikely that even this horrendous expansion of the so-called "war powers" of the President as Commander in Chief will lead Congress to decisive action to restrict those powers. For the immediate future, Mr. Nixon remains an active Commander in Chief, ordering both military operations and peace negotiations; no Congress is likely to take the risky political step of attacking a President's powers in those circumstances, particularly in view of the new bombing halt.

In the era of nuclear-tipped missiles, moreover, the President must retain the power to act decisively and swiftly in response to threats from abroad. This necessity, plus the President's role as Commander in Chief, makes it most difficult to frame a satisfactory device for restricting his ability to make Presidential war.

The so-called War Powers Act now pending, for example, would require a President who had sent the Marines to the Dominican Republic or the B-52's to Hanoi to report to Congress within thirty days and to ask for its approval. This would give a President thirty days of war-making license not now specified in the Constitution. Worse, it wraps the President in the flag, gives him the initiative as a Commander in Chief who has acted in what he will surely call the national interest, and puts the onus on Congress to declare that he was wrong and ought not to have done it.

Congress will not often be so lion-like—quite the opposite—so the War Powers Act might well become a device for underwriting—not restraining—Presidential acts of war. But Congressional resolutions of policy, another possible device, have almost no teeth; Mr. Nixon, for example, merely shrugs off as not binding on him the Mansfield resolution which declares it national policy that the war in Vietnam should end on a certain date. As for cutting off funds for the war, Mr. Nixon has only to veto any bill that might attempt to do it. After that a two-thirds vote would be required in each house.

The Supreme Court is hardly the answer. If it tried to define Presidential war powers it would undertake to control the "co-equal" executive branch on the most sensitive questions of national policy. If it actually sought to restrict the Presidency, it might not be able to enforce its decision; or as now constituted, it might even expand the war powers, or confirm Mr. Nixon's view of them. In any case, no Supreme Court is likely to stumble into such a political thicket.

So, as a practical matter, there is no handy device, no quick and easy way to restrict Presidential war powers. But the first necessary step toward that difficult goal surely is an end to the war in Vietnam. While Mr. Nixon is actively functioning as Commander in Chief, while operations proceed, while he can base his actions on the demands of war, while he can clothe his policy in the "national interest," attacking his powers—even, to some extent, his policies—is too much like aiding the enemy; those who do it are even seen to be the enemy by people who consider their President the righteous leader of a peace-loving but mighty nation.

But once the war—or at least overt American participation in it—is over, Congress will not be in the position of attacking the Commander in Chief in wartime. Then, one useful precedent might be the Cooper-Church amendment of 1970, which prohibits the use of any appropriated funds for committing American "ground combat forces" to Laos, Cambodia or Thailand.

This strong amendment was passed and accepted by Mr. Nixon only as part of a Cambodian aid package he desperately wanted, and then only after the Cambodian invasion that produced it had been concluded. In similar circumstances, there might be a chance for an equally strong prohibition against using appropriated funds for renewing at least the ground war—possibly the air war, too—in Indochina.

That would not be the answer to the war powers problem, but it would be a first small step toward what is finally going to be needed—a serious revision in Congress, in the press, in the public they are supposed to serve, of the attitude that in national security affairs, the President knows best.

LAW TO PROTECT POLICE OFFICERS AND FIREMEN

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. MIZELL. Mr. Speaker, I rise at this time to join the distinguished chairman of the Committee on Internal Security, Mr. ICHORD, in sponsoring legislation to make it a Federal crime to kill or assault law enforcement officers and firemen engaged in the performance of their official duties.

I cosponsored similar legislation in the last Congress, Mr. Speaker, and at that time I pointed to alarming statistics which showed a marked increase over the last decade in the number of policemen and firemen killed in the line of duty.

The urgent need for this legislation is all the more apparent in view of the recent tragedy in New Orleans, when policemen, firemen, and private citizens alike were the victims of violence and terror.

Our society relies heavily on law enforcement officers to safeguard life and property and "insure domestic tranquility." Thus, their role is a crucial one in today's America, even though it seems fashionable in some circles to criticize and berate the law enforcement officer. In any event, it has always been largely a thankless job, despite its importance and its inherent danger.

I for one believe it is the responsibility of the Federal Government not only to assist the local law enforcement officer in the performance of his duty, by providing funds for training and equipment, but also to insure as best we can that the criminal or terrorists who contemplates an attack on a policeman will have the full weight of Federal law to contend with and to be punished by.

We can only hope that such a law would serve as a deterrent, at least in some cases, but we can demonstrate for certain, to both the peace forces and the criminal forces in America, that it is the sense of this Congress that the law enforcement officer shall have every assistance and every protection we can possibly give him.

I urge my colleagues to join with me in seeking passage of this legislation without delay.

PROPERTY TAX REFORM FOR VERMONT

HON. RICHARD W. MALLARY

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. MALLARY. Mr. Speaker, many States are plagued with the problem of rising property taxes which in many cases have exceeded the ability of property owners to pay. In addition, the holding of the California Supreme Court in Serrano against Priest (1971) has called into question the whole system of educational financing based upon property tax districts of unequal wealth.

A former member of the Vermont House of Representatives, John McClaughry of Lyndonville, has proposed an intriguing plan to couple income and property taxes to better relate overall tax liability to ability to pay, while at the same time making very basic changes in the Vermont system of educational financing.

Since the plan suggested by Mr. McClaughry might have applicability in other States and since it has merit as a conceptual basis for tax reform discussions, I insert his memorandum describing it at this point in the RECORD. Mr. McClaughry has added several footnotes to explain the Vermont property tax and school financing system.

PROPERTY TAX REFORM FOR VERMONT

(Proposal by Representative John McClaughry)

The people of Vermont demand a thoroughgoing plan for property tax reform. The reasons for this demand are well known.

In a system based on fair *market* value, rising prices for Vermont land produce higher valuations. Higher valuations, coupled with a steadily increasing demand for public services, leads to higher tax payments. Senior citizens can no longer afford to live on their homesteads. Young families can often afford only a mobile home. The Vermont working man and his family are driven to the wall.

In addition, the courts have sounded warnings about educational finance systems based on inequalities of taxable wealth among school districts. And the Vermont cost sharing formula for aid to local schools[1] is increasingly criticized. The time has clearly come for a major revision of public finance in Vermont, centering on the property and income taxes.

The McClaughry Plan is based upon the following principles:

I. Property taxation for the support of town services, including education, cannot be totally abolished because there is no feasible alternative *source of revenue.*

II. The property tax and the income tax must be coupled to better relate tax burden to the ability to pay. This is particularly important for senior citizens, farmers, young families, and persons of modest and low incomes.

III. The fair market value system of appraisal with all its administrative problems is still preferable to a system which bases economic values on political decisions.

IV. Local government should be strengthened and made more responsive, and local control of education should be preserved.

V. Property tax reform must make a special effort to keep Vermont farmers farming, and

Footnotes at end of article.

not force them to sell out because of crushing property tax burdens.

VI. Property tax reform must also make a special effort to alleviate the tax burdens on lower income senior citizens, particularly those on social security or other retirement plans.

* * * * *

The McClaughry Plan consists of a major tax reform proposal plus four other proposals for coordinated action.

I. Tax Reform: Couple the property tax to the income tax.

A. First, restore to the towns[2] the full fiscal responsibility for both town government and local education, and terminate state aid for current educational expenditures (the Miller formula). This will of course increase local revenue demand by about $30 million.[3]

B. Give each Vermont taxpayer an annual credit against his state income tax based on two separate factors: his adjusted gross income, and the Grand List[4] per child of his school district. The Grand List may be either an equalized grand list, now used in the Miller formula, or a professionally determined grand list using county or regional appraisers.[5] This is a separate and unrelated policy question. The number of children used in the calculation is the total number of children in the town who are attending school, whether public or private school. The tax credit is an absolute tax credit; that is, if the taxpayer's credit is larger than his income tax liability, he receives the difference as a cash payment. The maximum amount of credit for any one income tax payer would be set by the Legislature, probably in the range of $1,500–$2,000. This would prevent excessive benefits to persons who hold large amounts of property but still have low incomes.

C. Install a device to allow renters to claim 25% of their rent payments as property taxes paid. (This device is now used in the senior citizen tax relief program.) This is necessary because rents may be raised to reflect the increased local property taxes. Special rules would be devised to allow landlords to claim credit for property taxes paid on unrented properties.

D. Divide local property tax payments into two semiannual installments: town government tax in the fall, and school tax in the spring. This is to ensure that taxpayers can have their credits before becoming liable to school taxes.

E. Out of state property owners would not be able to claim the Vermont income tax credit unless they subjected their entire incomes to the Vermont income tax. They would, of course, get a credit for income taxes paid to their state of residence in that case.

F. Eliminate the income tax surtax enacted in 1969.[6] This is necessary because higher income taxpayers will be paying higher local property taxes on a progressive basis. This will cause a revenue loss to the state of about $7 million.

G. The amount of tax credit to which an income tax payer is entitled may be simply calculated from a table of credit factors. The table would have adjusted gross income brackets down the left hand side, and grand list per pupil across the top. The individual's credit factor is obtained by taking the number in the box representing the individual's adjusted gross income and the grand list per pupil of the town in which he pays property taxes. This credit factor would then be multiplied by the taxpayer's property tax liability to get the amount of the credit, subject to the maximum mentioned above. (Where an individual owns property in more than one town, the computation is weighted accordingly.)

H. Discussion: The effects of the McClaughry Plan are twofold: taxpayers in towns with low grand lists per child will get larger credits than taxpayers in towns with high grand lists per child. And lower income taxpayers will get larger credits than high income taxpayers in the same town.

While abolishing the Miller formula aid and putting educational costs back on the local property tax will increase those taxes by about 30%, persons with lower incomes will be better able to pay their property taxes (or housing rentals) than they are now. Towns with low grand lists per pupil will in effect have their grand lists increased, measured by the grand list value of property which, if taxed at the town rate, would produce the aggregate credits received by the taxpayers resident in that town. This tends to meet the objections raised in the California Supreme Court case of Serrano v. Priest (1971), depending on the actual numbers used.

Instead of distributing state aid to education to the towns, under the McClaughry Plan the state really distributes state aid to individual taxpayers to enable them to better pay the local costs of education and town government. That distribution is made to favor middle and lower income taxpayers, and the taxpayers of towns with low equalized grand lists per pupil.

The plan can be implemented either with local listing and state equalization, as at present, or with professional area-wide tax administration.

If the principle is adopted that there will be no net impact on the state budget (using fiscal year 1972 estimates), the towns would collect an additional $30 million in local property taxes. About $21 million of this would come from Vermont residents, and about $9 million from non-residents. (This assumes that the non-residents, who own about 30% of Vermont property, also pay about 30% of Vermont property taxes.)[7] At the same time, the towns would not receive $30 million in Miller formula aid.

At the state level, revenues would be reduced by about $30 million: —$7 million from eliminating the income surtax, —$24 million in net collections because of the property tax credits, +$1 net revenues from discontinuing the senior citizen property tax relief program,[8] which is incorporated in the McClaughry Plan. On the expenditure side, this would be balanced by elimination of the $30 million in Miller formula aid.

In effect, the McClaughry Plan reduces the state budget, both net revenues and expenditures, by about $30 million, something probably unprecedented in any state in recent times. The plan leaves these funds in the hands of the taxpayers to enable them to pay the true costs of their local education and town government.

Clearly, the elimination of State aid for current educational expenditures and the restoration of local responsibility for financing education—plus channeling additional resources to local taxpayers to better enable them to pay those costs—restores local control of education.

Property owners who are not subject to Vermont income tax would not be able to claim the credit unless they bring their entire incomes under Vermont income taxation. This means that up to as much as $9 million in additional property tax payments will be made by non-resident property owners. This payment will substantially reduce the tax burden on Vermont taxpayers.

Special rules must be devised to prevent evasion by the use of corporations created only to hold taxable real property which produces little or no taxable income. Such a rule might be a mandatory passthrough of property taxes paid by the corporation, pro rated to all common stockholders. Only the stockholders who are subject to Vermont income taxes could claim the credit, however.

The crucial question in the legislation required to implement the McClaughry Plan is the numbers used in the credit factor table. While the adjusted gross income distribution of taxpayers is known, and the equalized grand lists per pupil, the amount and location of property owned by those taxpayers in those towns is not known. Once taxpayers file their returns the first year, the revenue effect on successive years can be predicted quite accurately, aside from subsequent property turnovers. The credit factors can be adjusted in later years to account for any under- or over-collection in the initial year.

Small Vermont-owned corporations can be accommodated by the previously mentioned pass-through of tax credit to individual shareholders, as in a Subchapter S corporation under the Internal Revenue Code. Special rules may be necessary for large national corporations.

It is necessary to state, finally, that any program as far-reaching as the McClaughry Plan will require considerable refinement before actual drafting and implementation.

FOOTNOTES

[1] The Vermont cost sharing formula for state aid to local education is known as the Miller formula. The state aid percentage is computed as follows:

(a) Each school district determines its "grand list" by local listing (appraising) of all real property, valued at 50% of fair market value, and then divided by 100; plus an entry of $1.00 per adult for poll tax.

(b) This grand list is equalized by the state tax department to achieve uniformity in appraising.

(c) Each district's equalized grand list per pupil in average daily membership in public schools is then obtained.

(d) the "district multiplier" is obtained by dividing this number by the equivalent number for the state as a whole.

(e) The state aid percentage is determined by computing 100—(f) x (District multiplier), where f is a factor computed to make the aggregate distribution of state aid equal to the available appropriations. Originally intended to be 0.60, f has now risen to about 0.68, representing a decline in the state aid percentage from an average 40% to 32%.

(For an exact statement of the law, see 16 Vermont Statutes Annotated § 3470–3472. There is also a "floor" to provide aid to towns which would not otherwise qualify for aid.)

[2] In Vermont the town, usually contiguous with the town school district, is the basic unit of property taxation. There is no significant state or county property taxation.

[3] The figures used relate to the FY 1972 Vermont budget.

[4] The Grand List is explained in note 1 supra.

[5] The "equalization" of the grand list is carried out by the property tax division of the state Department of Taxes, which computes a ratio of the fair market values of a sample of properties in the town with the values listed by the town listers and multiplies the locally-determined grand list by this ratio. Invariably equalization of town grand lists is upward.

[6] The 1969 surtax was a fifteen percent surtax to the basic 25% of Federal income tax liability. The 1972 legislature has programmed the reduction of this surtax to 12% for tax year 1973 (No. 260, Acts of 1972, amending 32 V.S.A. 5830(a).)

[7] This assumption cannot be demonstrated with present data, but is generally accepted as conservative.

[8] The senior citizen tax relief program provides an income tax rebate to senior citizens based on their local property taxes paid. See 32 V.S.A. Chapter 153.

COUNTRYSIDE AMERICA

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. ZWACH. Mr. Speaker, as most of my colleagues know, I have been championing "countryside America" ever since I have been in Congress and for long before that when I served in the Minnesota Senate and House.

There is a lot to be said about the quality of living in countryside America. One of the best brief statements on this subject was an editorial written recently by Dave Gallagher in the Montevideo American-News in our Minnesota Sixth Congressional District.

Mr. Gallagher points to the result of a recent Gallup poll showing that 55 percent of our people would like to live in the countryside. He then points out why they do not and concludes with the hope that the Rural Development Act will help stem the tide to the cities where two out of three Americans already live.

Mr. Speaker, I insert Mr. Gallagher's editorial in the CONGRESSIONAL RECORD and commend its reading to my colleagues:

URBAN DEVELOPMENT

A recent Gallup Poll published a week or so ago indicated that fifty-five percent of the respondents wanted to live in areas other than the metropolian scene. Thirty-two percent said they preferred a small town and twenty-three percent said they preferred the farm.

If fifty-five percent of the people did not like living in the metropolitan area, then why do they continue to do so? And why are more people moving into these congested urban areas all the time?

The problem of rural development is not a new one. As far back as the turn of the century, when many more towns and hamlets dotted the countryside than presently, there were men of vision who realized that it would not last, that the small towns would not be able to compete with the larger cities.

Technology has done as much to help the farmers and the rural area as it has to hurt it. Agriculturally, technology has made the farmer's lot a much easier one, but the expenses have increased so drastically that the small-time farmer simply could not exist on the resources available to him.

Industrially, technology was suited best to the big city, where a ready labor market existed, where air, rail and highway transportation was plentiful, where water and power and other services were abundant-industrially, the small town could never compete.

There have been many reports circulated lately indicating that white and blue collar workers are unhappy with their course in life. They are sick and tired of their jobs, sick and tired of traffic and congestion and pollution and noise and smell and crowds of people and high crime rates and all the rest of it.

Why, then, do they not move away from it? Why put up with it? Because they, like so many Americans, are trapped. They are trapped in a socio-economic jungle that will not let them loose.

It is one thing for a man to say that he has had enough and quite another to take a financial loss on his mortgage, quit a good paying job, settle his accounts and move to a rural area. What will he do when he gets there?

Buy a farm? Not unless he has hundreds of thousands of dollars tucked away somewhere. A farmer is a composite of a banker, an agronomist, a mechanic, an electrician, a carpenter, a veterinarian, gambler and weatherman. No "city slicker" could step right into such a role.

The man on the move will probably find getting the type of employment he left in the metropolitan area impossible to obtain in the rural area and the pay he commanded will be equally out of range in most cases.

Whether the Nixon administration will do anything about the Rural Development Act of 1972 is not certain. Certainly more has to be done in the future than has been done in the past.

Two out of three Americans today live in urban concentrations of 50,000 or more. By the year 2000, that is expected to rise to eighty-five percent. To avoid utter chaos in our urban areas, that trend must be reversed. Maybe serious attention to the Rural Development Act will help stem the tide.

THE GREAT COMPETITION IN SPACE

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. HOSMER. Mr. Speaker, the distinguished physicist-astronomer and director of the Jodrell Bank Observatory, Sir Bernard Lovell, has written an outstanding article for the October issue of Foreign Affairs.

This article was brought to my attention by Paul L. Smith, an aerospace executive in my congressional district, who felt that it represents the feelings of many in the aerospace industry about the space program, its meaning, and its future.

Excerpts from the article follow:

[From Foreign Affairs, Oct. 1972, Vol. 51, No. 1, pp. 124–138]

THE GREAT COMPETITION IN SPACE

(By Sir Bernard Lovell)

II. THE INFLUENCE OF THE SPUTNIK

It is rare for a scientific exploit of one country to monopolize the attention of the entire world. The launching of an artificial earth satellite from the Soviet Union—Sputnik One on October 4, 1957—was such an occasion. Further—and of greater significance—the event was the direct cause of a revolution in the U.S. attitude to science.

The extent of the technological and political shock which the Soviets delivered to the West surprised both sides. Clearly the responsible individuals on both sides of the barrier had little concept of the deep effects of the enforced isolationism. For those within the Soviet Union it appeared inconceivable that Soviet science and technology could have risen to such competitive heights within a decade of utter disruption. For those in the United States it also seemed inconceivable. Actually, there was little excuse for the continued American blind disbelief in the powerful advance of Soviet science and technology. The few contacts within the international unions and the assessments which could be made from the news of the development of the Soviet intercontinental ballistic missile (ICBM) provided evidence of the state of Soviet techniques in those matters. Unfortunately, this was an era of the deepest suspicion, when any individual speaking favorably of Soviet scientific or technical strength was regarded as a Communist or, at the best, a fellow traveler. Further, it was not then appreciated that responsible Soviet scientists, although often evading or refusing to give information, were entirely reliable when making specific statements.

Indeed, the preliminaries to the drama of October 1957 were entirely regular. Many years previously the appropriate international unions had scheduled the period of sunspot maximum (1957–1958) as the International Geophysical Year (IGY). In October 1954 the Special Committee, charged by the International Council of Scientific Unions (ICSU) with detailing the arrangements, met in Rome and recommended that, as part of the worldwide programs for the IGY, "thought be given to the launching of small satellite vehicles, to their scientific instrumentation, and to the new problems associated with satellite experiments, such as power supply, telemetry and orientation."

In accordance with this recommendation, President Eisenhower announced on July 29, 1955, that the United States would launch a satellite during the IGY. A similar announcement was made one day later by the Soviet Union. Those who believed this Soviet statement to be an idle dream, following in the wake of the realistic American plans, were presumably unaware that several months earlier (April 15, 1955) the Soviet Academy of Sciences had announced that it had set up a permanent commission of interplanetary communications, whose work included the development of meteorological satellites; or that the chairman of this commission, Professor Sedov, subsequently stated at a meeting in Copenhagen that Russia would launch a satellite within "the next two years" and that it would be heavier than the satellite proposed by the Americans.

The collective isolationist arrogance displayed by the West in the months immediately preceding the launching of Sputnik One appears today as a fantasy and could be dismissed as a regrettable issue of the past if there were not such serious parallels at the present time. During August 1957 the International Scientific Radio Union (URSI) convened at Boulder, Colorado, and the director of the U.S. Vanguard satellite project described the status of that satellite. The message was that Vanguard could not be ready for launching for several months but that, in any case, it was known also that the Soviets were encountering severe difficulties and there was little risk of competition. Yet in June Academician Nesmeyanov, President of the Soviet Academy of Sciences, had said that both the carrier vehicle and instrumentation for the Soviet satellite were ready. In fact, the Academy had even informed the IGY organization that they would launch their satellite "within a few months." The press reports of the successful testing of the Soviet ICBM which appeared during the course of the Boulder meeting should have removed any lingering doubts about the Soviet space potential.

It must be presumed that at least the intelligence sources of the West had access to the level of scientific information available to those of us who were concerned with the scientific problems of the IGY. In that case, the political treatment of the relative status of the American Vanguard project and of the Soviet Sputnik passes comprehension. Our own information in Britain, based purely on assessments of scientific information provided by scientific contacts from East and West, was that the Soviets would be able to launch a satellite before the Americans. In mid-September Radio Moscow said the launching would be "soon," and on October 1 broadcast the frequencies on which the Sputnik would transmit. Three days later Sputnik One, weighing 184 pounds, was launched. The miniature American Vanguard was not only late but, in the end, a total failure. Scorn about the level of Soviet science and technology had perforce to turn instantly to a vast new evaluation of the state of American science.

III. INTERACTION OF THE SOVIET AND AMERICAN SPACE PROGRAMS

Two important lessons were learned by the United States (but unfortunately, not by the European Communities) as a result of this dramatic public display by the Soviets of their technical status. The first was that no modern power could sustain itself as such unless there was a willingness to make appropriate investments throughout the entire spectrum of scientific research, development and technology. The second was that competitiveness might well be in order as a stimulus to individual effort, but could be disastrous if allowed to manifest itself through competitive projects of national concern.

It is fortunate that there were at that time influential members of the U.S. administration who realized that the Soviet achievement was neither a purely scientific trick nor a "lump of old iron" in space, but the beginning of developments which could have vital military, commercial and political consequences. The effective restoration of the balance of power in these widest aspects is the direct result of the immediate action which was taken to place American science on a more appropriate financial basis.

In 1956 the United States spent only 6.5 billion dollars on all forms of research and development. Until that time the rate of growth was about half a billion dollars per annum. Within a year after Sputnik the figure was 10.5 billion dollars—a dramatic increase of one percent in terms of the gross national product. By contrast, in the six years before Sputnik Russia doubled her expenditure on research and development. Even so, the United States could not achieve parity of growth in the vital decade following Sputnik. In the ten years 1956–66 the U.S. research and development (R & D) expenditure trebled whereas that of the Soviets increased five times. In realistic terms, it has been estimated that at this period the Soviet expenditure on R & D was 6.5 billion rubles—an amount equal to that which was being spent on new housing. Taking account of the housing situation in Russia, this is a quite staggering indication of state policy, which could have no conceivable parallel in Western nations. By 1966 the effective purchasing power of the Soviet R & D budget was estimated as equivalent to 22.8 billion dollars, which was about 15 percent greater than that of the United States at that time.[1]

However, even unlimited resources are useless unless there is a consistent and coherent policy. This was the second lesson of the Sputnik. In 1957 the three U.S. military services were each developing ballistic missiles. Furthermore, in July 1955 when the decision was made to launch a satellite for the IGY a basic error was made: namely it was decided to base the carrier rocket on sounding rocket technology and not on the ballistic weapon developments. The contrast with the single-minded Soviet concentration on the ballistic weapon concept could hardly be more sharply defined.

The navy having failed dismally with Vanguard, the army was authorized to make an attempt with its Juno ballistic rocket (developed by Dr. Wernher von Braun). By the time of this successful launch on January 31, 1958, the Eisenhower administration had already begun the reorganization of the U.S. space effort in the form of the National Aeronautics and Space Administration (NASA). Even so, it was the third U.S. military authority—the air force—which organized the first American attempt to send a rocket (unmanned) to the moon, using the rocket of its Atlas intercontinental ballistic missile for the launching. They were still failing in these attempts even after the Soviets had hit the moon with Lunik 2 (September 13, 1959) and photographed the hidden side with Lunik 3 (October 1959).

As NASA gathered strength, with a budget increasing from $150 million in 1959 to $5,500 million seven years later, a unique international situation evolved: a new form of cold war developed between the Soviet Union and the United States in outer space. The tight security barrier maintained by the Soviets on all aspects of their space program, plus their technical superiority, provided them with a new form of political initiative. The first manned orbital flight by Yuri Gagarin on April 12, 1961, preceded by ten months that of an American astronaut in February 1962. The soft landing of Luna 9 on February 3, 1966, and the transmission to earth of photographs from the surface of the moon, four months ahead of the U.S. Surveyor (May 30, 1966), were indicative of a narrowing technical gap as NASA surmounted formidable technical problems with an efficiency and speed which could never have been realized except in such an international competitive arena.

The landing of men on the moon and their safe return to earth became a prestigious goal. That it was an international race with prodigious stakes has at various times been denied by both sides. That it was so on the American side is implicit in the "new ocean" speech of President Kennedy, with which he initiated the Apollo concept in 1961. Some historians may have the good fortune to uncover official Soviet documents which may reveal the extent to which the incredible and almost miraculous success of Apollo caused the Soviets to change their space program.

A personal assessment is that the break-even point came toward the end of 1968. In September 1968 the Soviets succeeded in sending an instrumented Zond probe on a circumlunar journey. This vehicle contained a transponded voice communication system and was subsequently recovered after splash-down in the Indian Ocean. Two months later another circumlunar probe (Zond 6) with voice transmission was recovered after touch-down in the Soviet Union. The persistent rumors then emanating from Moscow that the Soviets were about to repeat this exploit with a manned vehicle seemed well founded. The exploit never materialized, and at the approach of Christmas 1968, the three American astronauts made their historic circumlunar orbital flight to the moon. In the event, the American program continued its triumphant progress to the landing of Armstrong and Aldrin on the lunar surface on July 20, 1969.

Within a decade the immense resources of America had been harnessed to bring to success this fantastic project, requiring revolutionary scientific and technical concepts and developments in organization and logistics of entirely new dimensions. The Soviets did not expect the project to succeed. To the end they hoped for political gain and the discomfiture of the United States. When Apollo 11 was already on its way to the moon the Russians announced that Luna 15 had been launched from the Soviet Union on July 13. It was injected into lunar orbit on July 17, two days before Apollo. Only an hour before the lift-off of Armstrong and Aldrin, Luna 15 crashed on the lunar surface in a neighboring lunar mare. Luna 15 was meaningless except in the context of an attempt to recover lunar samples automatically. That this was indeed the intention was confirmed by the success of the identical Luna 16 a year later which succeeded in soft landing and returning automatically to earth with samples of the lunar surface. A minor problem with a rocket motor had caused the failure of Luna 15. With the attention of perhaps a third of the world's population concentrated on the moon in July 1969, it needs little imagination to appreciate the effect on world opinion had this little technical difficulty affected Apollo 11 instead of Luna 15.

VI. CONCLUSIONS

For the next decade the U.S. space program is largely ruled by the argument that by spending a further 15 billion dollars to develop the space shuttle, the cost of placing massive satellites in orbit can be reduced. Although scientists will, of course, be glad to mount experiments in such massive satellites, the concept is not justified on scientific merits. The backing for such concepts must be largely strategic. Surveillance satellites are already a common feature of space. The large space platform, made economically viable by the shuttle concept, must be regarded as a desirable space launching pad for these devices and for their extensions into the more active phases of interception and attack. The U.S. interest in the large orbiting platform is clearly a response to the recognized Soviet attempts to establish a similar facility in space.

The military dominance of space activity has been well hidden within the Soviet security screen and by the extroverted nature of the NASA missions. The reality of the military influence is evident from the information given recently to the U.S. Senate.[4] To the end of 1971 America had delivered 764 payloads to space—241 by NASA, the remainder by the Department of Defense, of which 182 are classified as civil and 341 as military. The estimates for Russia are 661 payloads in space, of which 392 were military. Of these latter, 17 are classed as "fractional orbital bombardment" and 25 as "military inspection or destruction."

Any realistic discussion of collaboration in space in the foreseeable future must take account of the unpalatable fact that at least half the space effort of the two major powers involved lies in the military domain, and that an unseen but effective military influence lies behind some of the major trends of the remaining civil space activities. It is in this area of space activities that we look for new collaboration on the basis of the Nixon-Kosygin agreement. The major question is whether duplication of effort can be avoided, thereby freeing major resources for further advance into the unknown. Ten years ago the space agreement between the Soviet Union and the United States provided for coördinated launchings of meteorological satellites, of satellites for measuring the magnetic field, for communication tests and for exchange of data on space biology and medicine. It is in this sphere, together with the new studies of earth resources from space, that properly coördinated activities between the two powers could save overlapping costs and could immediately benefit the human race.

On the essentially scientific aspects of space exploration it is probably unreasonable, and may even be undesirable, to attempt detailed collaboration. The scientific brain requires a driving motive. It is not clear whether scientists are primarily motivated by sheer inquisitiveness about the universe or by the competitive instinct. It is at least probable that the latter is important for the scientist who finds his own level of essential international collaboration and resents bureaucratic or political direction. The continued purely scientific-instrumented flights in earth orbit, in interplanetary space and to the planets are cheap by the stand-

[1] The figures for Russia are taken from "Soviet Space Programs, 1962–65," a staff report of the Committee on Aeronautical and Space Sciences, U.S. Senate, Washington, D.C., December 1966.

[4] See "Soviet Space Programs, 1971," a staff report of the Committee on Aeronautical and Space Sciences, U.S. Senate, Washington, D.C., April 1972.

ards of space expenditure. This intellectual pursuit of fundamental knowledge of our environment and the universe may with advantage be used to absorb harmlessly the competitive instinct of the space scientist in national, or at least localized international, groups where cost is important.

The real problems of international space collaboration lie in the exciting realms of manned excursions to the moon and beyond. After the conclusion of the Apollo program there are no U.S. plans for manned flights beyond earth orbit. No doubt within a few years the Soviets will, in their own time and by their own method, repeat the Apollo exploits. In their approach to these distant manned flights their whole attitude appears to differ essentially from that of the Americans. A fundamental edict of the Marxist-Leninist philosophy is that man can and must conquer his environment. The Soviets have made no secret of the fact that they interpret this, not merely as man conquering the hazards of the terrestrial environment, but moving into and establishing himself in the solar system. The question is not whether they will establish human colonies on the moon and Mars, and perhaps elsewhere in the solar system, but when they will feel ready to embark on these vast enterprises. Throughout the decade of Apollo, the Americans regarded man-on-the-moon as the winning goal. The Soviets no doubt expected to get there first, but their attitude has never wavered in regarding his exploit as a mere staging post to greater adventures.

The withdrawal of the United States from these manned planetary missions must be a cause of great concern. To allow one national group to establish itself unilaterally in lunar or planetary bases would be an incalculable disaster for the peoples of the earth. There are many dangers of local misuse arising from the massive engineering and technical advances which are first necessary on earth. There are more erudite dangers arising from the possibility that the Soviets might eventually attempt to change the planetary atmospheres to facilitate habitation, and the terrifying unknown dangers that might occur by the return of foreign organisms to the terrestrial globe. The ethical problems arising from man's tampering with his own local environment are current issues of concern. But they appear as shadows compared with the ethics of manned colonies in space unless such process are governed and carried out by international agreements. Fortunately, the vast cost of these undertakings, which could well materialize during this century, might erode the military budgets. The tensions between men would then pass to outer space.

THE ANNOUNCEMENT OF A VIETNAM CEASE-FIRE AND RETURN OF POW'S

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, I greet the news of a cease-fire agreement in Vietnam and the release of our POW's with great relief. I rejoice and am grateful to God that the war is now ending even as we are sobered by the thoughts of the great sacrifices that have been made. All Americans owe thanks to the more than 2½ million men and women who have served in this tragic war.

The effort of achieving a peace settlement by negotiation has been both arduous and almost unbelievably difficult, and I congratulate the President on his steadfast efforts to reach a negotiated settlement.

As this war is quickly ended, perhaps the alienation caused by Vietnam will also fade into history. To restore faith in Government and avoid future Vietnams, reasoning and openness in foreign and domestic affairs must be sought and achieved.

Let us now prepare to welcome our heroic countrymen who will soon be released from their prisoner-of-war cells in Southeast Asia. We can celebrate their return and hope that all Americans can now unite in a common endeavor to build the kind of Nation that will inspire freedom loving people with our determination to live at peace.

HARRY TRUMAN: HUMILITY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. DERWINSKI. Mr. Speaker, when the history books are finally closed on America's great experiment in democracy, the name Harry Truman will occupy a cherished position among this country's great leaders. It does not take much of a prophet to make that statement; historians have already rated him as one of the five best Presidents to serve in the White House.

Mr. Truman was never called an intellectual and rightly so. But while his formal education was merely normal, this great country of ours has never, and probably will never, be led by a man with more backbone. In the face of history's most challenging problems, Mr. Truman never lost his native knack of seeing things in their proper prospective and explaining them simply to all of us.

In addition to a special kind of courage, President Truman possessed another gift—humility. The day after the Presidency was thrust unto him, Truman told a group of reporters:

> Last night the whole weight of the moon and stars and all the planets fell on me. Please pray for me.

Apparently, the prayers were answered as he completed Franklin Roosevelt's term and his own 4-year administration with honor. Never a man to back away from a fight, Mr. Truman faced each crisis with the best interest of the Nation at heart.

Probably the best example of the former President's courage is his decision to use the atom bomb on the Japanese. While experts still argue over the wisdom of his action, there can be little doubt that Truman put the interests of America above his own place in history. An image-minded President-politician would have hesitated while thousands more Americans died in needless battle.

Harry Truman had a straightforward way of saying things. About the Presidency he said: "The buck stops here." When a reporter blasted his daughter's singing, Truman called him an s.o.b. and wrote him a letter on White House stationery offering to punch his face in. Faced with "certain defeat" at the hands of Thomas Dewey in the 1948 election, Truman defied the "experts" by predicting victory, "I'll give 'em Hell," Harry said. And hell is just what he gave them.

They learned not all Chief Executives have the sound of a public relations man with a Harvard law degree. If Truman was President in this era, people would say he tells it like it is, but in those days the phrase had not been invented. In those days there was no need for such an expression.

Truman was once asked what he thought of the chances of a woman being President. Truman replied:

> I've said for a long time that women have everything else, they might as well have the Presidency.

I am not sure how women's liberation people would react today, but I kind of like that answer.

Mr. Speaker, as a Member of Congress who respects all Presidents regardless of the political controversy which may swirl about them, I pay tribute today to a great President and great American, Harry Truman.

AN INCREDIBLE EXAMPLE OF INTEGRITY, COURAGE, AND LOYALTY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ASHBROOK. Mr. Speaker, during the past 2 years the House Internal Security Committee has been holding oversight hearings on the administration of the Federal employee security program. Most of the major departments of the executive branch have come before the committee to explain the operation of the program and to suggest corrective action where necessary. Included were representatives of the State Department who described the circumstances and difficulties peculiar to their jurisdiction. Legislation was introduced based on the information but unfortunately did not get through Congress. In this Congress similar legislation will again be offered.

It is understandable, with this background in mind, why I am especially concerned about the forthcoming luncheon on January 30 at the State Department welcoming as a speaker John Stewart Service who was bounced from the State Department in the 1950's for passing classified information to a source identified by the FBI as a Communist agent. Although the U.S. Supreme Court ordered Service reinstated, the decision was based on a technicality and did not address itself to the charge that he had violated security regulations.

One knowledgeable witness to this era in our history when key Americans helped in the downfall of our wartime ally, Nationalist China, and who told his story before a congressional committee in testimony as yet unpublished is Edward Hunter, a psychological warfare expert with the OSS/CIA and who, incidentally, coined the term "brainwashing." Mr. Hunter's expertise in this area has been

used in appearances before various congressional hearings and he is presently the publisher of the monthly psywar publication, Tactics.

Mr. Hunter's article in the January 1973 issue of Tactics gives background information, past and present, on the importance of the upcoming luncheon. For my part, I cannot but help view the extraordinary role assigned to John Stewart Service, designating him as the "symbol" of American diplomatic "integrity, courage, and loyalty" incredible in light of his known serious violations of the Federal Government's security regulations. In effect, this function is a provocation to our Internal Security Committee; the State Department and the American Foreign Service Association are telling us that they regard our efforts to preserve American security as nothing but tilting with windmills.

In effect, they are saying that our hearings are a joke, a sham, and are challenging us to make the most of it.

The above-mentioned article follows:

[From the Tactics, Jan. 20, 1973]

STATE DEPARTMENT STAGES VICTORY LUNCH: PRO-PEKING LOBBY CELEBRATING

The Department of State, at a luncheon on January 30, will have gone full circle from the time it was the decisive factor in bringing about the loss of the Chinese mainland to the communists. The affair will celebrate the State Department's role during those years, on the premise that President Nixon's Peking trip vindicated its support of the Red Chinese.

The luncheon has been especially arranged for shortly after the President's inauguration, in order to set the tone for the Nixon administration's Asian policy. The purpose also is to create official support for the "psywar" line that Nixon's journey to the Chinese mainland vindicated the old, pro-Yenan or pro-Mao Tse-tung element in the State Department.

This is considered necessary in order to bring back into the State Department, if only symbolically, those who were discredited for supporting the Chinese communists in their fight against the Republic of China, headed by Chiang Kai-shek as Kuomintang Party leader.

ROGERS OPERATING THROUGH AFSA

The major objective looks toward the future, not to the past. The intent is to nail down a pro-communist policy in Asian affairs generally, which would undercut countries that have been our allies, and give the same backing to the red insurgents in such countries as Thailand and Burma as was given to the red Chinese.

The affair is being arranged pretentiously for the eighth floor, in the diplomatic reception room where the main functions are held. The announced sponsor is the American Foreign Service Association (AFSA), in effect a company *union*.

Sharing the sponsorship behind the scenes is the Carnegie Endowment for International Peace. William P. Rogers, as secretary of state, has cooperated closely on this with William C. Harrop, AFSA chairman. So has Marshall Green, assistant secretary for East Asia and Pacific affairs.

The State Department hopes, too, that this affair will restore prestige that it must have if it is to compete with its rival foreign ministry in the White House, under Dr. Henry A. Kissinger.

The invitations, dated Jan. 5, do not conceal the propaganda intent of the luncheon. The text:

"Dear AFSA colleague: The President's trip to Peking and the new era he has opened in American-Chinese relations have drawn attention to the prophetic quality of much that was written about China by Foreign Service professionals serving there during the years 1942–1945.

"Historians have praised the perception and candor of the analysis that was produced by Foreign Service officers in Embassy Chungking and elsewhere during that turbulent period.

"The facts they reported were unwelcome at home. Many of these officers suffered harsh domestic criticism and were unable to continue their careers.

"At a luncheon on the Department of State's Eighth Floor at noon on Tuesday, Jan. 30, 1973 the American Foreign Service Association will honor these Foreign Service officers in China during the early 1940s who demonstrated their professionalism and integrity by reporting events as they saw them.

"We have asked Mr. John Service and Mrs. Barbara Tuchman to speak at this luncheon about the importance of honest "field reporting" by the Foreign Service, our responsibility as essential today as it was thirty years ago in China.

"In our audience we hope to have a number of Mr. Service's former colleagues in China as well as many of those persons in and out of government who have long been concerned with Asia and who have welcomed the President's visit and the new American policy which it symbolizes.

"Members of AFSA may sign up for the luncheon by returning the enclosed card along with a check for $6.50 to the Association. Since the Association will be inviting a number of academics, government and press leaders to this luncheon, I regret that it will not be possible for individual members to bring guests.

"In fact, we anticipate that many more members than can be accommodated will wish to attend and the Association is endeavoring to arrange for large screen, closed circuit television coverage of the event in the West Auditorium of the State Department.

"As usual, checks received at AFSA after the luncheon is oversubscribed will be returned and we will also telephone those unable to obtain reservations.

"Sincerely,

"WILLIAM C. HARROP,
"Chairman, Board of Directors, American Foreign Service Association."

TELLTALE MARKS OF CONTROL

The invitation makes plain that this is a psychological warfare ploy of the kind perpetrated in those years when an all-out, pro-Red Chinese campaign was being conducted in the United States by the State Department in collaboration with press organs such as the New York Times.

Congressional inquiry proved beyond the shadow of a doubt that this was a red propaganda drive, conducted in the United States as part of the communist guerrilla warfare and other military operations on the Chinese mainland. Moscow had entrusted the international ramification of this bold, "psywar" effort to conquer China to the Communist Party of the U.S.A. Earl Browder, as its chief, went to China on this mission, as he revealed himself after he broke with the Moscow leadership.

The all-out drive succeeded. The betrayal of China is amply documented. The mainland would not have been captured for communism without the backing of American reds, fellow travelers and dupes, along with unprincipled opportunists.

Now, after an interval of nearly a quarter of a century, when the events of that period have been forgotten, and are not being taught by indoctrinators operating as historians and professors, the State Department is being used as a "psywar" weapon to put across a new, pro-communist project.

The ostensible objective is to remedy an injustice to dedicated men and women who have been proven to have been right by history. The journey to Peking by Nixon is being equated with the judgment of history. This, of course, is a nonsequitur. John Stewart Service's delivery of our most secret documents to red agents of the Philip J. Jaffe type while World War II was being waged is not to be justified by the fact that Mao Tse-tung, assisted by such intrigue, defeated Chiang Kai-shek's troops.

Neither can Nixon's China journey justify the effort by John Paton Davies, then a policy chief in the State Department, to secretly set up a staff in New York consisting mainly of outright and even paid agents of the Communists, to guide U.S. policy as regards the Far East.

EYES NOW ON VIETNAM, THAILAND

The short-range objective, of course, is this whitewash of past transgressors, but the longrange objective is focussed on immediate projects. The most important of these is the Viet Nam war. The formula being employed there to bring about a red victory is precisely the same, in practically every detail, with that which won on the Chinese mainland.

One need only change the name, China, to Indochina, and the scenario would be the same.

A whitewash of the China betrayal, therefore, would easily become the model for a transfer tactic for the betrayal of Indo-China. The communists always plan ahead, as they can because they possess an over-all, worldwide strategy. So we already are reading about preparations for the conquest of Thailand. Once Viet Nam were put into the red bag, Communist forces would simply turn their direction to this next country on their list of "kills."

We would be submitted, then, to a repeat of the same scenario, with the old formula for red conquest being repeated, and the same role in it being performed by the State Department-N.Y. Times-Harvard network.

These are the big stakes for which the sponsors of the January 30 dinner are playing. The U.S. itself, obviously, is the ultimate target:

The invitations were already printed three days before a meeting of the AFSA board of directors at noon, Jan. 8, in room 3524 of the State Department, ostensibly to decide on the affair. The decision had already been made in company union style.

The ostensible purpose of the luncheon was described by David E. Biltchik, properly a Harvard product, on "leave of absence" for an AFSA-Carnegie job.

He declared the affair was intended to honor courage and loyalty in government as exemplified by the "old China hands."

STAGE-MANAGED PERFORMANCE

Every detail is being planned beforehand, even to the exclusion of those who might provide evidence that would refute the pro-red whitewash. Significantly, the members of AFSA are informed in the invitation that they cannot bring any guests, and the reason given is that the sponsors of the luncheon are themselves deciding whom to invite from the press, the academic world and "old China hands."

The objective, of course, is to discredit those with China background who have been proven to have been correct—really correct—in their analyses and alerts, by what happened to the Chinese republic.

The rewriting of history to whitewash such as John Carter Vincent, Anna Louise Strong, Davies and Service, et al., cannot be accomplished without blackening the careers of such as Gen. Claire Chennault, Geraldine Fitch, Freda Utley, Walter Judd, many in American diplomatic and military circles—as well as the author of "Brain-Washing in Red China"—to name a few haphazardly chosen.

A bolder or more unethical maneuver to rewrite recent history, in an effort to influence contemporary history, cannot be found.

The dishonesty surrounding the affair was its 1984, Orwellian "Newspeak" approach in arranging a public vindication of those who collaborated in China's fall to the communists, while ignoring the State Department's large roster of present-day and fairly recent Foreign Service officers and other State Department employes who have been fired and persecuted, even hounded to their suicide, for providing accurate reports even if this reflected at times upon the communists.

A dinner should be arranged in the State Department to honor such as Culver B. Chamberlain, who was hounded out of the State Department because his beating up by Japanese troops in Mukden dramatized Japan's aggressions of that period; George Hanson, who was hounded into suicide because he exposed the machinations in Manchuria of both Tokyo and Moscow; Charles William Thomas, recently hounded into suicide because, although a liberal, he insisted upon writing objective reports, Otto F. Otepka, Stephen Koczak, John Hemenway and many, many others.

The brilliant Angus Ward was never forgiven because the scandal over red occupation of his consulate general in Mukden prevented a secretly prepared recognition of the Maoist regime soon after its capture of Peking. He was exiled to Afghanistan.

Indeed, the Jan. 30 affair could be called a victory luncheon, for those being paid tribute did help bring about the fall of the Chinese mainland to the communists.

The Washington Post on New Year's Day, 1973 finally published a letter by Freda Utley regarding its Dec. 10 editorial on John Carter Vincent's death several days before. Vincent's support of Mao was called "premature prescience," and in accordance with the "collective guilt" theory in communism, the editorial declared "every American of responsibility must feel sympathy and some sense of shame" for the "personal deprivation and humiliation" entailed by his forced separation from the State Department.

BUT HIS ADVICE WAS FOLLOWED

Freda Utley has authored the basic books about this China period. Her letter is a capsule history of how China fared in that dramatic period, and for this reason is presented here in full:

"Your editorial on the death of John Carter Vincent in your Dec. 10th Sunday edition stating that his diplomatic career was terminated on account of his 'political prescience' in foreseeing the Chinese Nationalist defeat and counseling withdrawal of U.S. aid from Chiang Kai-shek begs the question. To say that something will happen, then ensuring that it does happen and thereafter saying how 'prescient' you were is an easy gambit.

"Far from having gone 'unheeded' because unwelcome, as your editorial asserts, the counsel of John Vincent was in fact followed in the fateful years which followed VJ day. Witness the fact that in early 1946 General Marshall, President Truman's plenipotentiary envoy to China, embargoed all small arms and even ammunition to the Nationalist forces, unless and until Chiang formed a coalition government with the Communists, as urged by Vincent before and after he became Director of the State Department's Office of Far Eastern Affairs. The embargo was not lifted until July 1947 at the insistence of Congress. According to the testimony of Col. L. B. Moody, a U.S. ordnance officer who served with the Donald Nelson mission to China, the embargo resulted in the 'foreseen and inevitable defeat of the Nationalist armies.'

"Whether or not it was a 'tragedy' that Vincent was ousted from the State Department and 'personally deprived and humiliated' as you assert, by his retirement and appointment at Harvard, his work there at the East Asian Research Center if 'obscure' was certainly not 'relatively ineffective,' as your obituary editorial asserts. Under the Directorship of Professor Fairbank this prestigious institute has successfully distorted the historical record and paved the way for the resuscitation of old China 'experts' who a quarter of a century ago counseled that we should 'let Chiang fall but not let it look as if we pushed him.'

"Instead of pitying the victims of 'McCarthyism' who were condemned to fellowships at Harvard or to taking well paid jobs with large foundations of 'liberal' persuasion, we should consider how worse a fate was reserved for the premature 'anti-Communists' in and out of government who were condemned to obscurity and often to poverty during the era designated by Eugene Lyons as the 'Red Decade.'"

This comprehensive digest in letter form should be read from the podium at the luncheon, but there is no chance it will be done. Freda Utley, who has been writing her biography, lives in Washington, D.C. (1611 21st St. N.W. 20009).

Wilson C. Lucom, tenacious activist (910 S. Ocean Blvd., Palm Beach, Fla. 33480) has sent a telegram to Rogers, with a copy to the President, as follows:

"I understand that Mr. Service is to speak on the subject of the integrity of field reporting. I am sure that you are well informed about the role Mr. Service played in the infamous Amerasia case. To ask Mr. Service to address himself to the subject of integrity is an unique idea.

"Perhaps we could persuade two of his former friends, Sol Adler and Frank Coe, to abandon their refuge in Communist China and come back and assist him in explaining to young Foreign Service officers how they can win glory by fighting the policies of the elected officials of their country."

The telegram refers to two of the American citizens who have made Red China their headquarters for propaganda warfare on behalf of the Chinese reds.

An appropriate honor guest at the luncheon, if he were presently in the United States, would be Wilfred Burchett. He played a key role in the extraction of fake confessions of germ warfare from American captives of the reds in North Korea.

The AFSA directors meeting of Jan. 8 was attended by John D. Hemenway, an AFSA member, although he was squeezed out of the State Department for frankly supporting Nixon in the 1968 election, on top of writing admittedly correct analyses unfavorable to the communists in Russia and East Germany.

He was given a Pentagon post, but with the naming of Elliot L. Richardson as secretary of defense, the long arm of the State Department might reach to him there.

Hemenway gave the AFSA directors a background column on Service by Clark Mollenhoff, that appeared in the Feb. 27, 1972 Philadelphia Sunday Bulletin. The article declared:

"When Service was separated [dismissed], he appealed to the courts and in 1957 the U.S. Supreme Court held that the State Department had failed to follow its own regulations in connection with the dismissal action and ordered Service reinstated. The Supreme Court decision didn't get into ruling on the substantive issues of delivering classified documents to a man identified by the Federal Bureau of Investigation as a Communist agent."

Hemenway asked Harrop whether the AFSA board had been informed, "Or have you already made a final decision that we are to go ahead with this luncheon?" Harrop replied:

"We are having a series of luncheons over and above the arrangements made by our staff in collaboration with David Biltchik, who is spending this year on leave without pay working jointly for the Association [AFSA] on our 'openness' work and for the Carnegie Foundation, a program we call 'face-to-face,' a program which relates to persons in foreign affairs and people in the private world.

"Mr. Biltchik first made the proposal of a luncheon—I believe it is the very first—at which we would have, we hoped on the eighth floor of the department, a lunch which would discuss some of the context of the President's trip to China and the new American approach to China.

"We would discuss the reporting which was done during the middle and late forties by Foreign Service officers in China and which has subsequently been very harshly criticized as being so utterly out of step with what many people in America wished for at that time.

"And these men suffered, some of them severely, for their reporting which they did. We would like to try to make amends for that and recognize the contribution which these individuals made at that time and really focus the luncheon primarily upon the importance of people reporting from . . . as they see things . . . giving honest analysis . . . calling the shots as they appear to be . . .

"The assistant secretary of state for East African affairs [Marshall Green] has collaborated with us in this endeavor and the secretary of state has approved of the luncheon for Service and others to come as guests of the association.

RALLY OF "LEADERS" ON CHINA

"We expect to have a number of members of the press field; we expect to have a number of academics and other leaders of the country in the China policy taking part in this because it will be a very fine occasion, one which will do credit to the association and to the foreign service.

"The board of directors . . . they are unanimously, I believe, in accord with this and we have discussed this at a number of meetings and there were no objections. Invitations have been extended and the eighth floor of the department is reserved and the luncheon will take place on 30 January. Announcements will be out tomorrow morning."

The discussion continued. Excerpts follow:

Hemenway: It struck me as curious why Service was chosen, because as you can see from Mollenhoff's article, Service's problems with the State Department and with our profession were not for inaccurate reporting. They arose out of giving classified material to an unauthorized person.

Whatever the merits of that, if the purpose of the luncheon is to honor integrity and loyalty, then I would have thought someone else would have been selected other than Mr. Service better exemplifying these qualities. It raises the issue of our organization endorsing not just individuals, but the policies for which the individuals stand.

Now, is it the contention of our organization that Service has been proven right in his reporting? And if so, has anyone gone through his reports to see what he actually reported? And if they are quote right end quota, as seen with the wisdom of 1973?

SERVICE AS A "SYMBOL"

Harrop: We have not assigned anyone to do that. We feel that the role that these men played in the forties and fifties is common knowledge; a number of articles have been written on the matter . . . Mrs. Tuchman's article in Foreign Affairs, and the profile that appeared in the N.Y. Times . . . We invited him as somehow sort of symbolizing . . . there were a number of other persons working on China at that time. Service embodies the whole group.

Hemenway: In my judgment, that is not what a loyal Foreign Service officer does, unless you are endorsing—about 20 years earlier—a kind of early version of Elisberg.

Then there is one last question, Since Mr. Service, with his point of view, and the "old China hands" with their point of view, are being honored for their loyalty and dedica-

tion and all the rest of it, does this association intend also to honor people like Charles Thomas, who also suffered in our profession? There are a lot of names that could be mentioned if you are looking around for hard-working, dedicated Foreign Service officers who have been abused professionally. . . . Maybe our organization is not being even-handed. It seems to me more like an endorsement of a policy rather than of individuals.

Harrop: I don't really think that we need another motion on this. I think it is just a case of a disagreement with you on the issue. We can't expect to have the agreement of each of our members on every issue. So we are going ahead on this. In fact, the invitations are out.

IN MEMORIAM TO THE HONORABLE PAUL C. FALLAT, SUPREME PRESIDENT OF THE SLOVAK CATHOLIC SOKOL

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ROE. Mr. Speaker, as the Slovak Catholic Sokol rallied together to observe Christian Unity Week—January 18 to 25—having as its theme "Lord, teach us to pray," the sad and shocking news of the sudden death of their supreme president, the Honorable Paul C. Fallat, was met with disbelief, wonderment, and heartfelt mourning by the membership, residents of our Eighth Congressional District and the State of New Jersey. I ask my colleagues here in the Congress to join with me in extending our deepest sympathy to his wife Helen "Zidovsky" Fallat; their daughter, Valerie; son-in-law, William G. Stettler; grandchildren, Melissa and Keith Stettler; brother, Joseph of Passaic, N.J.; and two sisters, Mrs. Irene Collier, of East Paterson, N.J., and Mrs. Rita Vissa, of Garfield, N. J.

Paul Fallat was an outstanding American of Slovak heritage who also brought great honor to the historic city and country of his birth Bardejov, Slovakia. He was held in the highest esteem by his fellow citizens in our community, county, State, and Nation. Mr. Speaker, with your permission I would like to insert at this point in our historic journal of Congress the statement issued by one of New Jersey's most prestigious weekly newspapers and official organ of the Slovak Catholic Sokol, Katolicky Sokol, Passaic, N.J., which eloquently manifests his lifetime of outstanding work on behalf of his fellowman as well as the respect and appreciation that are extended to the quality of his leadership and exemplary achievements by all of us who had the good fortune to know him. Their memoriam reads as follows:

PAUL C. FALLAT, SUPREME PRESIDENT OF SLOVAK CATHOLIC SOKOL SUCCUMBS TO HEART ATTACK AT AGE 64—FUNERAL FRIDAY MORNING, JANUARY 19 IN PASSAIC, N.J.; SERVED WITH U.S. NAVY IN WORLD WAR II; HEADED OUR SOKOL ORGANIZATION SINCE 1955

On Tuesday, January 16, 1973, Paul C. Fallat, Supreme President of the Slovak Catholic Sokol, died after a sudden heart attack at the Hackensack General Hospital, Hackensack, New Jersey.

On Monday, the day before his death, he visited our Sokol headquarters and was in good cheer, promising to return to his office the following day.

DIED SUDDENLY AT 10 A.M.

On the fatal morning, he brought his wife, Helen, to the office of Sears and Roebuck in front of our Sokol Building. He parted in the usual way. However, he called on his physician, who detected immediately that he was not well and summoned an ambulance which rushed him to the Hackensack General Hospital. Here he passed away at 10 A.M.

His son-in-law, William G. Stettler, related the shocking news to our Supreme Secretary, Tibor T. Kovalovsky, who could not believe it and telephoned to the Hackensack General Hospital, where they confirmed the sad news.

Brother Kovalovsky immediately informed the local Supreme officers and after a conference with Editor John C. Sciranka, Attorney John D. Pogorelec and George A. Dluhy, member of the Supreme Court, Brother Kovalovsky telephoned Supreme Vice-President, John A. Olejar, and Supreme Treasurer, Stephen R. Olenick, also, members of the Executive Committee, namely, Mrs. Amalia Burican, Supreme Ladies Vice-President; George J. Kostelnik, Chairman of the Board of Supreme Auditors, and John J. Klimchak, Supreme Director of Sports and Athletics, and Rev. Jerome J. Pavlik, O.F.M., Supreme Chaplain. Telegrams were also sent to all Supreme Officers and leading fraternalists and the Associated Press and our Slovak publications notified.

LOCAL SUPREME OFFICERS EXPRESS THEIR CONDOLENCE

The four Supreme Officers, Tibor T. Kovalovsky, John C. Sciranka, John D. Pogorelec and George A. Dluhy called personally on Mrs. Fallat and expressed their condolence and offered their services to her and her daughter, Mrs. Valerie Stettler and her husband, William G. Stettler, who were shocked with the sad news. Mrs. Fallat related to them how he was in the best of health and spirits in the morning and how he drove her to the Passaic Sears and Roebuck office and parted as usual. He did not complain or show any sign of illness.

The funeral arrangements were made for Friday morning at G. Edward Vaxmonsky Funeral Home, 139 Ackerman Ave., Clifton, N.J., where the body will lay until the funeral.

The funeral will be from St. Mary Roman Catholic Slovak Church in Passaic, N.J., of which Father John J. Demkovich is pastor and Rev. Msgr. Andrew J. Romanak, P.A., pastor-emeritus. Interment will be at St. Mary's Parish Cemetery at Saddle Brook, N.J.

BORN IN SLOVAKIA

The late Paul C. Fallat was born in August 12, 1908, in the historic city of Bardejoy, Saris County, Slovakia. He studied art in his native city and also in Padua, Italy. During World War I, he was cut off from his father, the late Andrew Fallat, who left the family in Europe and came to America, where he enlisted into the Czecho-Slovak Legion and fought in France. After the establishment of the first Republic of Czecho-Slovakia, Mr. Fallat returned with other legionnaries to the newly-established country and was given a hero's welcome in his historic city of Bardejov.

Here he was offered a state job, but he insisted on returning to America. The family came to Ellsworth, Pa. After a short time, they moved to Clifton, N.J., and settled in Garfield, New Jersey.

Here young Paul continued in his studies and attended the Newark Academy of Fine and Industrial Arts. Later he also was a Rhodes Scholar.

Living in Garfield, he was soon acquainted with the founders of the Slovak Catholic Sokol and shortly joined our organization as a member of Assembly 162 in Clifton, N.J.

DID OUTSTANDING PAINTINGS

As a young artist he was engaged to do art work for our Sokol organization and also did some outstanding paintings. Among them was a painting of St. Vojtech (Adalbert), patron of Group 1; the plaque of Father Francis Skutil, our first Sokol editor, and General Milan R. Stefanik, which is in Third Ward Park in Passaic; also the portrait of the late Congressman Gordon Canfield. He won praise especially for the painting of "Victory of King Svatopluk over the Franks," the portrait of General Milan R. Stefanik, Msgr. Jozef Tiso and the historical plaque of the purchase of Dundee from the Indians.

His historic sketches from the life of Msgr. Andrej Hlinka were published in the "Topix" and republished in the 1973 annual "Furdek" by the First Catholic Slovak Union, which was edited by Editor Joseph C. Krajsa.

SERVED IN U.S. NAVY DURING WORLD WAR II

He served in the U.S. Navy during World War II and took part with U.S. forces in Italy and the Pacific with the Naval Intelligence and received honorary discharge and commendations.

After returning from the service, he took part in our Sokol life and was elected President of Assembly 289, Slovak Catholic Sokol in Garfield.

In 1946, upon the resignation of the late Joseph A. Kalman, well-known Sokol, he was elected to the Supreme Office as a member of the Supreme Finance Committee.

A few months after this, he was elected Supreme Vice-President at the National Convention of our organization in Milwaukee, Wis.

He was re-elected to this office at the National Convention in 1950 in Wilkes-Barre, Pa., and then elected to the office of Supreme President at the Golden Jubilee National Convention in New York City in 1955.

SERVED FIFTH TERM AS OUR SUPREME PRESIDENT

Brother Fallat was Supreme President for 17 years. He was re-elected at the Reading, Pa., National Convention in 1959 and re-elected at subsequent National Conventions in 1963 at Youngstown, O., in 1967 at Chicago, Ill., and in 1971 at Bethlehem, Pa.

He died preparing for the Annual Meeting of the Supreme Assembly, which is scheduled for the week of February 19th at Sokol Center, Youngstown, O.

As Supreme President, he attended Conventions of the National Fraternal Congress of America, also Conventions of Fraternal State Congresses. He was recently elected member of the Executive Committee of the New Jersey Fraternal Congress.

SURVIVED BY WIFE, DAUGHTER, AND TWO GRANDCHILDREN

He is survived by his wife, Mrs. Helen (Zidovsky) Fallat. They were married on October 9, 1937. Also surviving is a daughter, Mrs. William (Valerie) Stettler and two grandchildren, Melissa and Keith Stettler. Also a brother, Joseph Fallat, a commercial artist of Passaic, and two sisters, Mrs. Irene Collier of East Paterson, N.J., and Mrs. Rita Vissa of Garfield, N.J.

May he rest in peace. We express deep sympathy to the bereaved family!

Mr. Speaker, I know that you and our fellow Members of Congress will want to join with me in a moment of silent prayer in national recognition and farewell salute to the Honorable Paul Fallat. I trust that his wife and family will soon find abiding comfort in the faith that God has given them and in the knowledge that Paul is now under His eternal care. May he rest in peace.

"DIXIE"

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. RARICK. Mr. Speaker, because I share many people's concern at the concerted and organized efforts afoot in our country to suppress many cherished aspects of our American culture, I have introduced House Concurrent Resolution 14, expressing the sense of Congress that no action should be taken on the part of the Federal Government, any State, or political subdivision thereof that would remove the song "Dixie" from its proper place in the history of the United States and in that region of the United States known as the South, or prohibit the same from being played as a part of any public function or gathering.

I can see no useful purpose served by distorting our past in order to recreate a nonexistent heritage when as Americans we have a gallant history of record.

Insinuations that "Dixie" is a song of region or hate is at most a fabrication or witch-hunting expedition by those who would burn the books of history.

[From Lincoln Talks: A Biography in Anecdote, Collected, Collated, and Edited by Emanuel Hertz, Viking Press: New York, 1939. pp. 367-368.]

"DIXIE"

On the night when the news reached Washington of Lee's surrender to Grant, the people of Washington flocked to the White House lawn to serenade the President. A band being there, Lincoln turned to it and said:

"I have always thought 'Dixie' one of the best tunes I ever heard. I insisted yesterday we had fairly captured it. I presented the question to the Attorney-General and he gave the opinion that it was our lawful prize. I have not heard the old tune for four years. Now let the band play 'Dixie'!"—*Newport Mercury.*

The composer, Daniel Decatur Emmett, was born in Mt. Vernon, Ohio. "Dixie," originally called "Dixie's Land" was written in New York City for the celebrated Bryant's Minstrels in the spring of 1859. The original "Dixie's Land" contained one verse and the chorus. However, "Dixie" is best known and sung with verses two, three, and four with the chorus.

I ask that the lyrics of "Dixie" follow, along with the text of my bill to save this great musical work, a part of America's cultural heritage:

"DIXIE"

(Composed by Daniel Decatur Emmett)

1

Dis world waz made in jis six days,
And fivided up in various ways,
Look-a-way—Look-a-way—Look-a-way Dixie land
Dey den made dixit trim and nice,
But Adam call'd it "Paradise"
Look-a-way—Look-a-way—Look-a-way Dixie Land.

CHORUS

Den I wish I wax in Dixie
Hoo-ray—Hoo-ray
In Dixie's land, we'll took our stand,
To lib and die in Dixie
A-way—a-way—a-way day down South in Dixie.

2

I wish I was in the land of cotton,
Old times there are not forgotten,
Look-a-way—Look-a-way—Look-a-way Dixie land,
In Dixie Land where I was born in—
Early on one frosty morn-in
Look-a-way—Look-a-way—Look-a-way Dixie Land.

3

Old Missus marry Will "de weaber",
Willum was a gay deceiver,
Look-a-way—Look-a-way—Look-a-way Dixie Land
But when he put his arm around her
He smil'd as fierce as a forty pounder
Look-a-way—Look-a-way—Look-a-way Dixie Land.

4

His face was sharp as a butcher's cleaver,
But dat not seem to grieve her,
Look-a-way—Look-a-way—Look-a-way Dixie Land
Old Missus acted the foolish part,
And died for a man that broke her heart
Look-a-way—Look-a-way—Look-a-way Dixie Land

5

Buck wheat cakes and stony batter,
Makes you fat or a little fatter;
Here's a health to the next old missus,
And all de galls dat want to kiss us.

6

Now if you want to drive 'way sorrow,
Come and hear dis song to-morrow;
Den hoe it down and scratch yer grabble,
To Dixie land I'm bound to trabble.

H. CON. RES. 14

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that no action should be taken on the part of the Federal Government, any State or political subdivision thereof that would remove the song "Dixie" from its proper place in the history of the United States and that region of the United States known as the South, or prohibit same from being played as a part of any public function or gathering.

MEMORIAL TO LYNDON B. JOHNSON

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BURKE of Florida. Mr. Speaker, when any national leader, especially a former President passes away, there is certainly a feeling of great loss in the Nation, and I feel this loss. Nevertheless, I cannot be a hypocrite and praise Mr. Johnson's record, for there were too many instances where we disagreed on issues.

Still, it takes a certain kind of dedication and love for one's country to run for elective office, and former President Johnson had this in abundance. Although, I did not agree in toto with Mr. Johnson's proposals, I greatly admired his dedication to public life.

Idealistically I am a conservative and former President Johnson was a liberal. Yet, good government needs a balance of equal quantities of both. The adversary system is used to bring justice in our courts, and it is used in Congress to ascertain proper avenues for government. President Johnson was a liberal warrior and we differed in our views. However, I can honestly say that I had a tremendous respect for his ability and his love of country.

OIL AND GAS SOLUTION—SPARKS STATES FACTS

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. COLLINS. Mr. Speaker, the major domestic industry crisis is in the oil and gas field. Energy is essential to our technological, mechanical economy.

In Washington, we hear many simple solutions but none has economic logic. We must be pragmatic and face the tough solutions that can provide positive answers. With inflation rampant, it is impossible to keep rigid price controls on gas without continuing to strangle gas production.

I was proud to see my neighbor Abbott Sparks who heads Petroleum Engineering Publishing Co. effectively refute misleading public statements. In Oklahoma, the price of gas is 14 cents per thousand cubic feet. Yet, in Lowell, Mass., they allow $1.58 for liquid gas imported from Canada. Imported gas can get a large price, but domestic gas has a wellhead ceiling price.

I know you will find the following portions of a UPI story covering Abbott Sparks' comments on the oil and gas industry to be basic and sound:

The president and publisher of a Dallas-based petroleum publishing house Thursday took sharp issue with statements.

Abbott Sparks, who heads Petroleum Engineer Publishing Co., himself a former Oklahoman, said it is industry which has played and will continue to play such an important role in the growth and security of America.

The publishing company has circulation in 106 countries with staff representation in international oil and gas-producing areas.

Sparks, commenting on condemnation of the petroleum industry for the current shortage of energy, said "it must be a shock to any knowledgeable Oklahoman at a time when Oklahoma gas producers can average only about 14¢ per thousand cubic feet (MCF) for their gas, while Lowell, Mass., is paying $1.58 per MCF for Canadian liquefied natural gas trucked across the border.

"No one cares to estimate the price of liquefied gas proposed to be imported from Algeria or Russia, but it could easily go to $2 per thousand cubic feet. On top of that, the U.S. Petroleum industry provided the technology and the know-how to make it possible for the Algerians and Russians to get in position to market their gas," Sparks said.

We have made continual annual surveys of oil and gas companies with trade in stocks, and the number has grown in recent years. We now have 110 oil companies on our surveyed list, more than we have had since 1953.

"In 1953, however, return on operations was 14.5 per cent. But our last annual report survey showed record low earnings on revenues of 7.3 per cent, about half the level in 1952. You can't pay dividends and finance

exploration and facilities on that kind of return in a high risk business. And if it is a 'tax shelter' business, I wonder how many people enjoyed the shelter of the $6-million noncommercial well that was drilled in Elk City, Okla., by Lone Star Gas Company.

"In 1972, U.S. oil and gas firms drilled half as many wells as they did in 1956 just as they had half the profit margins," Sparks said.

"Other countries need energy; the whole world needs energy; and most countries are doing everything they can to encourage energy development. The American companies who have the know-how are being put to work in countries all over the world for that reason. How many people realize that while we pay 30¢ to 40¢ per gallon for gasoline (approximately half of which is tax) in this country, they pay 80¢ to $1.20 in England, France, Italy, Germany, and other European countries.

"How many people realize that although gasoline costs Americans less than the price of distilled water, oil and gas last year provided 76 per cent of the energy for the industrial muscle of America—long selling for less than replacement cost.

"Resources alone are not energy. Without the tools, technology, and the economics, there is no energy supply. The record says oil and gas paid $14 billion in taxes to local, state, and federal governments in 1970, outstripping all other industries in total taxes paid," Sparks said.

CONGRESSIONAL TRIBUTE TO THE "MASTER" BUSBY BERKELEY

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. VEYSEY. Mr. Speaker, I am privileged to have in my congressional district, some of the foremost celebrities of the music and entertainment world. And among the elite of that group is a man who has carved himself the reputation, the master builder of the American musical film.

The master I speak of, Busby Berkeley recently celebrated his 77th birthday, and his 12th year in Palm Springs. On that occasion, the British Broadcasting Corp. broadcast a live telephone conversation with Busby Berkeley—via transoceanic hookup to his bedside in Palm Springs where he was recovering from major surgery. The tribute to this great musical talent was carried throughout the British Isles.

Busby Berkeley came out of retirement recently to lend his hand to the production of "No, No, Nanette," which has now run for three consecutive years on Broadway to sold out houses.

His accomplishments and awards are legion, and on January 27 he will be appropriately honored by the Desert Symphony Association with a special Busby Berkeley Concert in Palm Springs. Highlights will be selections from his many musicals including "The Golddiggers," "42d Street," and "No, No, Nanette."

I ask my colleagues to join me in this congressional tribute to Busby Berkeley, the master builder of the American musical film.

MELVIN R. LAIRD—A GREAT AMERICAN

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. ARENDS. Mr. Speaker, I regret that I could not be present on January 18 when so many paid a special tribute to my former colleague, Melvin R. Laird, who is retiring from his present post as Secretary of Defense.

I was one of the first to greet Mel when he entered these Halls in 1953 following his service in the Wisconsin State Senate, and we became good friends—a friendship which I have cherished over the years. His colleagues immediately recognized that here was a young man of outstanding ability, high intelligence, and a basic decency and genuine concern for his fellow citizens. These qualities characterized not only his service here in the Congress for eight terms but his record as Secretary of Defense during four of the most difficult years in our Nation's history.

Mel Laird is a unique individual. He has a tremendous capacity for work and an incisive mind which goes directly to the heart of any problem. This is one of the reasons Republicans in the 83d Congress selected him as a freshman Member to serve on one of our most important committees of the House—the Committee on Appropriations. He soon became one of its most effective minority members. Mel served on the Defense Appropriations Subcommittee; and as a member of the Committee on Armed Services I conferred with him frequently on the need for maintaining a strong and efficient defense establishment. He was determined that this be accomplished with the lowest possible cost to the taxpayer, and he has acted on this conviction during his service in the Pentagon.

Mel's interest in people makes him a natural leader. In 1964 he was selected to chair the Republican platform committee and the following year became chairman of the House Republican conference. His future here in Congress was bright, to say the least, and he served proudly. I personally was sorry when he resigned from the House; but I recognized, too, that he was one of the few who possessed the experience and ability to oversee our defense establishment in this critical Vietnam period.

In these days when there is much public concern over the relationship between the legislative and executive branches, Mel Laird has demonstrated the value of meaningful cooperation. Few Cabinet members have enjoyed such respect on Capitol Hill or have worked more closely with the Congress. Mel understands Government and its checks and balances. He understands the Congress and its responsibilities to the people and he understands the importance of efficient administration to the success of any endeavor.

The Nation owes Mel Laird a debt of gratitude. I join with colleagues on both sides of the aisle in wishing him well on the occasion of his retirement. Let me express the hope, however, that after a well-earned rest he will return again to public service. We need more like him in Government today.

AN ISSUE OF NATIONAL CONSCIENCE

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. McCLOSKEY. Mr. Speaker, it is not often that a local school board feels impelled to take a position on an issue over national foreign policy.

The Palo Alto Unified School District is widely recognized as operating one of the finest school systems in the United States. I believe the language of the board's resolution to be worthy of study by all of us. The resolution follows:

RESOLUTION: AN ISSUE OF NATIONAL CONSCIENCE

PREAMBLE

Normally a board of education functions by formulating and adopting statements of educational policy, that is, by precept rather than by example. It is not the function of the school board to act as guardian of community or national morals.

In some cases, however, in promoting the teaching of citizenship to our young people, it is justified in setting an example of an act of citizenship by speaking out directly on matters of grave national concern; in some extreme cases of violation of the ethical precepts upon which our Constitution and our ideals of democratic citizenship are based, this Board claims the right and acknowledges the obligation to make public its position on issues of national conscience.

Whereas, The United States has been engaged in an undeclared war in Indo-China for a decade which has caused great human suffering;

Whereas, Peace negotiations appeared to be reaching successful closure;

Whereas, The resumption of bombing of unprecedented ferocity has brought about further unmitigated suffering;

Whereas, Unnecessary imposition of human suffering is not consistent with the ethical principles of western civilization on which our Constitution and the education of a free people are based;

Whereas, The Board of Education is responsible for the teaching of "the principles of morality, truth, justice, patriotism and a true comprehension of the rights, duties and dignity of American citizenship" and "in manners and morals and the principles of a free government" (Education Code 13556.5);

Whereas, One of the duties of citizenship is to protest unethical action in the part of the government;

Therefore be it resolved that, The Board of Education requests the Congress of the United States to take immediate steps to cease funding the war in Indo-China, and

The Secretary of the Board send copies of this Resolution to the President of the United States, to the Vice President, the Speaker of the House of Representatives and representatives to the Congress from the State of California.

Adopted by the Palo Alto Board of Education, January 16, 1973.

Ayes: Mr. Preston Cutler, Mrs. Agnes Robinson, Mr. Theodore Vian.

Noes: Dr. Royce Cole, Mr. Donald Hammond.

PRESIDENT LYNDON B. JOHNSON

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. CHAMBERLAIN. Mr. Speaker, the death of President Lyndon B. Johnson marks the first time since 1933 that this Nation has been without the wisdom and counsel of a living former Chief Executive. As we mourn our great loss, however, I think the American people can take comfort in the knowledge that President Johnson gave fully of his heart, his mind, and physical being to serve our Nation both through periods of crises and time of significant progress.

The editorial in the State Journal of Lansing, Mich., of January 24, 1973, points out that he may best be remembered for the calm and self-confident leadership he provided in the days and weeks following that grim day in November of 1963 when President John F. Kennedy was assassinated.

The editorial follows:

[From the State Journal, Lansing, Mich., Jan. 24, 1973]

JOHNSON: A CAREER OF COURAGE

For the second time in a month, the nation mourns the passing of a former President, Lyndon B. Johnson, who died Monday of an apparent heart attack.

Mr. Johnson, like Harry S. Truman, was thrust into office upon the death of an incumbent chief executive during a most turbulent period in American history.

While Truman faced the staggering problems of the post-World War II era, Johnson was burdened with what some historians view as the most serious domestic crisis of the century, complicated by massive entanglement in a grim and divisive war in Southeast Asia.

It was ironic that during his early years in office Lyndon Johnson emerged as one of the most popular Presidents in decades, winning a smashing, landslide re-election in 1964. Unlike his fallen predecessor, John F. Kennedy, he marshalled the support of a balky U.S. Congress to push through the most significant domestic reform and civil rights legislation in a century.

But by the time he left office in 1968 he was the target of widespread attack and vilification because of a deepening and seemingly hopeless involvement in the quagmire of Vietnam.

History will decide whether Mr. Johnson was the victim of poor judgment or perhaps bad advice in his decision to stand and fight the Communist tide in Indochina, or whether that decision, in the long run, may prove a decisive one for preventing future conflicts.

Mr. Johnson was a master at the science of politics and compiled an outstanding record in Congress. But he may best be remembered for the calm and self-confident leadership he provided in the days and weeks following that grim day in November of 1963 when Kennedy was shot.

With the nation still in a state of shock following the assassination of its youthful president, Mr. Johnson emerged as a take-charge leader who, with his famous Texas drawl, appealed for unity to carry on the programs of his predecessor.

This story was not kind to Lyndon Johnson in the turbulent years that followed. But in the task of grappling with the immense problems of his office he demonstrated great courage and determination in fighting for what he believed to be the best interests of his country. And his hallmark efforts in behalf of minority peoples changed the course of the nation.

He Was an American first and last. We are grateful for his service and saddened by his death.

FORESTRY INCENTIVES

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. SHOUP. Mr. Speaker, pressures on our Nation's forest resources and on our forest resource managers are great and they continue to build. The pressures arise from many demands; from industry homebuilders, recreationists, conservationists, and others. The heaviest pressures are directed at the managers of our publicly owned forest lands.

Public forest lands which make up about 30 percent of our total forest lands are producing half of our timber. Private forests must play a greater role in meeting increased demands for wood fiber, recreation, watershed, and wildlife habitat. Any poor management of these private lands must be remedied.

We have 510 million acres of commercial forest lands in the United States, 365 million acres of these are privately owned, and 65 million acres are owned by commercial forest industries. Only a fraction of the remaining 300 million acres is properly managed. These 300 million acres should be producing half of our timber needs but 25 percent of the land is in need of planting and another 45 percent needs timber stand improvement. Many of the owners have neither the funds nor the technical knowledge to carry out needed improvements.

If the United States is to have the timber needed in the years to come, the Federal Government must render assistance to see that forests—both public and private—are protected from fires, that young trees are planted and that our forests are tended and nurtured.

These private forests of which I speak are the most accessible in the country and are potentially the most productive. Sad to relate, they are in the worst condition. State programs are scarcely adequate. In 1970, State assistance was available to only 2 percent of eligible acreage.

My bill would authorize the Secretary of Agriculture to encourage and assist in the reforestation of private lands that are nonstocked or understocked. It would foster intensive multiple-purpose management, improving timber production, watersheds, forage values, fish and wildlife habitat and recreation.

Cost sharing would be provided for up to 50 percent of costs, not to exceed $2,500 in any fiscal year, for those private ownerships not exceeding 500 acres. The Secretary is directed to provide technical assistance wherever it is requested with no limitations on acreage. Management problems do not stop when a forest reaches 500 acres in size.

The many provisions of this act will provide technical knowledge, manpower, equipment, planting stock and other materials needed to stimulate forest practices desperately needed on our private forest lands.

Mr. Speaker, I insert the text of my bill to be printed in its entirety at this point in the RECORD.

H.R. 2902

A bill to authorize the Secretary of Agriculture to develop and carry out a forestry incentives program to encourage a higher level of forest resource protection, development, and management by small nonindustrial private and non-Federal public forest landowners, 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 "Forestry Incentives Act of 1973".

SEC. 2. (a) Congress hereby declares that the Nation's growing demands on forests and related land resources cannot be met by intensive management of Federal lands and industrial forests alone; that the three hundred and nine million acres of nonindustrial private land and twenty-nine million acres of non-Federal public forest land contain 65 per centum of the Nation's total forest resource base available to provide timber, water, fish and wildlife habitat, and outdoor recreation opportunities; that the level of protection and management of such forest lands has historically been low; that such lands can provide substantially increased levels of resources and opportunities if judiciously managed and developed; that improved management and development of such lands will enhance and protect environmental values consistent with the National Environmental Policy Act of 1969 (83 Stat. 852); and that a forestry incentives program is necessary to supplement existing forestry assistance programs to further motivate, encourage, and involve the owners of small nonindustrial private forest lands and the owners of non-Federal public forest lands in actions needed to protect, develop, and manage their forest lands at a level adequate to meet emerging national demands.

(b) For the purposes of this Act the term "small non-industrial private forest lands" means commercial forest lands owned by any person whose total ownership of such lands does not exceed five hundred acres. Such term also includes groups or associations owning a total of five hundred acres or less of commercial forest lands, but does not include private corporations manufacturing products or providing public utility services of any type or the subsidiaries of such corporations.

SEC. 3. The Secretary of Agriculture (hereinafter referred to as the "Secretary") is hereby authorized and directed to develop and carry out a forestry incentives program to encourage the protection, development, and management of small nonindustrial private lands and non-Federal public forest lands. The purposes of such a program shall be to encourage landowners to apply practices which will provide for the afforestation of nonforest lands and reforestation of cut-over and other nonstocked and understocked forest lands, and for intensive multiple-purpose management and protection of forest resources to provide for production of timber and other benefits, for protection and enhancement of recreation opportunities and of scenic and other environmental values, and for protection and improvement of watersheds, forage values, and fish and wildlife habitat.

SEC. 4. (a) To effectuate the purposes of the forestry incentives program authorized by this Act, the Secretary shall provide a range of forestry incentives which shall include the following:

(1) Cost sharing with the owners of small nonindustrial private forest lands and the owners of non-Federal public forest lands in providing practices on such lands which

carry out the purposes of the forestry incentives program. No cost sharing under this paragraph shall provide for a Federal contribution in excess of 50 per centum of the total cost of practices on non-Federal public forest lands or small non-industrial private forest lands and no one small non-industrial private forest landowner shall receive cost sharing, under this Act in excess of $2500 in any one fiscal year.

(2) Cost sharing with the owners of small nonindustrial private forest lands for the purposes of providing manpower, equipment, planting stock, and other materials to carry out the practices to be encouraged by the forestry incentives program. No cost sharing under this paragraph shall provide for a Federal contribution in excess of 50 per centum of the total cost of materials equipment, and services.

(3) Neither the definition of "small non-industrial private forest lands" nor any other provision of this Act is intended to rule out larger landholders from receiving technical assistance. The Secretary is directed to provide such technical assistance to all forest owners to assist them in protecting, developing and managing their forest lands.

(b) The Secretary may, for the purposes of this section, utilize the services of State and local committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 1150; 16 U.S.C. 590h(b)), and distribute funds available for cost sharing under this Act by giving consideration to pertinent factors in each State and county, including but not limited to, the total areas of small non-industrial private forest lands and non-Federal public forest land and to the areas in need of planting or additional stocking, the potential productivity of such areas, and to the need for timber stand improvement on such lands. The Secretary may also designate advisers to serve as ex officio members of such committees for purposes of this Act. Such ex officio members shall be selected from (1) owners of small nonindustrial private forest lands, (2) private forest managers or consulting foresters, and (3) wildlife and other private or public resources interests.

(c) Federal funds available to a county for small nonindustrial private forest lands each year may be allocated for cost sharing among the owners of such lands on a bid basis, with such owners contracting to carry out the approved forestry practices for the smallest Federal cost share having first priority for available Federal funds, subject to the Federal cost sharing limitations prescribed in subsection (a) of this section.

SEC. 5. The Secretary shall consult with the State forester or other appropriate official of each State in the conduct of the forestry incentives program provided for in this Act. Federal assistance under this Act shall be extended in accordance with such terms and conditions as the Secretary deems appropriate to accomplish the purposes of this Act. Funds made available under this Act may be utilized for providing technical assistance to and encouraging non-Federal public landowners, and the owners of small nonindustrial private forest lands in initiating practices which further the purposes of this Act. The Secretary shall coordinate the administration of this Act with other related programs and shall carry out this Act in such a manner as to encourage the utilization of private agencies, firms, and individuals furnishing services and materials needed in the application of practices included in the forestry incentives program.

SEC. 6. There are authorized to be appropriated an amount not to exceed $25,000,000 to carry out the provisions of this Act. Such funds shall remain available until expended.

NATIONAL STANDARDS FOR FIREHOSES

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BOB WILSON. Mr. Speaker, I am today reintroducing legislation which would authorize the establishment of national standards for threads and couplings of firehoses.

The recent tragic fires in several urban high-rises have focused national attention on the critical importance of firefighting technology. In handling many large blazes, local fire departments must call on other fire departments to assist them. Tragedy may result, however, if their equipment is not compatible.

Robert Ely, the chairman of the Committee on Standardization of Fire Hose Screw Threads of the International Association of Fire Chiefs, has devoted years of unselfish and tireless service to stir official interest and legislative action in the field of standardization.

Several decades ago, Norway adopted hose coupling standardization as the result of a massive fire at the residence of the Crown Prince and Princess. The fire became a major conflagration due to the differences in the hose couplings of the various fire brigades. The Norwegian Fire Protection Association has obtained the permission of His Royal Highness King Olav V to allow the following memorandum to be published in the United States. It succinctly points up the need for immediate adoption of similar legislation in the United States.

STANDARDIZATION OF FIRE HOSE COUPLINGS IN NORWAY

As in other countries, the question of standardized fire hose couplings was also in Norway discussed for a number of years. Thanks to a special case, this matter was solved quickly.

On May 20th, 1930, a fire broke out in the residence of the Norwegian Crownprince and princess, "Skaugum", some 15 miles west of the capital Oslo. The local fire brigade arrived quickly and stretched hoses to a well close to the building. The fire was almost under control when the water supply was exhausted.

The nearest water source was a lake some 3/4 eng. mile from the burning building. In the meantime, also other fire brigades had arrived, and together they had enough hoses to reach this lake. It turned out, however that the various fire brigades had different types of hose couplings, making connections impossible. As an emergency, the couplings were removed, the hoses placed inside each other, and the connections provisionally tightened with towels, etc. in order to reduce the leakage. During the time spent for this, however, the building had caught fire all over, and the efforts were directed towards spraying a large strong room in the basement, where irreplacable valuables were kept, and which were saved from destruction.

Following this fire, The Norwegian Fire Protection Association's Director at the time again took the matter up with the proper Authorities in order to achieve standardization of fire hose couplings. The result was that a Norwegian coupling—NOR coupling—was chosen, and in the course of a short time became standard for all fire brigades in Norway.

This tragic fire of the home of the present King of Norway, His Majesty King Olav V, was therefore a decisive factor contributing to the standardization of fire hose couplings in Norway, years ahead of many other countries. The usefulness and the necessity of such a standardization is beyond discussion today.

THE CASE OF JOHN D. HEMENWAY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ASHBROOK. Mr. Speaker, for quite some time now I have inserted into the CONGRESSIONAL RECORD information on the case of John D. Hemenway, the former Foreign Service officer who was selected out of the State Department, who won the right to have a grievance hearing and who is now awaiting the final decision on his case by Deputy Secretary of State John N. Irwin II, recently nominated as our next Ambassador to France.

The first step in the Hemenway case was an extensive review of the case by a three-man panel which ruled in favor of Hemenway. However, William O. Hall, the Director General of the Foreign Service rejected the findings of the panel. From there the case went to Secretary Irwin where the final decision is now being awaited.

An extensive review of the case appeared in the Washington Post of December 11, 1972. I insert this item for the information of the Members, preceded by the favorable findings of the three-man panel which sided with John D. Hemenway, which findings appeared in the December 1972 issue of Tactics, the informative psywar journal published by Edward Hunter:

[From the Washington Post, Dec. 11, 1972]

MAN FIRED BY STATE DEPARTMENT BATTLES FOR VINDICATION

(By H. D. S. Greenway)

Who is John Hemenway and why is he saying all those terrible things about the State Department? Is he an American Dreyfus, as he suggests, "stripped of reputation and career" by a corrupt bureaucracy? Or, is he as a State Department official once claimed, simply a "pain in the bippie?"

John Hemenway is a former Foreign Service Officer who, after 14 years of what even the State Department admits was "consistently good performance," "was selected out" and thereby involuntarily retired in 1969.

According to State Department regulations, any Foreign Service Officer below the level of Career Minister who fails to receive promotion to the next grade within a specified number of years must leave the service.

In the past, many men have found selection out of the Foreign Service to be humiliating and degrading experience. Some have found it difficult to find other jobs in their middle years. Perhaps the most tragic case was that of Charles Thomas, who after selection out, killed himself on Easter Monday of 1971.

Like Thomas, Hemenway thought he had been wronged by the State Department. Even though another job had been found

for him in the Defense Department, Hemenway became determined that he was going to leave the State Department with his "integrity intact."

Determination is too mild a word to use in Hemenway's case. For the last three years he has waged war upon the State Department—in the press, in testimony before Congress—exposing what he believes to be corrupt promotion and personnel practices within the Foreign Service.

He is no longer seeking simply to clear his own name. In the years he has been appealing his case through the creaking machinery of the department's grievance proceedings, working at nights and on weekends, he has become an Ahab seeking an almost supernatural revenge upon the body of the bureaucratic whale.

The Hemenway affair has become something of a landmark in the Foreign Service as the longest and bitterest grievance that anyone can remember. After three years, it still remains unresolved.

Under the regulations in effect in 1968, Hemenway, as an FSO4, had eight years to be promoted to FSO 3. Seven selection boards failed to promote him and in January, 1969, he was selected out. Because he had not reached the level of FSO3, or the age of 50, he received no pension.

In 1971 these rules were changed to allow Foreign Service Officers to remain 20 years in FSO grades 3, 4 and 5 with no more than 15 years in any one grade. This new rule makes it practically impossible for a man in the position in which Hemenway found himself two years earlier to be selected out without a pension.

Hemenway felt himself to be the victim of a kind of "reverse McCarthyism." Certain State Department officials had referred to him as a "John Bircher—the type that finds a Communist under every chair," it was later revealed in testimony.

He had been deeply involved in the Berlin problem during the mid-1960s and had had strong differences of opinion with his superiors. He felt that malicious gossip and these differences of opinion over policy were the real reasons for his selection out.

He was given a special grievance hearing—the first in the history of the Foreign Service. The grievance committee was composed of three Foreign Service Officers—one picked by Hemenway, one picked by the State Department and a chairman acceptable to both.

The grievance committee wrestled for three years with what soon became adversary proceedings. Last September, after listening to 40 hours of testimony and sifting through 1,500 pages of documents, the committee recommended that Hemenway be reinstated in the Foreign Service, promoted, tendered an official apology and reimbursed for his legal expenses.

But Hemenway has not been reinstated. William O. Hall, the director general of the Foreign Service and the reviewing officer in this case, studied the grievance committee's report for a month and, in early November, decided against their recommendations for reinstatement, promotion, and reimbursement.

The State Department says that under the rules in effect when Hemenway's grievance hearing was set up, the committee was supposed to be a fact-finding body—not a jury. Their recommendations were not to be binding and the responsibility for a final decision always remained with the reviewing officer.

To Hemenway, the State Department's decision was both capricious and arbitrary.

The case is now under final review by the No. 2 man in the State Department, John Irwin, who has promised a decision in January.

It was subsequently announced that Irwin would be replaced as deputy secretary of state by Kenneth Rush as part of President Nixon's administrative shuffle. How this change will affect the Hemenway case is still in doubt.

But if Irwin, or his replacement, finds against Hemenway, he is prepared to take the State Department to court.

When some of Hemenway's colleagues, back in 1969, suggested that something might be done for Hemenway—some sort of compromise solution—Graham Parsons, one of the men selected by Dean Rusk to investigate the case, complained that Hemenway "had the bit between his teeth" and could not be "bought off." Parsons said that the trouble with Hemenway was that he attacked the system itself, according to sworn testimony brought out during the grievance hearing.

Hemenway would not find fault with that judgment. The unfairness of the system, as he sees it, has become an obsession.

Hemenway lives with his wife and five children in a comfortable house in the Northwest section of this city. His house is filled with musical instruments and he likes to play boogie-woogie and Mozart on a harpsichord—a copy of Handel's harpsichord in the British Museum.

His house is full of papers and documents pertaining to his case and he has the self-taught mastery of the law one expects of a condemned man penciling an appeal to the Supreme Court.

Hemenway was born in Wisconsin 45 years ago and was graduated from the Naval Academy with honors. He was a Rhodes scholar and gave up the military for the State Department in 1955. He is fluent in both Russian and German and served in the American embassy in Moscow for two years in the early '60s.

It was during his job as chief of the Berlin Section of the State Department's European Bureau that he had trouble with his superiors.

"The sum effect of the policies which they promoted and I opposed," Hemenway says, "was to perpetuate the permanent partition of Berlin, Germany and thus all of Europe."

His superiors took a different view. They said that Hemenway overdramatized the situation, and that the differences they had were normal in as sensitive an area as Berlin. Some of Hemenway's views were accepted, his superiors said, some were not. And when they were not it was often because the action he proposed seemed inadequate or insufficiently thought out, they said.

Whatever the case, Hemenway was mustered out.

Even though the State Department has changed the rules allowing for more time in grade, the department defends the selection out process. Without it, the department says, the Foreign Service bureaucracy would be worse than it is. For selection out is a "honing process" that allows talent to rise in the service. President Nixon is taking advantage of the process now to retire some of the older men and make room for younger men in the Foreign Service.

In Hemenway's case, a senior State Department official said, there had been certain weaknesses in his record—"inadequacies in drafting reports, a tendency to be overly vigorous in his point of view and to discount too quickly the views of others," but on the whole his performance was good.

His selection out doesn't reflect on his abilities, which are obviously very great. It was just that in competition with others he fell behind,'" the State Department official said.

"That," Hemenway says, "is a lie."

In Hemenway's view, the Foreign Service is a vicious "old boy" network where the rules are deliberately kept vague and constantly changed to accomodate favorites, but ruthlessly applied to get rid of people who make waves.

Hemenway has given reams of testimony before Congress on lateral appointments and promotion where people less qualified than he, he feels, have been promoted without strict observance of time in grade.

One of the people given a special exemption from the selection out rules was William O. Hall. Hemenway told the Fulbright Committee last spring. But this was before either he or Hall knew that Hall would end up reviewing the Hemenway case.

A 1968 interoffice memo to then-Director of Personnel Howard Mace from his subordinate Donald Tice reveals what the State Department really thought of Hemenway.

Tice wrote that Hemenway was destined to end up being "a pain in someone's bippie," and that the reason Hemenway had not been promoted despite his generally good performance was because Hemenway was "confident to the point of being arrogant and aggressive in a manner that approaches rudeness."

When Hemenway got word that he was about to be selected out, he wrote a memo to the then-Secretary of State, Dean Rusk, explaining his differences with his superiors over Berlin and saying that he was being punished "administratively for having done my duty as I see it."

Rusk, with only a short time left in office, asked former Ambassadors Graham Parsons and James Penfield to investigate the charges.

Parsons and Penfield took the word of Hemenway's superiors that policy differences had not prejudiced Hemenway's promotion and they so reported to Rusk.

But Hemenway felt that by not investigating the charges fully, Parsons and Penfield had effectively slandered him by suggesting to Rusk that "what I had reported was less than the truth."

When the special grievance committee was formed it immediately found itself procedurally at sea precisely because it was the first such committee in the history of the Foreign Service. There were no precedents. They had to formulate their own rules and, although they at first decided to consider only whether the report Hemenway objected to should be expunged from the record, they decided later to address themselves to the issues of promotion and selection out as well.

The grievance committee recommended that the Parsons-Penfield report be expunged and William O. Hall, in his review, upheld this recommendation. It was on the other recommendations for reinstatement, reimbursement and apology that Hall disagreed.

As to matters of fact, Hall said that the committee's findings were for the most part "supported by the evidence," but he disagreed with the committee's conclusions. Also, he held that the committee had exceeded its authority by delving into matters of promotion and selection.

The main thrust of Hall's rejection of the committee's recommendation was his finding that "the grievant failed to establish any impropriety in his involuntary retirement."

While there had been obvious differences between Hemenway and his bosses. Hall said, "the record does not indicate what effect the grievant's policy differences with his superiors may have had on their rating of him.

"This is the central difficulty of [Hemenway's] presentation—the failure to relate such differences as there may have existed to the deliberations of the selection boards, Hall found.

The grievance committee had said it was only "probable" that such conflicts had adversely affected Hemenway's performance ratings. And they said it was "impossible to conclude from the present state of the evidence" whether or not Hemenway would have been promoted even had there not been differences with his superiors.

But the grievance committee's recommendations appear to have been made less on the merits of Hemenway's original charges than on the issue of whether or not Hemenway had been denied due process in his grievance proceedings.

The committee said that the State Department's failure to produce documents had delayed the case for more than a year.

"Several department actions or inactions not only delayed the proceedings," the committee said, "but added to the burden placed upon the committee during the proceedings. . . . Failure to produce essential documents promptly, failure to assign departmental counsel early in the proceedings, failure to take appropriate administrative action to resolve satisfactorily the problems between Hemenway and the department" were all issues on which the committee scored the Department of State.

Hall, in his review, found that the "record does not reveal any arbitrary or capricious act or inpropriety of the department in connection with these proceedings."

But if the case goes to court early next year the central issue may well be whether or not Hemenway was denied due process.

It is not likely that the Hemenway case could occur again in 1971 the State Department overhauled the entire grievance procedure.

The grievance board now consists of four "public" (non-department) members chaired by William Simkin, former director of the Federal Mediation and Conciliation Service, and two members drawn from each of the foreign affairs agencies.

The recommendations of the new board are binding and the State Department claims that many of the inequities of the old system have now been corrected.

Hemenway's own case could not be heard under the new rules, the State Department says, because it had begun under the old system and the new rules prohibit retroactivity.

But in the opinion of other legal sources close to the case, "no rules can wave away as if by magic wand a man's constitutional rights." If the case goes to court. Hemenway may well ask: Is it fair to have the department declare him not aggrieved when he has spent three years before a grievance committee that found him aggrieved?"

The whole question of grievances has been boiling for three years and a bill to take the grievance procedure out of the hands of the State Department entirely passed the Senate only to die in the House Foreign Affairs Subcommittee.

In the past the State Department has fought such legislation, but now its reluctant position is that it no longer opposes it, but hopes that the statute will be general rather than specific and based on the reforms of 1971.

Hemenway feels that although he may never benefit from them himself, the reforms and the congressional action are in no small way due to his case and others like it.

He may not be America's Dreyfus, but if his case can force the bureaucracy to be more responsive to the individual he says it will have all been worth it.

[From Tactics, Dec. 20, 1972]

FULL TEXT OF RECOMMENDATIONS: INQUIRY SUPPORTS HEMENWAY

A devastating, all-inclusive verdict was handed down on Sept. 27, 1972 by a special hearing board in the John Hemenway case, after an intensive, three-year investigation into his accusations against the State Department. The committee found the State Department wrong and dishonest on all counts. The text of the recommendations, at the end of the exhaustive findings, is given here—nowhere else has it been printed; indeed, the press has hushed up on this whole affair in as unethical and complete a manner as Soviet Russia's Tass news agency operates, with a few exceptions found primarily in the non-news columns. The text, as provided by the Hemenway Grievance Hearing Committee, follows:

The Committee recommends, predicated upon the foregoing findings,

1. that John D. Hemenway be tendered an offer of employment in the Foreign Service of the United States;

2. that he be appointed in Class 3 at the step commensurate with the salary of his present position;

3. that he be credited with the time towards Foreign Service retirement which he has spent in U.S. government service since his selection out and the date of appointment;

4. that the Parsons/Penfield Report, dated Jan. 14–15, 1969, entitled John D. Hemenway, FSO-4. Review of Operation of Foreign Service Selection Systems in His Case, be expunged from the record of John D. Hemenway in any and every way both in the Department of State and in the U.S. Foreign Service, and that no reference thereto be made in any and all future communications of the Department of State concerning the grievant, John D. Hemenway;

5. that the commentary dated Jan. 8, 1969, entitled Comment on Mr. Hemenway's Allegations prepared by Alfred Puhan and Alexander C. Johnpoll be expunged from the record of John D. Hemenway in any and every way both in the Department of State and in the U.S. Foreign Service, and that no reference thereto be made in any and all future communications of the Department of State concerning the grievant, John D. Hemenway;

6. that these recommended expunctions be made complete throughout all records of the Department of State and the U.S. Foreign Service;

7. that any and all references to the Notes for the Secretary, dated Jan. 2, 1969, and prepared by John D. Hemenway be expunged from any and all records of the Department of State, and that this expunction shall include any and all other references thereto in the records of the Department of State;

8. that the Department of State issue a statement or letter to each, every and all persons, businesses and agencies to whom the Department has communicated in response to an inquiry with reference to Mr. Hemenway's selection out setting forth the foregoing findings of fact and recommendations and the action taken thereon;

9. that the Department of State tender to John D. Hemenway an appropriate letter of apology for the manner in which his complaints have been handled and disposed of, including delays in the furnishing of documents and other improprieties which occurred in his case as determined by the Committee;

10. that the Department of State reimburse John D. Hemenway for legal expenses incurred by him in the prosecution of his grievance;

11. that the denial of Mr. Hemenway's motion for preliminary findings accompanied by an offer of additional proof, including a reopening of the hearings, stand.—Paul A. Toussaint, chairman; Phillip H. Burris, and Maj. Gen. Richard C. Hagan, Air Force, retired.

"WOODY" FREE RETIRES

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BYRON. Mr. Speaker, Woodrow Wilson "Woody" Free, of Brunswick, Md., has been in the business of entertaining people for over 43 years. One of the best known musicians in Frederick County, Woody is now retiring.

Woody began his career at the age of 16 when he and his brothers formed the Free Brothers Trio to play for house parties, dances, and churches. Following this, he joined the dance band of John Funk. He later joined the Jimmy Taylor band in Frederick. After other band stints, Woody worked on the railroad but dropped out to form his own trio. The trio recently consisted of Woody and his son, Gary, and Merle Anderson. Woody was honored on December 30 on the occasion of his retirement, and I would like to add my own personal congratulations on a job well done.

A FATHER'S LETTER TO HIS SON

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. WYMAN. Mr. Speaker, if there is a so-called generation gap it is due in part to a breakdown in communication across the age spans. One of the most distressing aspects of differences between today's young people and their forebears is in the different sets of values that obtain with some values, or the lack therof, that many find it hard to understand whether it be on their merits or demerits, or how they were conceived in the first place.

Recently a letter from a father to his son appeared in the Manchester, N.H., Union Leader's issue of January 23. The young man was off to college, and the father a busy and successful man. This letter is worth the serious consideration of other parents and other young people whether or not fortunate enough to be off to college.

PRESERVE OUR ECONOMIC SYSTEM

(By William F. McCurdy)

(NOTE.—Following is a speech delivered last year by Mr. McCurdy, who is Vice President, Public Relations, of Sears, Roebuck and Co.)

I am 54 years old and I classify this as middle aged. I have lived through a depression; I have lost four years to war; I am invested with sweat and I am absolutely sick of some of the younger generation; the hippies, the yippies, the dippies, the militants and all of their nonsense.

I am tired, as a member of my generation, of being blamed, maimed, and contrite. I contend that we, my generation, has spent too much time telling the younger generation that they are a different breed—how wonderful they are. I submit to you that youth has always been wonderful. We were wonderful when we were young but that didn't give us any license to tear up the place.

The younger generation tells us today that they're up-tight about a lot of things. I'd like to tell you about some things that I'm up-tight about. I'm disturbed that on few college campuses in the United States today the President of the United States, the Vice President, a member of the Cabinet can come to talk to the students without disruption, physical abuse or intimidation. Yet at the same time, a convicted murderer, a dope peddler or one committed to overthrow our government cannot only get a respectful hearing, but be paid a handsome honorarium to boot.

Recently I sent a son to college. And when I stuffed in his pocketbook the check for his tuition and his room and board and his books and his activity fees and on and on, I also took the time out to write a little letter in the hope that he would read it. I don't know whether it will do him any good, but here's what I said:

* * * * *

DEAR SON:

So you're off to college! Your mother and I hope that it will be a worthwhile experience for you. I'm not sure about this, I have a friend who's had a son in college two or three years and I asked him not long ago: "Has going to college been a worthwhile experience for your son?" He said, "Well, I think so, it sure has cured his mother from bragging on him." And I know another young man who has been in college a couple of years and I asked him: "What do you think of college? Has it been worthwhile for you?" "Well," he said, "I'm not sure." He said, "When I am at college I'm a liberal, when I'm home I'm a conservative and when I'm alone I'm confused." Now we don't want you, my son, to be confused. We like you the way you are right now. We think you think straight about things, but you're going to undergo a new experience and I'd like to talk to you about it a little bit.

It occurs to me that there are many things about you, your actions and about your country that I should have discussed with you already. Now it may come as a shock to you to know this, but I was young once too. And I'd like to tell you that I know more about being young than you know about being old. You are fortunate to be a citizen by birth of the greatest country on this earth. Your generation has been freed of the nagging worries of food, clothing and shelter. You're the product of an affluency, which has been created for you by your parents. Today's generation is able to afford a hypersensitivity to social problems. I would like you to know this, my son; sensitivity is not the property of the young, nor was it invented in 1950. Your generation didn't invent it, you don't own it and what you seek to attain all mankind has sought to attain throughout the ages.

Society, or as your generation sometimes refers to it, "the establishment," is not a foreign thing that we seek to impose on the young. We know that our generation has been far from perfect, but I would remind you that we didn't make it, we have only sought to make it better; and the fact that we have not been 100 per cent successful is the story of all generations, just as it will be the story of your generation.

Society hangs together by the stitching of many threads. No 18-year-old is the product just of his 18 years. He is the product of 3000 years of the development of mankind and I would remind you, my son, that throughout those years injustice has existed and it has been fought. Rules have been out-moded and they have been changed. Doom has hung over man and somehow it has been avoided. Unjust wars have occurred and pain has been the cost of progress. Need I remind you too, that man has always persevered? And so, when your generation says that we must solve all of the country's problems by next Wednesday morning at 9 o'clock or you'll huff and puff and blow our house down, I could only characterize this as stupid, unthinking, irrational immaturity. Mankind can never hope for anything better on earth than to leave this world just a little bit better than he found it.

"All right," you say to me "What has your generation done?" Let's come to grips with this one right now. When you get to college you're going to hear a lot of anti-establishment talk. Now first let's examine just who is the establishment. To begin with it's your mother and your father and your aunts and your uncles and your adult friends that you always seem to think so much of. We're the establishment. We're not perfect but we're rather proud of what we've done. And when you think of the establishment, I'd like you to think of us in this way: We are the people who have increased, in our generation, the life expectancy in this country by more than 50 per cent. We are the people who have eradicated plagues. We are the people who developed the Salk vaccine. It came along too late for us, but without it many of you and your generation would either be dead or crippled today.

We are the people who have reduced the working day by one-third and at the same time more than doubled per capita output. We're the people who have built thousands and thousands of high schools and colleges and have spent billions of dollars on higher education thereby making it available to the millions, when at one time it was the province of the very few. We're the people who without any bloodshed, back in the 1930s effected a social revolution so humane in its consequences that it tends to make the famous French Revolution look like a mere outburst of savagery and the famous Russian Revolution a downright political retrogression.

We're the people who defeated Hitler, contained Stalin and made Khrushchev back down. There is today a flag and a plaque on the moon attesting to the fact that my generation put the first man there. We're the people who split the atom, for good or evil, thereby releasing the primal energy of the cosmos for all mankind. And in my judgment during all of this time we have created a great literature, exciting architecture and have conducted extensive experimentation in all of the arts. And I'm going to restrain my enthusiasm, perhaps, for pointing out to you that we also developed the automatic transmission and maybe that's why so many of your generation are so shiftless.

Your generation has been most articulate in saying what's wrong with my generation. Our generation, on the other hand, has had no voice, no announcers, no press. That which is right, with us has been buried in silence and we tend to lose by default. So my son, in this letter I'm invoking the First Amendment in behalf of my generation. My generation were creatures of the depression.

Not long ago I was invited to a major university in our country to speak to the business college—1800 kids there. They called it a "symposium,"—they should have called it a Spanish Inquisition. This is the way it worked: Every morning at 8:30 I would make a statement for 30 minutes on behalf of the establishment, on the free enterprise system. For the rest of the day, including luncheon, I was attacked by the younger generation.

I'll never forget the first morning, I got through at 9 o'clock and I got the first questioner immediately. The young man stood up with a Custer hair-cut, a Fu-Manchu mustache, naked from the waist up, bare-footed. . . . they dress casually there. You've heard of the "Rambling Wreck from Georgia Tech," this kid looked like the "Total Loss from Holy Cross." And he pointed his finger at me and he said, "I charge you and your generation with being materialistic. I say that every thought and every deed of your generation is prompted by the profit motive, would you care to comment on that?" I said, "I don't think everything we do is dedicated to profit," I said "Of all the profitable investments I've ever known in my life, raising kids is right at the bottom of the list. And if all of your parents ever thought about was profit, they would have drowned you before you ever got your eyes open."

But I think there is something to what you say, I think we're materialistic, yes, I'll admit to it. We're all creatures of our own environment and we came along during the depression days. Things weren't very good back in the depression days, you don't know anything about that, but they weren't very good. Things were so bad that hitch-hikers were asking for rides going in either direction, they didn't care; that's how bad it was.

But how, how can we explain those times to you, my son, you don't know anything about them. You're leaving for college in a car that cost your mother and me three times more than I made the first year I ever worked for Sears, Roebuck and Co. And it wasn't because your car is that big, it's because my salary was that little. That wasn't Sears fault, that was the ball game, that was the ball park, and that was the way we played it in those days. Sure I had a car, in my junior year when I went to school it was a stripped-down Model-T, I needed in order to pick up laundry and cleaning and pressing. I was trying to work my way through school.

In those days I never invited a girl for a date unless she was strong enough to carry 50 pounds of dirty laundry. And this may sound strange to you, but I think we were fortunate in those days because all of our luxuries and most of our necessities came to us a little bit at a time, we savored them and we enjoyed them and we appreciated them and we were thus motivated to work harder to get more. In those days a job was a thing of beauty and a joy forever. But your generation has had too much, too soon.

Let me talk to you just a second about what I think your mother and me owe you. I think we owe you food and clothing and shelter and an education, and all the love and respect you're able to earn for yourself. Now let me talk to you about something I think we don't owe you: our souls, our privacy, our whole lives, our immunity not only from our mistakes or from your own. These are what we don't owe you.

Bob Hope, one of the country's great entertainers and a great citizen, was asked last spring if he would speak to a graduating class in the United States and give them a few words of advice on going out into the world. His message was very brief, he said, "Don't go!"

Well I'm not sure this is exactly right, I think when you graduate from college you'll enjoy testing your wings, I think you'll enjoy a pride of authorship, I think you'll enjoy making a contribution to society, and I want you to know right now, my son, there are many things you and your generation can do. I readily admit every thing my generation has done is not right. In solving an economic problem of the '30s, I know very well we created social problems for the '60s and the '70s and you are concerned about them and you should be. And we're proud of you.

But I think you ought to know it takes time to get these things done. The technology we've delivered to you and your generation today has caused some problems and every action, as you've learned in physics brings about a reaction. And today we've got more automobiles than any country on earth, and some people say we've got more polluted air. We've got more TV sets today than any country on earth and some people say we've got more polluted minds. We've got more food today than any country on earth and more people are dying of obesity.

My research also pointed out we've got more bathtubs than any other country on earth, too, for whatever that's worth. But we hope you could keep the benefits and minimize the risks; we hope your generation can keep the cars and solve the pollution problem; we hope you can keep the TV and solve the programming problem; we hope you can keep food and solve the weight problem. I don't know what you'll do about those bathtubs, but if we ever have prohibition again I'm sure you'll find a functional use for those.

Above all else we hope you will not destroy the private enterprise system in America. We hope rather that you will understand it, appreciate it, learn to cherish it, because if you don't, my son, I predict that 20 years from now you're going to have a son driving off to school during another generation gap and you're going to be defending your generation against his generation and he's going to be saying that your generation turned out to be a bunch of sociological weirdos who were the residual legatees of an economic Garden of Eden and had neither the good sense nor strength to preserve it.

Sincerely,

YOUR DAD.

August 21, 1972.

LYNDON BAINES JOHNSON

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. DULSKI. Mr. Speaker, the sudden passing of former President Lyndon Baines Johnson takes from the American scene our only living former President.

He will be greatly missed.

Within less than 1 month, our last two former Presidents have been called by their Maker. Indeed, when President Johnson died, the flags still were flying at half-mast around our country in mourning for former President Harry S Truman.

President Johnson played an outstanding role as a legislator and leader in the Congress before he moved into the Vice Presidency and then the Presidency.

His record in the executive branch may take precedence in history, but those who know and were a part of that era recall with great respect and admiration his legislative ability. There can be no doubt that his legislative experience and leadership served him well in the White House.

His dedication to his country and his sense of responsibilty toward its citizens are unquestioned. As with anyone in public life, he had his detractors as well as his supporters.

But no one can dispute his compassion for the impoverished, his concern for the realization of the highest goals and opportunities for Americans, and his commitment for using the highest office in our land for the betterment of the quality of life for all men.

I had the opportunity on numerous occasions to meet with President Johnson at the White House and my recollections are of a man who would listen intently to the visitor, a man who was friendly and relaxed, a man who was indeed a leader.

The particular occasion I recall was when I was invited to the White House for the signing of a bill which I had sponsored of interest to philatelists. Postmaster General Marvin Watson was present with me and we found the President very relaxed. A photographer took an excellent series of pictures which now form a montage on my office wall along with the pen he used to sign the bill.

After the bill signing, the President settled back in his chair for a leisurely chat. In the course of the conversation, he asked me if there was anything he could help me with.

I had not expected the question, but I answered quickly that, yes, there was one. I said that we in Buffalo need another $1.5 million in Federal funds to get work started on our new Federal office building.

The President's response was immediate—and favorable. It was the last clearance we needed for the long-pending project which since has been completed in downtown Buffalo.

The job of President is a lonely one and, as President Truman always said, it is where the buck stops. President Johnson was a distinguished and dedicated public servant who served his country well.

The Nation's history is enriched by the long public service of Lyndon Baines Johnson and its future is enhanced—perhaps more than any of us can comprehend fully at this time—by his initiative, tenacity, and foresight.

I join my colleagues in extending deepest sympathy to his family at this difficult time. I also join in expressing sincere gratitude to them for having shared his talents and his life with us.

President Johnson could well be described as "one who loved his fellowman."

Lyndon Baines Johnson will be greatly missed.

HUMAN RIGHTS IN AMERICA

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. REUSS. Mr. Speaker, Mr. Bruno V. Bitker, a distinguished Wisconsin lawyer, has appraised the status of human rights in this country in a De Paul Law Review article titled, "Application of the United Nation's Universal Declaration of Human Rights Within the United States."

Mr. Bitker presents a broad survey of how the principles of the Declaration of Human Rights are woven into the American legal fabric. His work will be of great assistance in furthering international understanding of American adherence to this declaration and will serve as a beginning for further research.

The articles of the declaration, and brief summaries of Mr. Bitker's excellent analyses, follow:

APPLICATION OF THE UNITED NATIONS UNIVERSAL DECLARATION OF HUMAN RIGHTS WITHIN THE UNITED STATES

(By Bruno V. Bitker)

ARTICLE 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

The same basic principle is spelled out in the United States Declaration of Independence as follows: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness."

ARTICLE 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

The ideals expressed in this article are the basic ideals of the United States. But the full attainment of these ideals has not been completely achieved.

ARTICLE 3

Everyone has the right to life, liberty and security of person.

The American Declaration of Independence contains the phrase "life, liberty, and the pursuit of happiness." Within the United States Constitution and the acts of Congress there are a wide variety of expressions supporting individual rights and personal security.

ARTICLE 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Adoption in 1865 of the thirteenth amendment to the United States Constitution provided: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States."

ARTICLE 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

The eighth amendment provides that no "cruel and unusual punishments" shall be inflicted.

ARTICLE 6

Everyone has the right to recognition everywhere as a person before the law.

The fifth amendment to the Constitution provided that no person shall "be deprived of life, liberty, or property, without due process of law." The fourteenth amendment extended this provision beyond the federal government to the several states: "nor shall any State deprive any person of life, liberty, or property, without due process of law." The reference to "any person" emphasizes the right to recognition of everyone before the law in the United States.

ARTICLE 7

All are equal before the law and are entitld without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

The series of Civil Rights Acts adopted by the Congress, beginning with the enactment of the Civil Rights Act of 1957 which established the Commission on Civil Rights, are noteworthy in connection with this article.

ARTICLE 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

There is an extensive system of federal, state, and local courts plus a wide variety of administrative tribunals at state and national levels. The courts are open to all on an equal basis.

ARTICLE 9

No one shall be subjected to arbitrary arrest, detention or exile.

The fourth amendment guarantees the "right of the people to be secure in their persons" and prohibits "unreasonable searches and seizures."

ARTICLE 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

The Bill of Rights of the United States Constitution spells out these protections in broad terms: the fifth amendment on self-incrimination; the sixth amendment on a speedy and public trial by an impartial jury and the right to counsel; the seventh amendment on jury trials for common law suits over twenty dollars; and the eighth amendment on excessive bail or fines or the infliction of cruel and unusual punishments.

ARTICLE 11

Everyone charged with a penal offense has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

No one shall be held guilty of any penal offense on account of any act or omission which did not constitute a penal offense, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offense was committed.

The presumption of innocence may be deemed a principle of justice "so rooted in the traditions and conscience of our people as to be ranked as fundamental." Among the guarantees "necessary for his defense" is the right to counsel. The right to counsel is specifically provided for in the sixth amendment. The prohibition against conviction of any penal offense which was not such an offense when committed is embedded in the Constitution itself and applies to both federal and state governments. Under Supreme Court decisions, an *ex post facto* law is one which not only makes something criminal which was not so when the act occurred, but also one which increases the punishment.

ARTICLE 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

The first amendment's bar of Congress from abridging the freedom of speech, assembly and religion; the fourth amendment right of the people "to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures;" and the fifth amendment protection against compelling a person to be a witness against himself, indicate the sharp limits placed on the government to protect the individual's liberties against the state. But the scientific advances of the twentieth century have made possible intrusions into private lives that were hardly conceivable when the Bill of Rights was adopted. The telephone tap, the hidden or invading camera, the sophisticated eavesdropping devices and other technological advances in surveillance have forced a reevaluation of the extent to which privacy is protected. At this writing, neither the courts nor the Congress have determined how far they can go in protecting the traditional right of privacy as against the need to protect the nation against organized crime and subversive activities.

ARTICLE 13

Everyone has the right to freedom of movement and residence within the borders of each state.

Everyone has the right to leave the country, including his own, and return to his country.

The freedom of movement of American citizens within the United States is traditional and supported by Supreme Court decisions.

ARTICLE 14

Everyone has the right to seek and to enjoy in other countries asylum from persecution.

This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

The Immigration and Nationality Act as amended in 1965 codified previous immigration laws, eliminated previous racial restrictions and the national origin quota system, substituted a non-discretionary method for selecting immigrants and expanded opportunities for discretionary relief to alleviate hardships. No legislation specifically prohibits the departure from or return to the United States by an American citizen. However, passport laws exist.

ARTICLE 15

Everyone has a right to a nationality.

No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

The fourteenth amendment provides that, "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." There appears no basis upon which a citizen can be deprived of his citizenship except by his voluntary act.

ARTICLE 16

Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage, and at its dissolution.

Marriage shall be entered into only with the free and full consent of the intending spouses.

The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

The right to select one's spouse free of legal limitations is American tradition spelled out in decisions of the Supreme Court.

ARTICLE 17

Everyone has the right to own property alone as well as in association with others.

No one shall be arbitrarily deprived of his property.

The fifth amendment provides that no person shall "be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

ARTICLE 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or believe in teaching, practice, worship and observance.

The right of freedom of thought, conscience and religion is deeply imbedded in American tradition. As to religion, the first amendment provides that: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

ARTICLE 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

The applicability of the first amendment is apparent.

ARTICLE 20

Everyone has the right to freedom of peaceful assembly and association.

No one may be compelled to belong to an association.

This freedom, "the right of the people to assemble peaceably," is set out in the first amendment.

ARTICLE 21

Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

Everyone has the right of equal access to public service in his country.

The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

The applicable phrase in the Declaration of Independence is that governments derive "their just powers from the consent of the governed." Article I of the Constitution provides for a national legislature elected by popular vote. Under article II the President and Vice President are chosen by electors from each State, who in turn are selected in a manner prescribed by the legislature of each State.

ARTICLE 22

Everyone as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social, and cultural rights indispensable for his dignity and the free development of his personality.

The Constitution of the United States in its opening clause states: "We the People of the United States in order to promote the General Welfare . . . ," and in article II section 8 Congress is specifically empowered to provide for the "General Welfare."

ARTICLE 23

Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.

Everyone without any discrimination, has the right to equal pay for equal work.

Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

Everyone has the right to form and to join trade unions for the protection of his interests.

The Full Employment Act of 1946 declares that government policy should foster and promote employment opportunities. The right to just and favorable remuneration and decent working conditions is protected by various laws relating to minimum wage rates, safety, health and hours of work. Under the National Labor Relations Act of 1935, employees were guaranteed organizational and bargaining rights.

ARTICLE 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Now through custom and collective bargaining, the normal work week is generally limited to forty hours with paid holidays and vacations.

ARTICLE 25

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Motherhood and childhood are entitled to special care and assistance.

The Social Security Act of 1935 and subsequent legislation recognized the right of every American "to a standard of living adequate for the health and well-being of himself and of his family." Despite the several measures, there are a substantial number of individuals who have annual incomes below the poverty line. Health as a human right is recognized and receives specific recognition in the Medicare and Medicaid programs. In the Housing Act of 1949, Congress established as a national objective "a decent home and a suitable living environment for every American family." The goal of twenty-six million new and rehabilitated units in the current decade may not be reached, but every effort is being made.

ARTICLE 26

Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be generally available and higher education shall be equally accessible to all on the basis of merit.

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

Parents have a prior right to choose the kind of education that shall be given to their children.

Although the United States Constitution does not mention education, it does provide for the "General Welfare." Illiteracy in the United States is estimated at two percent. Often because of racial discrimination, many young Americans do not have access to quality education. In 1954, in the historic decision of *Brown v. Board of Education*, all public schools were required to desegregate. Efforts to expand and improve education have been accompanied by recognition of the prior right of parents to determine the course of their children's education.

ARTICLE 27

Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

The constantly increasing government support for arts was evidenced by the passage of the National Foundation on the Arts and Humanities Act of 1965. The advancement of science and technology in the United States has been supported on the national and local levels. The right of protection to the author of any new scientific, literary or artistic production has its roots in the Constitution.

ARTICLE 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

It is evident that the United States has not achieved its own hope for a perfect social order, but Americans are now doing more than ever before to do so. To provide "international order," the United States has played a major role in the United Nations and made important contributions to international law in negotiating vital multinational agreements.

ARTICLE 29

Everyone has duties to the community in which alone the free and full development of his personality is possible.

In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

In the United States, the citizen has a legal duty to obey the law, pay taxes, serve in the armed forces, serve on juries and testify in court. It is difficult to conceive that the rights recognized in the United States Constitution and its amendments would be exercised contrary to the spirit of the United Nations Charter.

ARTICLE 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

No government, group, or individual can interpret the Declaration as creating the justification to destroy the rights of other governments, groups, or individuals.

TRAFFIC FATALITIES

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. RHODES. Mr. Speaker, each year the figures that record the death and destruction on our highways increase. These horrible totals have become a national disgrace.

The Tempe Daily News, published in Tempe, Ariz., recently ran two stories that deal with this subject. The first, indicates that the National Safety Council projects 1972 as the deadliest year on the highways in our history. The second reports on 1972's 50 percent decrease in fatal accidents in Tempe, Ariz.

Since it is projected that the Nation's car deaths will continue to go up, I call upon my colleagues to read these articles and to take special note of Tempe's efforts to reduce traffic deaths. Perhaps communities in other congressional districts would be well advised to follow Tempe's lead.

The articles follow:

TRAFFIC FATALITIES MAY REACH TRAGIC NEW HIGH FOR 1972

The National Safety Council has projected 1972 as the deadliest year for traffic safety in the history of the United States.

Howard Pyle, NSC president, said: "Based on figures for the first 10 months of 1972, traffic fatalities for the entire year are expected to reach a tragic 56,700. In addition, the number of persons suffering disabling injuries in traffic is expected to reach two million and the cost to the national economy approximately $16 billion."

The worst year for traffic had been 1969 when 56,000 persons died in motor vehicle mishaps throughout the nation. The toll for 1971 was 54,700.

Pyle said: "Although preliminary data does not allow for in-depth analysis, we can point to certain contributing factors that are believed to be affecting the total increase:

"1) the continued infestation of the nation's roadways by the drinking driver who is involved in about half of the fatal motor vehicle accidents;

"2) the trend by states to lower their minimum drinking age to 18, the age when persons are learning to drive at the same time they are learning to drink, a combination that too often ends with tragic results;

"3) the increasing number of motorcycles and minibikes in the hands of many unskilled operators; and

"4) the 'bicycle boom' in which 11.5 million bikes were sold in the United States during 1972 without necessary bicycle safety instruction."

Pyle added, "The Highway Safety Acts of 1966 enables all levels of government to do much more than is being done for traffic safety. Failure to provide adequate funding continues to be the major problem. Public demand urging government leaders to find the means to implement essential programs is imperative if highway accident losses are to be reduced."

FATAL ACCIDENTS DOWN IN TEMPE FOR 1972

While the state piled up a record 791 traffic fatalities, Tempe saw a 50 percent decrease in fatalities in the city, from seven to 14, according to department records released today.

Lieutenant Dale Douglas of the police traffic bureau, said his men are writing more citations and have tried to bear down on intoxicated drivers. He said he feels this may be responsible or contributing to the reduction.

Douglas said in half of the national fatal accidents, liquor is involved, and said for this purpose, his men went on a special squad this summer to cut down on the drinking driver.

Douglas also said that the motor patrol (motorcycles) have a lasting effect on motorists. He added that when the motors first appeared on Tempe streets, there was a sharp decline in the number of traffic accidents.

While the number of accidents and injury accidents is up, Douglas said this is deceiving. He said comparing the number of accidents to last year will not give the true overall picture, as the accident rate in 1971 was low.

He said a rise in traffic and population should also be considered in the rate, and added that Tempe was "holding their own" in the overall accident picture, while the other cities and state is experiencing increases.

The fatal accidents in Tempe were not of the "usual" variety, with only one resulting from a two car collision.

The other fatals were from a pedestrian accident, two were from motorcycle accidents, and the remaining three were single car accidents.

Douglas said they were "highly unusual" in his opinion, with many of the fatals being odd in nature.

He cited the car-street sweeper accident and the fatal where a woman fell from a moving car, as two of the unusual ones.

The Department of Public Safety said of the 791 fatalities, 487 were in Maricopa County, with 94 of them being inside Phoenix.

In 1971, the division said 274 persons died in Maricopa County from traffic accidents, with 89 in Phoenix.

UKRAINIAN INDEPENDENCE DAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. DINGELL. Mr. Speaker, I pay tribute to the Ukrainian Independence Day of January 22 and salute the continued search for freedom and independence by the Ukrainian peoples who are under the yoke of the dictates of the Soviet Union, which has denied 47 million non-Russians their God-given right of self-determination.

As Americans, and people throughout the world feel a great sense of relief and thanks today with the announcement of a scheduled ceasefire in Vietnam, there must not be a lessening of the drive to secure peace and justice in all parts of the world. That drive must not be marked with armed aggression nor forceful takeover of any nation by another.

I hope for freedom for the Ukrainian people and a revival in independent thought and expression for Ukrainians suffering under captive confinement.

FORMER SENATOR JOSEPH CLARK URGES CUTS IN DEFENSE SPENDING

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. DRINAN. Mr. Speaker, one of the most perceptive and wise men ever elected to Congress, former Senator Joseph Clark of Pennsylvania, has been a preeminent advocate of new domestic and international priorities. I have been an admirer of Senator Clark for years, as have so many others on Capitol Hill and throughout the world.

I insert in the RECORD at this point a letter by Senator Clark published in the New York Times on November 23, 1972. The letter, urging cuts in defense spending, speaks for itself. I fully agree with it:

FOR CUTS IN DEFENSE SPENDING

To the Editor:

In an exclusive pre-election interview published in The Washington Star-News on Nov. 8, President Nixon reiterated his conviction that cuts that can be made in the defense budget "certainly are minimal, except where we get mutual agreements with other countries." However, he also stated he will continue to work for strategic arms control with the Russians and mutual reductions of forces in Europe.

As a result of the President's landslide victory on Nov. 7, he obviously has complete control of military spending for the foreseeable future. Those, including myself, who believe the military budget can readily be cut unilaterally by many billions of dollars without jeopardy to our national security are thus left with only the hope of a comprehensive arms-control and disarmament agreement to provide the funds for meeting critical and underfunded domestic priorities. It is accordingly pertinent to look at three current possibilities for achieving such substantial cuts.

(1) In the General Assembly of the United Nations a move is afoot to convene a World Disarmament Conference. Such a conference was referred to favorably, at an appropriate time, in the Joint Communiqué issued from Moscow at the time the SALT I agreements were initiated last May. However, the U.S. delegation to the U.N. has stated its adamant opposition to such a conference. Only the People's Republic of China has joined us in this opposition, and it seems at least possible that China will change its mind in the light of its ambition to represent the underdeveloped world which strongly favors disarmament.

(2) The agenda for the SALT II talks has not been made public, but there is every reason to believe that the U.S. will take a most conservative position in this regard when the negotiations resume the end of this month.

If the Administration is really serious about arms control, the following would represent a minimum agenda:

A comprehensive test ban which can be monitored by national means without on-site inspection.

An agreement to destroy all nuclear weapons and build no more or, in the alternative, to restrict such weapons to 800 on each side, a number adequate for mutual destruction of Russian and American civilization.

A drastic cut in military manpower and conventional hardware.

The naming of civilians only to the U.S. delegation at SALT II. The Pentagon dominated the SALT I negotiations. A broad disarmament agreement would enable us to tear down the Pentagon and force the generals and admirals to seek other employment. Of course, they can be useful for the time being as advisers to the delegation.

The bringing up to date of the two treaties of General and Complete Disarmament filed by the U.S.S.R. and the U.S.A. during the Kennedy Administration and a start toward negotiations for an agreement on such treaties.

(3) The Administration should be held to its pledge to support mutual reduction of forces in Europe, not only at the discussions between the NATO-Warsaw Pact nations but also at Geneva. Similar negotiations should be promptly instituted to cut back our naval and air power in Southeast Asia, Korea and the Far East.

I hope that the new Congress will press these objectives on the President.

JOSEPH S. CLARK.

A SALUTE TO JAMES V. SMITH

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. HAMMERSCHMIDT. Mr. Speaker, I join with many other colleagues in extending a special salute to James V. Smith as he leaves his post as Administrator of the Department of Agriculture's Farmers Home Administration. Jim and I were first elected to Congress together in 1966. Since we were elected to represent districts in the neighboring States of Oklahoma and Arkansas, we became close friends through the many mutual interests from our part of the country.

I can speak from personal observation on the respect and friendship which Jim gained during his service in the 90th Congress. He represented the Sixth District of Oklahoma in a highly commendable manner, rendering excellent service to his constituents and proving his abilities in many ways on the Armed Services Committee. Jim always made every effort to act in the best interests of his district, his State, and the Nation. In each area of his congressional work, Jim proved himself to be a Christian gentlemen with high ideals, firm convictions, and absolute integrity.

Some of the philosophy Jim expressed in speeches and writing as Administrator of the Farmers Home Administration seems to me worth having in the RECORD. Here are a few short quotations:

I am completely convinced that all America—and particularly rural America—has an exciting future, that there is great potential for furnishing economic opportunities and a fine quality of life for all.

As I travel this broad and beautiful land, I have seen people and communities who are futures for the sons and daughters of today's rural dwellers. There is a spirit abroad in our countryside that makes me proud to be associated with its people—and to be able to extend help to them through Farmers Home Administration when private credit cannot respond.

Our objective is a better life, with expanding opportunity for all people—both rural and urban. As we tool up to achieve this objective, we must appraise our capability for meeting our national needs. The many demands upon us and upon our resources require that we distinguish between desires and needs.

Here are more of Jim Smith's ideas taken from his speeches:

Government agencies can help people achieve goals to which they aspire but cannot attain alone. We can broaden the range of choice and we can offer maximum benefits to those involved, with minimum impact on the taxpayer through the Farmers Home Administration type of lending.

Under this Administration we have developed methods of marketing our insured note paper so that it is attractive to big private investors. By so doing we have actually reversed a long-time and disastrous trend of money and credit flowing away from rural areas to cities. It is now returning in increasing volume.

Nearly all Farmers Home Administration loan funds are now provided by private investors—thus eliminating direct appropriations by Congress. Since we make loans and the loans are secured by assets, these figures do not appear as a part of our Federal debt. Our goal is to provide help and to work with borrowers to assure repayment.

Without this ability to interest private investors and market billions of dollars of insured loan paper every year, rural credit programs would be described in terms of nickels and dimes instead of $1.6 billion in loan funds for rural housing, another $1.1 billion in farmer credit and $350 million for rural community water and sewer projects. That's the kind of credit Farmers Home Administration made available to rural America in the 1972 fiscal year.

But tax dollars alone are not the single, magical answer to the problem of building the kind of rural America we all want and *must have.*

Innovation is mandatory. It can open doors that will lead to better days. For example, in this past year, more money has been available to farmer-borrowers of Farmers Home Administration than ever before. Imaginative administration brought private lenders and private dollars into the picture so that, for the first time in history, over a billion dollars worth of supplementary credit was available to those who could not qualify for a full line of commercial credit.

Those few quotations indicate Jim Smith's dedication to his job as Administrator. He was a natural with deep feeling for the problems of all Americans—but especially rural America.

The type of inspirational leadership typified by James V. Smith is not frequently found in Government. We wish Jim well in his new endeavors and hope that one day he will return to Washington, so that we may all benefit from his abilities of leadership and from his dedication to this country.

Speaking for my district, the State of Arkansas, and my colleagues in Congress—thank you, Jim, for a capacity for hard work, sincere concern, and complete dedication which will be sorely missed.

MANY GENERATIONS OF PEACE

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. FREY. Mr. Speaker, today is a day of thanksgiving for all Americans. The

hostilities in Southeast Asia are finally ending. Thank God.

We are grateful that our prayers have been answered and that our prisoners of war will be coming home and our men missing in action will be accounted for.

We are grateful that we will now be able to concentrate our energies on solving the problems that beset us at home, on erasing poverty and ignorance and disease.

And we are grateful that President Nixon, throughout the long arduous negotiations, has had the courage and the wisdom not to settle for the easy way out, but instead to insist upon a peace with justice and a peace with honor. I hope and pray that we may continue in this path and that we are finally entering "many generations of peace" in the world.

AFSA, JOHN STEWART SERVICE, AND INTEGRITY AND COURAGE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ASHBROOK. Mr. Speaker, I have just learned that the American Foreign Service Association, the largest professional organization representing career officers at the State Department, and the Face-to-Face program to the Carnegie Endowment for International Peace have jointly scheduled a luncheon on January 30 in the diplomatic dining area of the State Department to honor John Stewart Service and other "Old China Hands" who supported Mao Tse-tung and the Communists over the Nationalist Chinese with whom we were formally allied in fighting the Japanese in World War II.

The purpose of this luncheon, I am told, is to honor those Foreign Service officers in China during the early 1940's who demonstrated their professionalism and integrity by reporting events as they saw them. The person selected by AFSA for special honors, as "symbolizing" the "integrity" of these officers is John Stewart Service. At the January 8 public board meeting of AFSA, its Chairman William Harrop stated that "Service embodies the whole group."

The nominal organizer of this luncheon is David Biltchik. A Foreign Service officer and an AFSA member, Biltchik was granted official leave of absence from his duties by the State Department to run the affairs of Face-to-Face, a recently created program sponsored jointly by the American Foreign Service Association and the Carnegie Endowment for International Peace. Biltchik's salary, equal to what he was earning at the State Department, is paid from a grant given by the Carnegie Endowment. The current director of the Carnegie Endowment is Thomas Hughes, formerly Director of the State Department's Bureau of Intelligence and Research. Biltchik worked directly under Hughes in that Bureau.

Biltchik has been telling friends that it was his decision to invite Service, claiming that Service "accepted my invitation to be the symbolic representative of the group forced out of Government in the early 1950's."

It is, of course, true that Service was "forced out" of the Government. But not because of "integrity" or because of "reporting," good or bad.

An article in the January 27, 1973 issue of Human Events recalls the real reasons. These include the following:

On June 7, 1945 Service and four others were arrested by the FBI in the famous *Amerasia* case, which involved the theft of hundreds of secret and other classified documents found in the office of the Communist-controlled magazine, *Amerasia*. Anthony Kubek, in his scholarly *How the Far East Was Lost*, wrote that "Service admitted giving secret government documents to Philip Jaffe, the editor of the magazine. Jaffe was named by a government witness as a Soviet agent.

As a member of the House Internal Security Committee, I am, of course directly concerned about the State Department's attitude regarding John Stewart Service's role in the Amerasia case. But there are other aspects of this luncheon and of the roles of AFSA, the Carnegie Endowment, and State Department management which are of equal concern to me as a member of the House Education and Labor Committee.

There have been even more serious allegations recently in the press and before the Department of Labor and the Employee-Management Relations Commission created under Executive Order No. 11636 that AFSA is a management dominated organization. These allegations claim that AFSA is serving as a front for the State Department to influence Congress, to manipulate public opinion, and to discredit the views of Foreign Service personnel who disagree with it or with State Department management.

It is not my purpose to pass judgment on these allegations. However, I believe that the time has come for an independent examination by the Department of Labor as to whether AFSA is genuinely a "democratic' organization independent of management as defined by Executive Order No. 11636. I trust that that Department, working jointly with the Employee-Management Relations Commission, will appoint a hearing examiner to go into the charges brought against the AFSA board by Foreign Service Officer John Harter and "selected out" Foreign Service Officer John Hemenway, both of whom are AFSA members and both of whom claim the AFSA board illegally denied them their rights.

Among the persons whom such a hearing examiner may wish to question are the present AFSA board members, as well as Marshall Green, Assistant Secretary of State for East Asian Affairs. In connection with the Service luncheon, AFSA board chairman publicly stated the following:

The Assistant secretary of state for East Asian affairs has collaborated with us in this endeavor and the secretary of state has approved of the luncheon for Service and others to come as guests of the association.

For the information of Members, I am inserting two articles dealing with the Service luncheon which appeared in the issue of Human Events, dated January 27, 1973.

FOREIGN SERVICE GROUP RESUSCITATING OLD CHINA HAND

Just how warped to the left is the predominant thinking in the U.S. Foreign Service can be divined by the recent news that some Old China Hands will be feted at a luncheon, Tuesday, January 30, on the State Department's eighth floor. The American Foreign Service Association, the largest professional organization representing career officers at State, and the Face-to-Face program of the Carnegie Endowment for International Peace, have scheduled the gathering to honor those China experts who suggested we should support Mao Tse-tung and the Communists over Chiang Kai-shek at the very time we were allied with Chiang in fighting the Japanese in World War II.

An AFSA letter, dated January 5 of this year, says the luncheon "will honor those Foreign Service Officers in China during the early 1940s who demonstrated their professionalism and integrity by reporting events as they saw them." The facts they reported at the time, says the AFSA letter, signed by William C. Harrop, chairman, Board of Directors, "were unwelcome at home. Many of these officers suffered harsh domestic criticism and were unable to continue their careers." David Biltchik, director of Face-to-Face, stated the purpose of the luncheon was "to honor courage and loyalty in government as exemplified by the Old China Hands."

Curiously enough, however, the key speaker chosen to represent the Old China Hands is John Stewart Service. Contrary to the myth perpetrated by the AFSA and Face-to-Face, Service was not harassed for his "integrity" during the 1940s.

Service unquestionably wrote anti-Chiang, pro-Mao reports when he was in China, and as early as 1944 he recommended dumping Chiang for Mao. In a report dated Oct. 10, 1944, he tried to portray the Communists as "friendly to the United States." But it was not Service's reporting but his involvement in the theft of hundreds of secret government documents that got him into trouble.

On June 7, 1945, Service and four others were arrested by the FBI in the famous *Amerasia* case, which involved the theft of hundreds of secret and other classified documents found in the office of the Communist-controlled magazine. *Amerasia*. Anthony Kubek, in his scholarly *How the Far East Was Lost*, wrote that "Service admitted giving secret government documents to Philip Jaffe, the editor of the magazine. Jaffe was named by a government witness as a Soviet agent."

Freda Utley, the well-known journalist and a reliable expert on China, summed up the case as follows: "The FBI revealed that it had found a hundred files in the *Amerasia* offices, containing top secret and highly confidential papers stolen from the State Department, from the War and Navy Departments, the OSS and the OWI. It also found a large photocopying department, which could not possibly have been required by *Amerasia* for publishing purposes, and was almost certainly used for photostating of stolen papers for transmission to Moscow.

"The secret papers found in *Amerasia's* offices concerned such subjects as the Navy's schedule and targets for the bombing of Japan; the dispositon of the Japanese fleet; a detailed report showing the complete disposition and strength of the units of the Chinese Nationalist armies, with their exact location and the names of their commanders.

Columnist and author Ralph de Toledano, who was very familiar with the *Amerasia* affair, fills in other parts of the story:

"On 20 April, Service spent the morning in Jaffe's room at the Statler. By his own ad-

mission, he gave Jaffe—a man he had never met until the previous day—copies of some of his reports on China. . . . On at least one occasion a microphone was planted in Jaffe's hotel room.

"On 8 May the FBI recorded a discussion between Service and Jaffe about political, military and policy matters, in the course of which Service warned: 'Well, what I said about the military plans is of course, very secret.' A second recording: Jaffe asked Service if we would land on the shores of China; Service answered, 'I don't think it has been decided. I can tell you in a couple of weeks when Stilwell gets back.' "

After numerous clearances from State Department agencies, Service was at last suspended as a "loyalty risk" by order of the Civil Service Orderly Review Board Dec. 13, 1951. The Review Board concluded: "We are not required to find Service guilty of disloyalty, and we do not do so, but for an experienced and trusted representative of the State Department to so far forget his duty to his trust as his conduct with Jaffe so clearly indicates, forces us with regret to conclude that there is reasonable doubt as to his loyalty."

The board handed down its order: "The employe, John Stewart Service, should be forthwith removed from the rolls of the State Department." Service was subsequently suspended, but in 1957, thanks to a Supreme Court ruling that the secretary of state had acted summarily in removing him, he was restored to government service.

In short, the AFSA and Face-to-Face have chosen as their symbol of integrity a career foreign service officer who was caught red-handed slipping secret material to an identified Communist who edited a pro-Communist publication.

HEMENWAY ASKS SOME EMBARRASSING QUESTIONS

Pentagon official John D. Hemenway, the controversial ex-foreign service officer, has embarrassed the AFSA in its role to resuscitate Service, et al. (Hemenway is still battling the State Department's decision to involuntarily retire him in 1969. The department retired him, even though it admits he had a "consistently good performance" record in his job.)

At the January 8, AFSA Board of Directors meeting, Hemenway, who is a member of AFSA, raised some pointed questions about the decision to honor Service.

Addressing himself to the chairman of the AFSA Board, William Harrop, Hemenway asked: "If we are going to stand as an Association that 'history has proved these people right,' I presume that someone from this organization has looked into the matter to see that Service was 'right.' Has anyone done this, Mr. Chairman?" Harrop replied: "We have not assigned anyone to do that, Mr. Hemenway. . . ."

Harrop also indicated he had no knowledge that Service had handed over secret documents to a pro-Communist magazine and, anyway, didn't seem to care if he had.

Hemenway then asked if anyone had ever read major excerpts from Service's reports. In the room of about 20 board members, only two claimed to have read a substantial portion of his work. But both admitted that their areas of expertise did not involve China.

Hemenway also asked David Biltchik, the director of Face-to-Face, which is co-sponsoring the luncheon for Service with AFSA, whether some Old China Hands of a different philosophy would be invited to the affair. Biltchik said they wouldn't be, and specifically stated that such noted Sinologists as Walter Judd, Freda Utley and Edward Hunter would be barred from the Service luncheon.

VIETNAM SETTLEMENT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. DERWINSKI. Mr. Speaker, we all share a great feeling of relief and satisfaction at what we hope will be a lasting settlement of the Vietnam conflict.

It is clear that the successful culmination of negotiations was due to the tremendous patience and diplomatic initiative that the United States maintained.

I believe that the United States has done more under all of our Presidents who have held the office since the close of World War II to strive for a world of peace than any other nation.

Our record is clear. We have not sought territory, we have not attempted to maintain control over vast parts of the world, but we have instead, respected the rights of people to self-determination and to be served by governments of their own choosing.

I believe that, at a time of rejoicing at the settlement in Vietnam, we should properly reemphasize the positive, altruistic nature of U.S. foreign policy. We realize that the difficult period of the Vietnam war produced a great misunderstanding as to our international role. We have steadfastly maintained since the close of World War II a clear goal of world peace. The tensions that have developed over the last 27 years have all been caused by the attempts of the Communist powers to maintain or seize control of neighboring lands.

I am confident that the details of the settlement will be properly implemented, especially as they apply to the release of our POW's and the fullest possible accounting of those missing in action.

Hopefully, with the Vietnam conflict behind us, we can direct our diplomatic efforts and initiative to solving the Middle East crisis and to further easing tensions in Europe.

President Nixon has hopefully achieved a settlement consistent with his policy of keeping the United States out of similar involvements in the future, and an era of peace and understanding and greater cooperation between nations may at last be at hand.

WISCONSIN AIDS EARTHQUAKE VICTIMS

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ZABLOCKI. Mr. Speaker, our highly complex, technical, and statistically oriented society sometimes results in the unfortunate depersonalization of its members. It is therefore especially reassuring to know that people can and do respond to those in need in a genuine and human way. Such a case has been dramatically illustrated in the aftermath of the tragic earthquake which struck Managua, Nicaragua last month.

The people of Wisconsin under the auspices of the Wisconsin Partners of the Americas have provided needed emergency relief to the residents of Managua and have spearheaded a nationwide effort to aid the many helpless victims of the tragic earthquake.

I would like to take this opportunity, Mr. Speaker, to commend the many fine people of Wisconsin for their humane response to the victims of this tragic earthquake in Nicaragua. The people of Wisconsin have truly responded in the spirit of the people-to-people component of President Kennedy's Alliance for Progress, the Partners of the Americas program which was founded in 1964 to sponsor and promote all the peoples of the American continent to work together as volunteers on mutual problems and projects of human concern.

I would like at this time to include two recent newspaper articles as evidence of the genuine human concern expressed by the people of Wisconsin for the unfortunate victims of the recent earthquake in Nicaragua.

NICARAGUA AGAIN HELPED BY WISCONSIN PARTNERS

WASHINGTON.—Three days before Christmas, a man walked into a newspaper office in Managua, Nicaragua, and said the chances of an imminent earthquake were 28 percent. He was 72 percent wrong.

The Nicaraguan earthquake is the second major disaster to strike the Central American country in 16 months. For the second time in 16 months, people 3,000 miles away in the state of Wisconsin, led by the Wisconsin Partners of the Americas, are providing emergency relief and spearheading a nationwide effort to help victims of the earthquake.

Wisconsin Governor Patrick J. Lucey inaugurated relief operations by calling a news conference on Christmas Day to appeal for funds. He also made statewide radio and television appeals for assistance to Wisconsin's Partner country, one of 41 similar partnerships between states in the U.S. and countries in Latin America.

In less than two weeks, a special earthquake relief fund set up by Governor Lucey has collected more than $75,000. Contributions have ranged from 25 cents to $1,000, according to the Governor's office in Madison, and money is still coming in.

In September 1971, Governor Lucey made similar appeals after the combined effects of Hurricanes Edith and Irene caused widespread flooding along Nicaragua's east coast. Two planeloads of relief supplies from Wisconsin went to aid victims of the hurricanes. In addition, the Wisconsin Partners of the Americas provided continuing medical assistance in the Rio Coco area of eastern Nicaragua through the auspices of the University.

Shortly after receiving news of the earthquake, Dr. Henry Peters, President of Wisconsin Partners, called an emergency meeting to map out plans for aid, and telegraphed Nicaraguan Ambassador Guillermo Sevilla-Sacasa, pledging to provide whatever assistance was needed.

A three-man survey team, dispatched to Nicaragua by Governor Lucey, returned December 31, after spending four days studying damage and assessing the needs of victims.

One of the team members from the Wisconsin Partners, Dr. Ned Wallace, Director of International Health Affairs at the University of Wisconsin, left January 2 for a second trip to Nicaragua. He says emergency food

distribution is proceeding smoothly, contrary to earlier reports in the press.

The most pressing need still is for food, according to Dr. Wallace "The dilemma for the Nicaraguan is further compounded because a severe drought during the past year has caused a food shortage."

Oscar Mayer & Company, a meat processing firm headquartered in Madison, Wisconsin, donated nine tons of canned luncheon meats, ready for immediate consumption and ideal for distribution in refugee camps.

Dr. Jose Canton, Chairman of the Nicaragua Partners Committee and Director of Rural Health Programs in Nicaragua, reported a critical need for syringes to guard against disease. The Wisconsin Partners collected 50,000 disposable syringes the same day. All were flown to Nicaragua January 3 aboard a Wisconsin Air National Guard C-97 transport.

Governor Lucey has ordered the Wisconsin Air National Guard to make daily flights to Nicaragua to deliver food and emergency supplies. The Wisconsin Governor also sent telegrams to the 49 other state governors, asking for their assistance "because the magnitude of relief requirements beggars our resources." Several governors have already responded.

"The response has been fantastic," says Alan A. Rubin, President of the Partners of the Americans national association in Washington, D.C.

Partners of the Americas was founded in 1964 as the people-to-people component of President Kennedy's Alliance for Progress. It works by linking states in the U.S. with regions or countries in Latin America to work together as volunteers on mutual development projects, President Nixon currently serves as Honorary Chairman of Partners of the Americas.

After the 1970 Peruvian earthquake, the Texas-Peru Partners of the Americas coordinated relief efforts in that South American country.

Tax-deductible contributions to the Wisconsin-Nicaragua relief fund are still being accepted. Checks should be made payable to "Partners of the Americas" and sent care of the Governor's Office, Madison, Wisconsin 53702.

Guillermo Sevilla-Sacasa, Nicaraguan Ambassador to the U.S., honored Governor Lucey last summer for his relief efforts after the 1971 hurricanes. The Nicaraguan ambassador also honored Dr. Wallace of the Wisconsin Partners and Robert Dunn, executive assistant to Governor Lucey, who coordinated relief operations.

[From the Wall Street Journal, Jan. 7, 1973]

QUAKE AID LATEST IN SERIES OF STATE TIES IN NICARAGUA

MADISON, WIS.—The outpouring of aid from Wisconsin to Nicaragua since the Dec. 23 earthquake there is only the latest in a series of actions that have strengthened relationships between the sister states over the last decade.

The bond between Nicaragua and Wisconsin was established first in late 1963 when then Gov. John Reynolds called for formation of a Wisconsin-Nicaragua committee under a federal program, then known as the Alliance for Progress. That program was instituted by President John F. Kennedy to strengthen relations between the two hemispheres.

NAME CHANGED

The program later was known as the Partners of the Alliance and now is called Partners of the Americas. The US State Department invited states to join as sister states with Latin American countries and arbitrarily assigned the sister state relationships. Wisconsin was assigned Nicaragua at that time.

Altogether there are about 40 states with sister state relationships, according to University of Wisconsin Dean Le Roy E. Luberg, secretary of the Wisconsin-Nicaragua Partners of the Americans Committee.

MADE SEVERAL VISITS

One of the men actively engaged in the early stages of the program was John Ellingson, executive assistant to the secretary of the state Department of Transportation. Ellingson at that time worked for the Wisconsin Electric Co-operatives and recalled last week that the general manager of the co-operatives, William V. Thomas of Madison, took an active interest in the program.

He said Thomas made numerous visits to the country to aid rural electrification projects. The co-operatives also raised funds to allow Nicaraguans to roof a hospital, he said.

FIRE ENGINES SENT

Among other projects, Wisconsin sent boats to help firemen travel over waterways to fight fires. Two communities, Shorewood and Fort Atkinson, also contributed fire engines to Nicaragua.

Luberg estimated that 10 tons of medical supplies have been shipped to Nicaragua over the last four years, with the cooperation of the Wisconsin Hospitals Association and Ohio Medical Products.

MED SCHOOL INVOLVED

There has been a continuing relationship between Nicaragua and UW Medical School, Luberg added. The present chairman of the committee is Dr. Henry Peters of the UW School, and Dr. Ned Wallace of the school is now in Nicaragua, representing Wisconsin in determining the needs of earthquake victims.

Wallace had served as a medical missionary in the country before joining the UW and made a trip to the country last year after a hurricane struck.

Since the program began, there has been an exchange program between the medical school and students and doctors from Nicaragua.

In addition, Wisconsin nurses have gone to Nicaragua for a year, giving instruction and providing medical assistance.

High school boys and girls from Nicaragua have been brought to Fort Atkinson to attend school for a year and lived with families there. The city of Wausau has sponsored attendance at the UW Center in Wausau by Nicaraguans, Luberg added.

The UW School of Agriculture has provided potato seed and agricultural information.

HURRICANE IN 1971

Wisconsin's major contribution prior to the earthquake resulted from a destructive hurricane and flooding in the spring of 1971.

Cash, clothing and food contributions, along with donations of aluminum boats, were sent. Gov. Lucey, his executive secretary and others were awarded Nicaraguan government medals for their work.

Among others active in the program have been Robert Ewans, former head of the Wisconsin Manufacturers Association; Richard Falk, former superintendent of schools in Madison, and Wilbur Renk, Sun Prairie farmer.

FIFTEEN-DAY FOOD SUPPLY

MANAGUA NICARAGUA.—AP—A government inventory Saturday of emergency food for Managua showed stocks sufficient for two weeks or more.

The Society said the emergency medical assistance to the area was reported to be sufficient for the time being, but as other volunteers leave, Wisconsin doctors may take their place.

None of the Wisconsin volunteers has left yet * * * but also continuing need for outside help.

The official inventory listed beans sufficient for 15 days and 2,500 tons of potatoes, which also should last 15 days.

A three month supply of corn was on hand and stocks of sugar, powdered milk and concentrated mixed proteins were normal, the government said. Rice was reported in excellent supply.

SOME 150 DOCTORS VOLUNTEER

Some 150 physicians in Wisconsin have volunteered to go to Nicaragua to treat earthquake victims there, the state Medical Society of Wisconsin said Saturday.

ALEXANDER'S BILL SEEN AS CHALLENGE

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ALEXANDER. Mr. Speaker, I include the article from the Arkansas Gazette in the RECORD, as follows:

ALEXANDER'S BILL SEEN AS CHALLENGE

(By Leland DuVall)

Considerable evidence could be offered in support of the proposition that the dominant power center in government moves haphazardly among the legislative, administrative and even the judicial branches. In one season, Congress may be in the saddle; in another, the president holds the reins; and sometimes, even the court asserts its authority in a way that overshadows the other two branches.

Most persons would agree that at the moment, President Nixon is riding tall in the saddle. This is particularly true in the government's dealing with agriculture—which happens to be the primary subject under consideration here—and Mr. Nixon has made it perfectly clear to everyone that he relishes his role as the lone cowboy. There are those who complain that he has driven some of the vulnerable farm programs over the cliff while Congress, which has bred and cared for the critters over the years, demonstrated its helplessness.

United States Representative Bill Alexander (Dem., Ark.) apparently is convinced that the current exercise in presidential high-handedness has gone far enough and that the time has come for Congress to reassert the authority which, he believes, was reserved by the founding fathers for the legislative branch. Alexander believes that when Congress appropriates money for an authorized (farm) program and when the President signs the measure, the President has no legal power to decree that the funds will not be spent or—as happened in the case of REAP and certain other segments of the general farm law—that the program no longer exists.

The first maneuver in the campaign was executed this week when Alexander introduced a bill which would, among other things, amend the emergency loan program under the Consolidated Farm and Rural Development Act. In its narrow interpretation, the amendment would "provide immediate relief to farmers who suffered losses due to disastrous weather conditions" last fall. It would provide farmers with long-term financing needed to cover these losses by making possible the extension of credit, either directly from the government or from private sources with a government guarantee or repayment.

The broader interpretation of the amendment reveals that it is a direct challenge to Mr. Nixon's decree that the emergency loan program no longer would be operated. Congress authorized the program with a whole body of laws and Alexander apparently is a leader of the group that believes the loans should be available.

Based on the economic interests of his district, Alexander is the logical leader of any move to preserve the emergency loan program. Agriculture is the dominant economic factor among his constituents and farmers suffered severe losses last year from excessive rains during the harvest season.

Despite the need for emergency loans, Mr. Nixon terminated the program. The Alexander bill would make it possible for farmers to obtain credit with which to finance their next crop.

The bill, which contains seven major sections is not a giveaway. In fact, it repeals some of the abandoned features of the old law, but Alexander believes the real need is for a source of credit.

The bill provides farmers with sources of long-term financing which they need to cover their losses. Alexander said, "Farmers need to be able to get long-term credit on a realistic basis."

He emphasized that the availability of credit was considerably more important than "cheap" interest.

Here are the major provisions of the bill:

It repeals the $5,000 "forgiveness" clause and the 1 per cent interest provision established by the "Hurricane Agnes" legislation. (Part of the emergency relief provided for the victims of the hurricane made credit available at 1 per cent interest and permitted the write-off of some of the debt under extreme conditions.)

Sections of the Consolidated Farm and Rural Development Act would be clarified with an amendment which would provide for an insurance or a guarantee of the credit.

The Agriculture secretary would be "required" to make, insure or guarantee loans to eligible applicants in areas designated by him as natural disasters and in areas designated by the President as major disasters. There are provided for under the Disaster Relief Act of 1970. (Under terms of the amendment, the secretary would not have to duplicate a designation already made by the President before offering the loans since the area already would be qualified.)

Interest rates on the emergency loans, under the Consolidated Farm and Rural Development Act would be raised to "not more than 6 per cent." (Under the current arrangement, the interest rate can be as low as 1 per cent, which leaves the program open to criticism as the give-away. Alexander believes the pressing need is for ample credit rather than a drastically-subsidized interest rate.)

The "open money market" authority would be increased, from the existing $100 million limit to $500 million.

The Agriculture Department would be authorized to guarantee loans originated, held and serviced by commercial institutions such as banks or Production Credit Associations. (This is a key provision, since it "directs" the Agriculture secretary to make disaster declarations for areas that have been subjected to severe damage. The existing law has been interpreted to mean that the secretary has "an option" (in the matter.)

Finally, the bill would repeal parts of the Disaster Relief Act of 1970, which would cause the emergency loan program to revert to the permanent loan legislation. Alexander said the change would permit unlimited long-term loans to farmers victimized by disasters.

In its narrow interpretation, the proposed legislation simply was designed to make certain that farmers who suffered severe crop or property losses would be able to borrow money so that they could continue their business. The funds might come directly from the government or a private lending institution but they would not be a gift by any means.

In a broader sense, the measure is a challenge to President Nixon's assumed authority under which, in the name of fiscal conservatism, he limits or terminates programs that have been written by Congress and signed into law.

If Congress hopes to function in its traditional role as lawmaker and custodian of the nation's purse, it will have to reassert its authority and the Alexander bill might be a good place to start. As an alternative, the supply clerk might order a fresh supply of rubber stamps, although this would appear to be an unlikely course at a time when the Democrats are supposed to control Congress while a Republican resides at the White House—or at Key Biscayne or at Camp David or at San Clemente or some alternate seat of power.

PUBLIC SUPPORT NEEDED FOR NEWSMAN LEGISLATION

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. WALDIE. Mr. Speaker, I have introduced legislation to give unqualified protection to newsmen from compulsion by the courts or other governmental agencies to release names of sources or news materials gathered in pursuit of a news story.

Mr. Speaker, I would like to call the attention of my colleagues in the House of Representatives to a recent editorial in the Concord, Calif., Transcript, in which an eloquent appeal for public support for this legislation is made.

I would hope that such public support is generated and that the Congress responds with a no-qualification newsman's privilege bill.

The editorial follows:

PUBLIC SUPPORT NEEDED FOR NEWSMAN LEGISLATION

Public response—or lack of it—to the recent jailings of newsmen for refusing to reveal confidential sources of information has been puzzling. We would expect a great outcry over this obvious infringement on First Amendment guarantees, but this hasn't been the case. Except for the media itself and a few concerned lawmakers, the matter has failed to stir more than a ripple of concern.

The issue is the right of a free people to be informed about matters of vital interest to them. Simply put, if a newsman is unable to protect the identity of his sources, they will soon dry up. The ability of the media to serve as a check on governmental abuse will be severely crippled. Reporters will have to rely more on government press releases for information, and that is not good.

Perhaps we would all be more concerned about personal freedoms—freedom of the press among them—if we lived in a totalitarian dictatorship where there were none. You never know what a good thing you have until you lose it, as the old saying goes.

The gravity of the issue has been seen by Congressman Jerome Waldie and Senator Alan Cranston, who have introduced companion measures providing for total protection to newsmen from forcible disclosure of news sources.

"The need for enactment of this legislation is dramatized more each day that Los Angeles Times reporter Bill Farr is confined to his cell for refusing to buckle under to a court order to disclose his news source," Waldie said, after he had introduced his measure on the first day of the 93rd Congress.

The Transcript fully supports the Waldie and Cranston measures. We further urge everyone to write their representatives in support of this legislation.

SENATE—*Friday, January 26, 1973*

The Senate met at 12 o'clock meridian and was called to order by Hon. JOSEPH R. BIDEN, JR., a Senator from the State of Delaware.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, we lift our hearts to Thee, the giver of wisdom and strength, beseeching Thee to guide us through the deliberations of this day. Keep ever before us the vision of the better world that is yet to be. Enable us to strive for those plans and programs which bring nearer to completion the dreams of those who have gone ahead. Help us to work for that justice and peace which advances Thy kingdom on earth. Strengthen us this day and abide with us when evening comes and our work is done.

We pray in His name who went about doing good. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 26, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JOSEPH R. BIDEN, JR., a Senator from the State of Delaware, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. BIDEN thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT ON CASH AWARDS MADE DURING 1972—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. BIDEN) laid before the Senate