



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 93<sup>d</sup> CONGRESS, SECOND SESSION

## HOUSE OF REPRESENTATIVES—Thursday, May 9, 1974

The House met at 12 o'clock noon.

Rev. Melvin C. Swann, Waters A.M.E. Church, Baltimore, Md., offered the following prayer:

Eternal God, our Father, creator of all things, giver of every good and perfect gift, hear us this day as we seek Thy blessings upon the deliberations of these men and women. In the midst of the complicated situations of life and the unsolved problems of the world, deliver these Thy servants from any sense of futility. May they not break faith with any of yesterday's promises, nor leave unrepaired any of yesterday's wrongs.

Help America in her deep moral, social, economical, political, and spiritual trouble, to repent, lest she perish. Standing as we are on the threshold of divine judgment, guide us and give us the strength to face our sins that hath beset us in high and low places, so that we might reorder our priorities, thus giving integrity and justice a chance.

Make us all builders of peace, to do whatever may be required of us—no matter how small a thing it may be—to bring forth peace—not "somewhere" but here, not "sometime" but now.

Send forth Thy grace upon us, O Lord, that each man and woman sent by the people may believe that they can do all things through Christ which strengthened them.

Bless us now as we would give ourselves to Your way in the midst of the conflicts of our day.

We ask it in His name. 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 without amendment bills of the House of the following titles:

H.R. 5035. An act to amend Public Law 90-335 (82 Stat. 174) relating to the purchase, sale, and exchange of certain lands on the Spokane Indian Reservation; and

H.R. 5525. An act to declare that certain mineral interests are held by the United States in trust for the Chippewa Cree Tribe of the Rocky Boy's Reservation, Mont.

The message also announced that the

CXX—874—Part 11

Senate disagrees to the amendments of the House to the bill (S. 1769) entitled "An act to reduce the burden on interstate commerce caused by avoidable fires and fire losses, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. PASTORE, Mr. MOSS, Mr. STEVENS, and Mr. BEALL to be the conferees on the part of the Senate.

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. 3031. An act to change the title of the Under Secretary of Agriculture to the Deputy Secretary of Agriculture; to provide for two additional Assistant Secretaries of Agriculture; and for other purposes.

### REV. MELVIN C. SWANN

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

Mr. MITCHELL of Maryland. Mr. Speaker, it was a distinct pleasure to have with me this morning, at my invitation, the Reverend Melvin C. Swann of the Waters A.M.E. Church of Baltimore. This is one of the oldest A.M.E. churches in the Nation. This is a church which in the face of urban renewal and urban change decided to remain in the city, not only to give spiritual guidance to those that needed it, but to give social service to those who need it.

Reverend Swann is well beloved by his congregation because he has dedicated his life to social change and spiritual enrichment.

I, for one, am honored that he was here to give this moving and eloquent prayer at a time when this Nation so desperately needs that kind of prayer.

### COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works; which was read and referred to the Committee on Appropriations:

WASHINGTON, D.C.,  
May 7, 1974.

HON. CARL ALBERT,  
Speaker of the House of Representatives,  
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of Section 2 of the Watershed Protec-

tion and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are the following:

State, project, executive communication, and date of approval

Colorado and Wyoming; Boxelder Creek; 770; 4/11/74.

Kentucky; Banklick Creek; 997; 4/11/74.

Nebraska; Winters Creek; 770; 4/11/74.

Pennsylvania; Nescopeck Creek; 1369; 4/11/74.

Texas and New Mexico; Cornudas, North and Culp Draws; 1369; 4/11/74.

Texas; Hitson, C and L and Washburn Draws; 1369; 4/11/74.

Kindest personal regards.

Sincerely,

JOHN A. BLATNIK,

Member of Congress,

Chairman, Committee on Public Works.

### PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE REPORTS

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture have until midnight tonight to file reports on the bills H.R. 12000, H.R. 12526, and S. 3231.

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

There was no objection.

### PERSONAL EXPLANATION

Mr. BRADEN. Mr. Speaker, I insert in the Record at this point a statement regarding four recorded votes that I missed recently and an indication of how I would have voted had I been present.

I refer to the following recorded votes:

APRIL 29, 1974

Rollcall No. 189—the vote on final passage of the conference report on H.R. 11793, the Federal Energy Administration bill. The report was passed 356 to 9. I was paired for the conference report and, had I been present, would have voted in favor of it.

Rollcall No. 190—the vote on final passage of H.R. 11989, the Fire Prevention and Control Act of 1974. The bill was passed 352 to 12. I was paired for this bill, and, had I been present, would have voted in favor of it.

MAY 6, 1974

Rollcall No. 205—a motion to suspend the rules and pass H.R. 296, to amend the Historical and Archeological Data Preservation Act of 1960. The motion carried 296 to 3, and the bill was passed. I was paired for this motion, and, had I

been present, would have vote in favor of it.

Rollcall No. 206—a motion to suspend the rules and concur in the Senate amendment to the House amendments to S. 1125, the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act. The motion carried 301 to 17, and the measure was passed. I was paired for this motion, and, had I been present, would have voted in favor of it.

#### TAX BENEFITS AND TAPES

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

Mr. BINGHAM. Mr. Speaker, according to media reports, when President Nixon inaugurated the system of having tapes made of conversations in his office, he had in mind that at some subsequent time a gift of such tapes would be deductible for tax purposes.

If it is true that the law Congress passed eliminating tax deductions for papers and files, et cetera, does not include tapes, then the law should quickly be amended to correct that obvious loophole, and I am introducing legislation to that effect today.

#### RESIGNATION OF MR. JENNER CALLED FOR

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

Mr. LANDGREBE. Mr. Speaker, it may not seem to be in good taste to bring to the floor intraparty squabbles. However, the magnitude of the present situation requires that I speak out.

For more than a year now the President has been under vicious attack. That this biased and partisan attack comes in large measure from members of the Democratic Party is to be expected. That this attack in large part comes from all the various factions of the liberal-left, who are attempting to overturn the overwhelming election mandate of 1972, is also to be expected. That many members of the Republican Party are acquiescing, following along, and not standing up in defense of the President is reprehensible.

I think it is inexcusable for Republicans not to be defending the leader of their party when he is being subjected to hostile and unjust attacks which are weakening and threaten to destroy our republican form of government with its system of checks and balances and separation of power between the executive and legislative branch.

Even though millions of dollars have been squandered in what has been to date a futile attempt to find an offense of an impeachable nature with which to hang our President, nothing of that nature has been brought to light.

Consider, in this context, the actions of the minority members of the House Judiciary Committee. The very least that the President could expect is that the members of his own party leave no stone unturned to insure that he has a fair

hearing. Thus the role of the Republicans on this committee should be similar to that of a defense attorney—continually subjecting the charges of the prosecution to close cross-examination.

Therefore, it is important that the minority counsel on the Judiciary Committee be capable of standing up to the charges and attacks of the committee majority to insure that the impeachment investigation is honest and just.

The actions of Mr. Bert Jenner, as outlined in the following letter, make it clear that he is totally incapable of meeting this challenge. I join my colleague, Representative LAWRENCE J. HOGAN, in urging Representative EDWARD HUTCHINSON to request the resignation of Mr. Jenner as minority counsel on the Judiciary Committee's impeachment inquiry. The letter follows:

WASHINGTON, D.C., May 6, 1974.

HON. EDWARD HUTCHINSON,  
Rayburn Building,  
Washington, D.C.

DEAR ED: I strongly urge that you request the resignation of Bert Jenner as our Minority Counsel on the Judiciary Committee's Impeachment Inquiry.

As we begin the most important part of our work, it is vitally important that we have reliable staff support. In effect, we do not have a Minority Counsel; we have an assistant Majority Counsel.

You will recall that a number of us on the Committee were upset over his lack of candor in not telling you before he was hired that he had contributed \$1,000 to Senator Adlai E. Stevenson III's campaign and had participated in a fund-raising breakfast. That could have been overlooked, but his subsequent activities I find inexcusable.

We were also disturbed that, immediately after his appointment, he had gone on television publicly stating his views on impeachable offenses. We later questioned his statement that the President can be impeached for acts of his subordinates as well as the appropriateness of his making such a statement publicly. You will recall that we chastised him in our caucus and told him that he had been hired to advise us, not to make public statements on impeachment. He assured us he would not do it again.

In this context, I also quote from the "Rules for the Impeachment Inquiry Staff": "1) The staff of the impeachment inquiry shall not discuss with anyone outside the staff either the substance or procedure of their work or that of the Committee."

In spite of this rule and our specific instructions, he has traveled to various parts of the country making speeches on impeachment. I previously called to your attention the article from the April 12, 1974 *Austin American-Statesman* which reported on a speech Mr. Jenner made at the University of Texas Law School. The story was headlined: "Watergate Grand Jury's Report 'Loaded'; Committee Lawyer Joyful at Issuance of Subpoena".

I quote from this news story:

"One of the handful of people who know what is inside a confidential report from the Watergate grand jury to the House Judiciary Committee said in Austin Thursday 'it is loaded.'"

"As he spoke to law students at the University of Texas, Albert Jenner, minority counsel to the House committee, heard the news that the group had voted to subpoena all of the tapes and documents it has requested from President Nixon."

"As he read a note slipped to him during his speech, Jenner raised his arm into the air, clenching his fist and said, 'it was issued.'"

"His announcement met with immediate cheering and applause. With a big smile on

his face, the attorney took off his coat, turned back toward the crowd and said, 'I've been working on that for months.'

"Before the interruption, Jenner had been telling the students of the many questions and problems that confront a lawyer placed in the position of heading up an impeachment investigation."

"Sticking to the confidentiality rules adopted by the Committee, he made no comments on a number of the more controversial issues involved in the case."

"He said if the President refuses to comply with the subpoena, the House will probably vote him in contempt. 'They will then bring to bear the judgment and anger of the people of the country and include the contempt charge in the articles of impeachment,' Jenner said."

"In our opinion," Jenner said, speaking of the staff of 44 lawyers and 58 other workers, "we feel the President must be guilty of gross misuse of power to be impeached. 'It must be extremely serious.'"

"But, he said he doesn't feel the constitutional statement that the President can only be impeached and convicted for 'treason, bribery or other high crimes and misdemeanors' means that impeachable offenses are limited to 'crimes.'"

"We feel it extends to serious abuses and offenses against the system of government in the United States of America," Jenner said.

"Impeachment is an inquiry, not a trial, he told the students. 'It is a political function given solely to the House and . . . (by implication) gives the right to exercise any power to obtain information the House feels necessary to carry out the inquiry.'"

"This is a Grand Inquiry, with a capital G and I," Jenner said. And because of this, he said, he doubts the committee will compromise on the materials it seeks from the President . . ."

I not only object to his improper remarks in violation of our instructions and the Committee's rules, but also the fact that he has missed important committee meetings and Republican caucuses, apparently because he was out of the city making speeches.

I suggest that you ascertain if he is the anonymous "source in Congress" who was quoted in the *Los Angeles Times* March 23 as saying:

"When you hear the tape," one source said, "you have a lot more respect for Dean's integrity and what he told the Senate Watergate committee. It is that explosive. It is not ambiguous."

I further question whether or not he should have met with editors of the *Washington Star-News* in an off-the-record session or whether he should talk to any media representatives "off the record" or on.

In a number of instances Mr. Jenner has impeded the work of Republicans on the Committee. You will recall that he supported the Majority's brief on impeachable offenses and when we learned in advance of the thrust of this brief, we asked him for a broader brief stressing criminality. He said he would have it prepared for us. I specifically requested that we have this brief before, or at least at the same time, the Majority's brief was presented. I did not get it until several days after the Majority brief was made public and only after I specifically demanded it from Mr. Jenner.

Obviously there are different legal views on virtually every legal principle, but we have been getting only one view because Mr. Jenner goes along with the Majority on all matters to the detriment of Republican members of the Committee.

As you know we have requested Mr. Jenner to do research on a number of important matters and, as far as I can determine, this work has never been done.

We have the right to expect that our Minority staff will give us the kind of assistance



and research support which we need to carry out our responsibilities. We have not been getting it.

He joined with the Majority on whether or not the President's lawyer should have the right to participate in our inquiry. He also joined in recommending that the staff take affidavits instead of depositions from witnesses so it would not be necessary to give the President's lawyer the right to participate.

The Democrats refused to give us one-third the staff and funds, but the least we should have is the benefit of the labors of the Republican staff we do have. We get no assistance from them whatsoever because the fourteen Republican lawyers are working under the supervision of Democratic lawyers. They are offering no Republican contribution.

You will remember that I previously questioned the appropriateness of Mr. Jenner hiring as his chief aide a man who had openly demonstrated his bias against the President. It was our understanding that this man would leave the staff, but we learned recently that he is still being employed in a consulting capacity.

While we do not expect our Republican Counsel to be the President's defender, we should be able to expect unbiased, professional objectivity from our Minority Counsel. We have not been getting it.

In short, Mr. Jenner has not been satisfactorily carrying out his duties in this vitally important inquiry. He has demonstrated his lack of objectivity. He has repeatedly been unresponsive to requests from Republican members for research material. He has violated the rules of the Committee as well as our instructions regarding public statements. He has, in general, been derelict in serving our needs. For these reasons, I urge that you request Mr. Jenner's resignation before we get into the important and sensitive work on which we are about to embark.

Sincerely,

LAWRENCE J. HOGAN,  
Member of Congress.

#### TRIBUTE TO WILLIAM J. HARVIE

(Mr. ROBERT W. DANIEL, JR., asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROBERT W. DANIEL, JR. Mr. Speaker, I would like to take this opportunity to offer my personal congratulations to Mr. William J. Harvie of 3104 River Road, Hopewell, Va., who according to Mrs. Jean Asbury, the head of the American Red Cross chapter in Hopewell, Va., became the Nation's largest donor or contributor of blood to the American Red Cross, as of May 1, 1974.

Mr. Harvie has contributed 133 pints or 16 gallons of blood to the American Red Cross. He has contributed blood in Hopewell since 1942 and is eligible to continue donating blood until he reaches 65 years of age this September.

Mr. Harvie is retired from the Allied Chemical Corp. in Hopewell and is presently teaching at the Bollingbrook Day School in Petersburg, Va.

For all those persons who have benefited from his life-giving blood which Mr. Harvie has donated without any expectation of monetary benefit, I wish to extend their thanks to this gentleman whose civic-mindedness, I hope, will set an example for others to follow not only in my district but across this Nation.

When Mr. Harvie reaches 65 in September and is no longer eligible to donate his blood, his life-giving efforts will

be sorely missed by the American Red Cross chapter in Hopewell.

I commend to my colleagues attention this personal story in hope that it will encourage many more Americans to give blood voluntarily to their local American Red Cross chapter throughout the Nation.

#### AMENDING UNITED STATES CODE TO ENCOURAGE PERSONS TO JOIN AND REMAIN IN RESERVES AND NATIONAL GUARD

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6574) an act to amend title 38, United States Code, to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage under servicemen's group life insurance for such members and certain members of the Retired Reserve, and for other purposes, with Senate amendments thereto, and concur in the Senate amendment?

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert: That this Act may be cited as the "Veterans' Insurance Act of 1974".

SEC. 2. (a) That section 723 of title 38, United States Code, is amended as follows:

(1) The catchline is amended to read as follows:

"Veterans' Special Life Insurance".

(2) Clause (4) of subsection (a) is amended to read as follows: "(4) all premiums and other collections on such insurance and any total disability provisions added thereto shall be credited to a revolving fund in the Treasury of the United States, which, together with interest earned thereon, shall be available for the payment of liabilities under such insurance and any total disability provisions added thereto, including payments of dividends and refunds of unearned premiums".

(3) Clause (5) of subsection (b) is amended to read as follows: "(5) all premiums and other collections on insurance issued under this subsection and any total disability income provisions added thereto shall be credited directly to the revolving fund referred to in subsection (a) of this section, which together with interest earned thereon, shall be available for payment of liabilities under such insurance and any total disability provisions added thereto, including payments of dividends and refunds of unearned premiums".

(4) Subsections (d) and (e) are hereby repealed.

(b) The analysis of chapter 19 of title 38, United States Code, is amended by deleting "723. Veterans' special term insurance." and inserting in lieu thereof the following: "723. Veterans' Special Life Insurance".

SEC. 3. Clause (5) of section 765 of title 38, United States Code, is amended to read as follows:

"(5) The term 'member' means—

"(A) a person on active duty, active duty for training, or inactive duty training in the uniformed services in a commissioned, warrant, or enlisted rank, or grade, or as a cadet or midshipman of the United States Military Academy, United States Naval Academy, United States Air Force Academy, or the United States Coast Guard Academy;

"(B) a person who volunteers for assignment to the Ready Reserve of a uniformed service and is assigned to a unit or position in which he may be required to perform active duty, or active duty for training, and each year will be scheduled to

perform at least twelve periods of inactive duty training that is creditable for retirement purposes under chapter 67 of title 10;

"(C) a person assigned to, or who upon application would be eligible for assignment to, the Retired Reserve of a uniformed service who has not received the first increment of retirement pay or has not yet reached sixty-one years of age and has completed at least twenty years of satisfactory service creditable for retirement purposes under chapter 67 of title 10; and

"(D) a member, cadet, or midshipman of the Reserve Officers Training Corps while attending field training or practice cruises."

SEC. 4. Section 767 of title 38, United States Code, is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a) Any policy of insurance purchased by the Administrator under section 766 of this title shall automatically insure against death—

"(1) any member of a uniformed service on active duty, active duty for training, or inactive duty training scheduled in advance by competent authority;

"(2) any member of the Ready Reserve of a uniformed service who meets the qualifications set forth in section 765(5)(B) of this title; and

"(3) any member assigned to, or who upon application would be eligible for assignment to, the Retired Reserve of a uniformed service who meets the qualifications set forth in section 765(5)(C) of this title;

in the amount of \$20,000 unless such member elects in writing (A) not to be insured under this subchapter, or (B) to be insured in the amount of \$15,000, \$10,000, or \$5,000. The insurance shall be effective the first day of active duty or active duty for training, or the beginning of a period of inactive duty training scheduled in advance by competent authority, or the first day a member of the Ready Reserve meets the qualifications set forth in section 765(5)(B) of this title, or the first day a member of the Reserves, whether or not assigned to the Retired Reserve of a uniformed service, meets the qualifications of section 765(5)(C) of this title, or the date certified by the Administrator to the Secretary concerned as the date Servicemen's Group Life Insurance under this subchapter for the class or group concerned takes effect, whichever is the later date."

(2) Subsection (b) is amended by deleting "ninety days" wherever it appears therein and inserting in lieu thereof "one hundred and twenty days".

(3) Subsection (c) is amended to read as follows:

"(c) If any member elects not to be insured under this subchapter or to be insured in the amount of \$15,000, \$10,000, or \$5,000, he may thereafter be insured under this subchapter or insured in the amount of \$20,000, \$15,000, or \$10,000 under this subchapter, as the case may be, upon written application, proof of good health, and compliance with such other terms and conditions as may be prescribed by the Administrator. Any former member insured under Veterans' Group Life Insurance who again becomes eligible for Servicemen's Group Life Insurance and declines such coverage solely for the purpose of maintaining his Veterans' Group Life Insurance in effect shall upon termination of coverage under Veterans' Group Life Insurance be automatically insured under Servicemen's Group Life Insurance, if otherwise eligible therefor."

SEC. 5. (a) Section 768 of title 38, United States Code, is amended as follows:

(1) Subsection (a) is amended by inserting "or while the member meets the qualifications set forth in section 765(5)(B) or (C) of this title," immediately before "and such insurance shall cease".

(2) Clauses (2) and (3) of subsection (a) are each amended by deleting "ninety days"

wherever it appears therein and inserting in lieu thereof "one hundred and twenty days".

(3) Subsection (a) is further amended by adding at the end thereof the following:

"(4) with respect to a member of the Ready Reserve of a uniformed service who meets the qualifications set forth in section 765 (5) (B) of this title, one hundred and twenty days after separation or release from such assignment—

"(A) unless on the date of such separation or release the member is totally disabled, under criteria established by the Administrator, in which event the insurance shall cease one year after the date of separation or release from such assignment, or on the date the insured ceases to be totally disabled, whichever is the earlier date, but in no event prior to the expiration of one hundred and twenty days after separation or release from such assignment; or

"(B) unless on the date of such separation or release the member has completed at least twenty years of satisfactory service creditable for retirement purposes under chapter 67 of title 10 and would upon application be eligible for assignment to or is assigned to the Retired Reserve, in which event the insurance, unless converted to an individual policy under terms and conditions set forth in section 777(e) of this title, shall, upon timely payment of premiums under terms prescribed by the Administrator directly to the administrative office established under section 766(b) of this title, continue in force until receipt of the first increment of retirement pay by the member or the member's sixty-first birthday, whichever occurs earlier.

"(5) with respect to a member of the Retired Reserve who meets the qualifications of section 765(5)(C) of this title, and who was assigned to the Retired Reserve prior to the date insurance under this amendment is placed in effect for members of the Retired Reserve, at such time as the member receives the first increment of retirement pay, or the member's sixty-first birthday, whichever occurs earlier, subject to the timely payment of the initial and subsequent premiums, under terms prescribed by the Administrator, directly to the administrative office established under section 766(b) of this title."

(4) Subsection (b) is amended to read as follows:

"(b) Each policy purchased under this subchapter shall contain a provision, in terms approved by the Administrator, that, except as hereinafter provided, Servicemen's Group Life Insurance which is continued in force after expiration of the period of duty or travel under section 767(b) or 768(a) of this title, effective the day after the date such insurance would cease, shall be automatically converted to Veterans' Group Life Insurance subject to (1) the timely payment of the initial premium under terms prescribed by the Administrator, and (2) the terms and conditions set forth in section 777 of this title. Such automatic conversion shall be effective only in the case of an otherwise eligible member or former member who is separated or released from a period of active duty or active duty for training or inactive duty training on or after the date on which the Veterans' Group Life Insurance program (provided for under section 777 of this title) becomes effective. Servicemen's Group Life Insurance continued in force under section 768(a) (4) (B) or (5) of this title shall not be converted to Veterans' Group Life Insurance. However, a member whose insurance could be continued in force under section 768(a) (4) (B) of this title, but is not so continued, may, effective the day after his insurance otherwise would cease, convert such insurance to an individual policy under the terms and conditions set forth in section 777(e) of this title."

(5) Section 768(c) is hereby repealed.

(b) The amendments made by this Act

shall not be construed to deprive any person discharged or released from the uniformed services of the United States prior to the date on which the Veterans' Group Life Insurance program (provided for under section 777 of title 38, United States Code) becomes effective of the right to convert Servicemen's Group Life Insurance to an individual policy under the provisions of law in effect prior to such effective date.

SEC. 6. Section 769 of title 38, United States Code, is amended as follows:

(1) By deleting from paragraphs (1) and (2) of subsection (a) "is insured under a policy of insurance purchased by the Administrator, under section 766 of this title" and inserting in lieu thereof "is insured under Servicemen's Group Life Insurance".

(2) By redesignating paragraphs (2) and (3) of subsection (a) as paragraphs (3) and (4), respectively, and by adding after paragraph (1) a new paragraph (2) as follows: "(2) During any month in which a member is assigned to the Ready Reserve of a uniformed service under conditions which meet the qualifications of section 765(5) (B) of this title, or is assigned to the Reserve (other than the Retired Reserve) and meets the qualifications of section 765(5)(C) of this title, and is insured under a policy of insurance purchased by the Administrator, under section 766 of this title, there shall be contributed from the appropriation made for active duty pay of the uniformed service concerned an amount determined by the Administrator (which shall be the same for all such members) as the share of the cost attributable to insuring such member under this policy, less any costs traceable to the extra hazards of such duty in the uniformed services. Any amounts so contributed on behalf of any individual shall be collected by the Secretary concerned from such individual (by deduction from pay or otherwise) and shall be credited to the appropriation from which such contribution was made."

(3) By deleting from the second sentence of paragraph (4) of subsection (a) "subsection (1) hereof, or fiscal year amount under subsection (2) hereof" and inserting in lieu thereof "paragraph (1) or (2) hereof, or fiscal year amount under paragraph (3) hereof"; and by deleting in such paragraph (4) "this subchapter" each time it appears and "insurance under this subchapter" and inserting in lieu thereof "Servicemen's Group Life Insurance".

(4) The first sentence of subsection (b) is amended by deleting "such insurance" and inserting in lieu thereof "Servicemen's Group Life Insurance"; and the second sentence of such subsection is amended by deleting "this subchapter" and inserting in lieu thereof "Servicemen's Group Life Insurance".

(5) Subsection (c) is amended by deleting "any such insurance" and inserting in lieu thereof "Servicemen's Group Life Insurance."

(6) The last sentence of subsection (d) (1) is amended to read as follows: "All premium payments and extra hazard costs on Servicemen's Group Life Insurance and the administrative cost to the Veteran's Administration of insurance issued under this subchapter shall be paid from the revolving fund."

(7) By adding at the end of such section a new subsection as follows:

"(e) The premiums for Servicemen's Group Life Insurance placed in effect or continued in force for a member assigned to the Retired Reserve of a uniformed service who meets the qualifications of section 765(5) (C) of this title, shall be established under the criteria set forth in sections 771 (a) and (c) of this title, except that the Administrator may provide for average premiums for such various age groupings as he may determine to be necessary according to sound actuarial principles, and shall include an amount necessary to cover the administrative cost of

such insurance to the company or companies issuing or continuing such insurance. Such premiums shall be payable by the insureds thereunder as provided by the Administrator directly to the administrative office established for such insurance under section 766(b) of this title. The provisions of sections 771 (d) and (e) of this title shall be applicable to Servicemen's Group Life Insurance continued in force or issued to a member assigned to the Retired Reserve of a uniformed service. However, a separate accounting may be required by the Administrator for insurance issued to or continued in force on the lives of members assigned to the Retired Reserve and for other insurance in force under this subchapter. In such accounting, the Administrator is authorized to allocate claims and other costs among such programs of insurance according to accepted actuarial principles."

SEC. 7. Section 770 of title 38, United States Code, is amended as follows:

(1) The first clause following the colon in subsection (a) is amended to read as follows:

"First, to the beneficiary or beneficiaries as the member or former member may have designated by a writing received prior to death (1) in the uniformed services if insured under Servicemen's Group Life Insurance, or (2) in the administrative office established under section 766(b) of this title if separated or released from service, or if assigned to the Retired Reserve, and insured under Servicemen's Group Life Insurance, or if insured under Veterans' Group Life Insurance;"

(2) Subsection (e) is amended by deleting therefrom the words "this amendatory Act" and inserting in lieu thereof "the Veterans' Insurance Act of 1974".

(3) Subsections (f) and (g) are amended by adding after "Servicemen's Group Life Insurance" wherever it appears therein "or Veterans' Group Life Insurance".

SEC. 8. Section 771 of title 38, United States Code, is amended as follows:

(1) Subsection (b) is amended by deleting "the policy or policies" and inserting in lieu thereof "Servicemen's Group Life Insurance".

(2) The third sentence of subsection (e) is amended by deleting "section 766" and inserting in lieu thereof "section 769(d) (1)".

SEC. 9. (a) Subchapter III of chapter 19 of title 38, United States Code, is amended by adding at the end thereof the following new sections:

"§ 777. Veterans' Group Life Insurance

"(a) Veterans' Group Life Insurance shall be issued in the amount of \$5,000, \$10,000, \$15,000, or \$20,000 only. No person may carry a combined amount of Servicemen's Group Life Insurance and Veterans' Group Life Insurance in excess of \$20,000 at any one time. Any person insured under Veterans' Group Life Insurance who again becomes insured under Servicemen's Group Life Insurance may within sixty days after becoming so insured convert any or all of his Veterans' Group Life Insurance to an individual policy of insurance under subsection (e) of this section. However, if such a person dies within the sixty-day period and before converting his Veterans' Group Life Insurance, Veterans' Group Life Insurance will be payable only if he is insured for less than \$20,000 under Servicemen's Group Life Insurance, and then only in an amount which when added to the amount of Servicemen's Group Life Insurance payable shall not exceed \$20,000.

"(b) Veterans' Group Life Insurance shall (1) provide protection against death; (2) be issued on a non-renewable five-year term basis; (3) have no cash, loan, paid-up, or extended values; (4) except as otherwise provided, lapse for nonpayment of premiums; and (5) contain such other terms and conditions as the Administrator determines to be reasonable and practicable which are not specifically provided for in this section, in-



cluding any provisions of this subchapter not specifically made inapplicable by the provisions of this section.

"(c) The premiums for Veterans' Group Life Insurance shall be established under the criteria set forth in sections 771 (a) and (c) of this title, except that the Administrator may provide for average premiums for such various age groupings as he may decide to be necessary according to sound actuarial principles, and shall include an amount necessary to cover the administrative cost of such insurance to the company or companies issuing such insurance. Such premiums shall be payable by the insureds thereunder as provided by the Administrator directly to the administrative office established for such insurance under section 766(b) of this title. In any case in which a member or former member who was mentally incompetent on the date he first became insured under Veterans' Group Life Insurance dies within one year of such date, such insurance shall be deemed not to have lapsed for nonpayment of premiums and to have been in force on the date of death. Where insurance is in force under the preceding sentence, any unpaid premiums may be deducted from the proceeds of the insurance. Any person who claims eligibility for Veterans' Group Life Insurance based on disability incurred during a period of duty shall be required to submit evidence of qualifying health conditions and, if required, to submit to physical examinations at their own expense.

"(d) Any amount of Veterans' Group Life Insurance in force on any person on the date of his death shall be paid, upon the establishment of a valid claim therefor, pursuant to the provisions of section 770 of this title. However, any designation of beneficiary or beneficiaries for Servicemen's Group Life Insurance filed with a uniformed service until changed, shall be considered a designation of beneficiary or beneficiaries for Veterans' Group Life Insurance, but not for more than sixty days after the effective date of the insured's Veterans' Group Life Insurance, unless at the end of such sixty-day period, the insured is incompetent in which event such designation may continue in force until the disability is removed but not for more than five years after the effective date of the insured's Veterans' Group Life Insurance. Except as indicated above in incompetent cases, after such sixty-day period, any designation of beneficiary or beneficiaries for Veterans' Group Life Insurance to be effective must be by a writing signed by the insured and received by the administrative office established under section 766(b) of this title.

"(e) An insured under Veterans' Group Life Insurance shall have the right to convert such insurance to an individual policy of life insurance upon written application for conversion made to the participating company he selects and payment of the required premiums. The individual policy will be issued without medical examination on a plan then currently written by such company which does not provide for the payment of any sum less than the face value thereof or for the payment of an additional amount as premiums in the event the insured performs active duty, active duty for training, or inactive duty training. The individual policy will be effective the day after the insured's Veterans' Group Life Insurance terminates by expiration of the five-year term period, except in a case where the insured is eligible to convert at an earlier date by reason of again having become insured under Servicemen's Group Life Insurance, in which event the effective date of the individual policy may not be later than the sixty-first day after he again became so insured. Upon request to the administrative office established under section 766(b) of this title, an insured under Veterans' Group Life Insurance shall be furnished a list of life insurance companies participating in

the program established under this subchapter. In addition to the life insurance companies participating in the program established under this subchapter the list furnished to an insured under this section shall include additional life insurance companies (not so participating) which meet qualifying criteria, terms, and conditions established by the Administrator and agree to sell insurance to former members in accordance with the provisions of this section.

"(f) The provisions of sections 771 (d) and (e) of this title shall be applicable to Veterans' Group Life Insurance. However, a separate accounting shall be required for each program of insurance authorized under this subchapter. In such accounting, the Administrator is authorized to allocate claims and other costs among such programs of insurance according to accepted actuarial principles.

"(g) Any person whose Servicemen's Group Life Insurance was continued in force after termination of duty or discharge from service under the law as in effect prior to the date on which the Veterans' Group Life Insurance program (provided for under section 777 of this title) became effective, and whose coverage under Servicemen's Group Life Insurance terminated less than four years prior to such date, shall be eligible within one year from the effective date of the Veterans' Group Life Insurance program to apply for and be granted Veterans' Group Life Insurance in an amount equal to the amount of his Servicemen's Group Life Insurance which was not converted to an individual policy under prior law. Veterans' Group Life Insurance issued under this subsection shall be issued for a term period equal to five years, less the time elapsing between the termination of the applicant's Servicemen's Group Life Insurance and the effective date on which the Veterans' Group Life Insurance program became effective. Veterans' Group Life Insurance under this subsection shall only be issued upon application to the administrative office established under section 766(b) of this title, payment of the required premium, and proof of good health satisfactory to that office, which proof shall be submitted at the applicant's own expense. Any person who cannot meet the good health requirements for insurance under this subsection solely because of a service-connected disability shall have such disability waived. For each month for which any eligible veteran, whose service-connected disabilities are waived, is insured under this subsection there shall be contributed to the insurer or insurers issuing the policy or policies from the appropriation 'Compensation and Pensions, Veterans' Administration' an amount necessary to cover the cost of the insurance in excess of the premiums established for eligible veterans, including the cost of the excess mortality attributable to such veteran's service-connected disabilities. The Administrator may establish, as he may determine to be necessary according to sound actuarial principles, a separate premium, age groupings for premium purposes, accounting, and reserves, for persons granted insurance under this subsection different from those established for other persons granted insurance under this section. Appropriations to carry out the purpose of this section are hereby authorized.

#### "§ 778. Reinstatement

"Reinstatement of insurance coverage granted under this subchapter but lapsed for nonpayment of premiums shall be under terms and conditions prescribed by the Administrator.

#### "§ 779. Incontestability

"Subject to the provision of section 773 of this title, insurance coverage granted under this subchapter shall be incontestable from the date of issue, reinstatement, or conversion except for fraud or nonpayment of premium."

(b) The analysis of subchapter III of chapter 19 of title 38, United States Code, is amended by adding at the end thereof the following:

"777. Veterans' Group Life Insurance.

"778. Reinstatement.

"779. Incontestability."

Sec. 10. Chapter 19 of title 38, United States Code, is amended as follows:

(1) By striking out "Environmental Science Services Administration" wherever it appears in section 765 and inserting in lieu thereof "National Oceanic and Atmospheric Administration".

(2) By striking out "General operating expenses, Veterans' Administration" in clause 3 of subsection (d) of section 769 and inserting in lieu thereof "General Operating Expenses, Veterans' Administration".

(3) By striking out "Bureau of the Budget" in section 774 and inserting in lieu thereof "Office of Management and Budget".

Sec. 11. (a) Chapter 13 of title 37, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 707. Allotments: members of the National Guard

"(a) The Secretary of the Army or the Secretary of the Air Force, as the case may be, may allow a member of the National Guard who is not on active duty to make allotments from his pay under sections 204 and 206 of this title for the payment of premiums under a group life insurance program sponsored by the military department of the State in which such member holds his National Guard membership or by the National Guard association of such State if the State or association concerned has agreed in writing to reimburse the United States for all costs incurred by the United States in providing for such allotments. The amount of such costs and procedures for reimbursements shall be determined by the Secretary of Defense and his determination shall be conclusive. All amounts of reimbursements for such costs received by the United States from a State or an association shall be credited to the appropriations or funds against which charges have been made for such costs."

(b) The United States shall not be liable for any losses or damages suffered by any person as the result of any error made by any officer or employee of the United States in administering the allotment program authorized under subsection (a).

(c) The table of sections at the beginning of chapter 13 of such title is amended by adding at the end thereof a new item as follows:

"707. Allotments: members of the National Guard."

Sec. 12. This Act shall become effective as follows:

(1) The amendments made by section 2, relating to Veterans' Special Life Insurance, shall become effective upon the date of enactment of this Act except that no dividend on such insurance shall be paid prior to January 1, 1974.

(2) The amendments relating to Servicemen's Group Life Insurance coverage on a full-time basis for certain members of the Reserve and National Guard shall become effective upon the date of enactment of this Act.

(3) The amendments increasing the maximum amount of Servicemen's Group Life Insurance shall become effective upon the date of enactment of this Act.

(4) The amendments made by sections 5 (a) (4) and (5) of this Act, and those enacting a Veterans' Group Life Insurance program shall become effective on the first day of the third calendar month following the month in which this Act is enacted.

Amend the title so as to read: "An Act to amend title 38, United States Code, to increase the maximum amount of Service-

men's Group Life Insurance to \$20,000, to provide full-time coverage thereunder for certain members of the Reserves and National Guard, to authorize the conversion of such insurance to Veterans' Group Life Insurance, to authorize allotments from the pay of members of the National Guard of the United States for group life insurance premiums, and for other purposes."

Mr. MONTGOMERY (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the Record.

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

There was no objection.

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

Mr. HAMMERSCHMIDT. Mr. Speaker, reserving the right to object, and I do not intend to object, I would like to ask the gentleman from Mississippi, the distinguished chairman of the Subcommittee on Insurance and Veterans Affairs, to explain the Senate amendments.

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman for giving me the opportunity to explain this piece of legislation, which is a landmark and far reaching in helping to preserve the National Guard and regular forces of this country.

Mr. Speaker, the Senate amendment is germane to the bill. In the first session of this Congress the Committee on Veterans' Affairs favorably reported and the House passed H.R. 6574. The House version of the bill seeks to provide full-time coverage under servicemen's group life insurance, SGLI, for persons who volunteer for assignment to the Ready Reserve of a uniformed service and are assigned to a unit or position in which they may be required to perform active duty or active duty for training, and each year will be scheduled to perform at least 12 periods of inactive duty training that is creditable for retirement purposes under chapter 67 of title 16, United States Code.

At the present time this group, along with other reserves are covered under SGLI only on the days they are on active duty or active duty for training under a call or order to duty that specifies a period of less than 31 days, during the hours of scheduled inactive duty training, while traveling to or from such duties.

The second purpose of the bill is to provide full-time coverage under SGLI for persons assigned to, or who, upon application, would be eligible for assignment to the Retired Reserve of a uniformed service who are under 60 years of age and have completed at least 20 years of satisfactory service creditable for retirement purposes under chapter 67 of title 10, United States Code.

At the present time, members of the Retired Reserves have no eligibility for SGLI.

In reporting to our committee, the Department of Defense strongly recommended the enactment of legislation with this objective "as a positive and visible incentive for service in the National

Guard and Ready Reserve forces, particularly the Selected Reserve."

I am pleased to note that the Senate version of the bill as returned to the House contains the same provisions affording this greatly needed additional insurance protection for members of our Reserves and National Guard.

I will now briefly explain the Senate amendments and give the reasons why we feel that it would be appropriate for the House to concur in them.

First, the present maximum coverage for servicemen's group life insurance for persons in the active service and others in a training status is \$15,000. The Senate amendment would increase this to \$20,000 in all cases. We note that this increase was endorsed by the Department of Defense and would be self-sustaining by reason of appropriate premium adjustment. With the current inflation and uniform recognition of the greater need for survivor protection, I am sure the Members will agree that this increase in coverage can be fully justified.

Second the Senate version would provide for a new type of group life insurance called "veterans group life insurance" which would be effective after the SGLI coverage ceases. This group insurance would be in the form of a nonrenewable, 5-year term policy and can be made available at very low premiums.

It is interesting to note that legislation to authorize this new type of post-service insurance coverage was initiated in the House of Representatives in the 92d Congress. Our committee favorably reported and the House passed a bill (H.R. 14752) but it was not acted upon by the other body. This proposal was included in the VA's legislative program in the first session of the 93d Congress and, accordingly, has the endorsement of the administration.

Third, the House bill provided that the Secretary of the Army and the Air Force may allow a member of the National Guard who is not on active duty to make allotments from his training pay for the payment of premiums under any group life insurance program sponsored by the military department of the State in which such member holds his National Guard membership or by the National Guard Association of such State.

The Senate version adopts such allotment authorization but adds an amendment which would require that the State or association concerned agree in writing to reimburse the United States for all costs incurred in providing such allotments.

Fourth, during the Korean conflict and for a period thereafter we authorized a special nonparticipating term insurance available to veterans for a short period after their discharge. Experience has shown that the premiums were excessive and periodically the profit earned on this program was turned over to the general fund of the Treasury.

We agree with the Senate that there is no valid excuse for continuing the collection of excess premiums, particularly since the vast bulk of all other Government insurance is participating and such an excess is returned to the insureds in

the form of dividends each year. This provision would make the so-called veterans' special term life insurance participating and thereby permit payment of dividends.

Mr. Speaker, as I indicated at the outset, the Senate version of H.R. 6574 maintains the basic thrust and objective of our original bill. We have analyzed the Senate amendments, and as I have explained, they appear to be reasonable and I believe represent sound and beneficial improvements in the Government insurance program.

Mr. HAMMERSCHMIDT. Mr. Speaker, I thank the gentleman from Mississippi for his very fine explanation.

Mr. Speaker, I rise in support of H.R. 6574 as amended by the Senate. Initially, this bill passed the House on May 7, 1973. It was designed to provide full-time coverage under the servicemen's group life insurance program for members of the Ready Reserve, who at present are insured under the program only at those times they are on active duty for less than 31 days, or while traveling to or from such duties.

Coverage was proposed also for members of the Retired Reserve who are under 60 years of age and have completed 20 years of qualifying service for Reserve retired pay at age 60.

I concur in the amendments offered by the Senate. The first of these would increase the maximum insurance coverage to \$20,000 for all insureds under the servicemen's group life insurance program. Under existing law the maximum amount is \$15,000.

Another amendment provides for the automatic conversion of SGLI to a nonrenewable 5-year term policy effective 120 days after discharge from military service, the day that coverage under the serviceman's policy ceases. The new plan would be designated as veterans group life insurance. Those veterans whose SGLI terminated less than 4 years prior to the effective date of enactment of the VGLI will be eligible for the insurance coverage for the balance of the 5-year period upon a showing of good health. Any service-connected disability would be waived.

Finally, authorization is granted for the return of excess premiums paid by veterans of the Korean conflict for veterans special term life insurance. These payments would be made in the form of a dividend to the insureds.

I believe these amendments add merit to the bill and I am in favor of them.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

Mr. ZWACH. Mr. Speaker, I concur with the amendments offered by the Senate to H.R. 6574. The first of these would increase the maximum insurance coverage to \$20,000 for all insureds under the servicemen's group life insurance program. Under existing law the maximum amount is \$15,000.

Another amendment provides for the automatic conversion of SGLI to a nonrenewable 5-year term policy effective



120 days after discharge from military service, the day that coverage under the serviceman's policy ceases. The new plan would be designated as veterans group life insurance. Those veterans whose SGLI terminated less than 4 years prior to the effective date of enactment of the VGLI will be eligible for the insurance coverage for the balance of the 5-year period upon a showing of good health. Any service-connected disability would be waived.

Finally, authorization is granted for the return of excess premiums paid by veterans of the Korean conflict for veterans' special term life insurance. These payments would be made in the form of a dividend to the insureds.

I believe these amendments are reasonable and I am in complete accord with them.

Mr. DORN. Mr. Speaker, I strongly support H.R. 6574. This legislation is part of a program designed to create incentives, and to make more attractive, service in our Reserve and National Guard programs, both of which are so essential to the national defense of our country. The bill we are considering today would provide full-time coverage under servicemen's group life insurance for those persons who volunteer for assignment to the Ready Reserve and the National Guard. This goes hand in hand with the administration's volunteer service program now in effect in that it will encourage persons to join and remain in these two great defense organizations.

For Reservists who may retire after 20 years of service but are ineligible to receive retirement pay until they reach age 60, this legislation will strengthen their survivor protection by extending insurance coverage during such a period. After a retired reservist is himself eligible for retirement pay, he then may elect an annuity option for his widow under the armed services family protection plan.

The Veterans' Administration has advised our committee that the benefits proposed by this legislation are practical and actuarially sound.

Mr. Speaker, another important part of the legislation is that it would increase the maximum coverage under servicemen's group life insurance from \$15,000 to \$20,000. This is certainly justified in view of the present rate of inflation existing in every segment of our economy. This increased coverage will be available to active members of the Armed Forces as well as reserve and National Guard.

There are two other provisions in the bill that I would like to mention. The bill would provide for the automatic conversion of SGLI to a nonrenewable 5-year term policy to be known as veterans' group life insurance effective the day coverage under SGLI expires for the veteran. The present law allows the veteran 120 days after discharge from military service to convert to a private insurance program. It is felt that the returning veteran should have available to him low-cost insurance protection during the readjustment period experi-

enced by Vietnam era veterans following their separation from active military duty.

Experience has shown that upon discharge, many young men are concerned with matters other than life insurance protection and consequently, the 120-day conversion period has often expired before he realizes it. By allowing the veteran this 5-year period of time, he will have more time to get himself settled and will have ample time to make adequate plans to provide proper security for his family.

Finally, the bill would authorize the payment of dividends on veterans' special term life insurance. As most of you know, the Government provided Korean conflict servicemen with a \$10,000 indemnity policy during their active duty service. The VSLI program was first authorized beginning April 24, 1951, to allow Korean conflict veterans to purchase Government sponsored life insurance following their military duty. It was closed to new issues on December 31, 1956.

The premiums charged to these Korean war veterans with term policies are in excess of mortality experience. I understand premiums charged are up to about 70 percent more than are needed to pay for the cost of claims, mortality, and administrative charges. This excess, rather than returned as dividends to the veteran policyholder, is now retained by the Federal Government. According to reports we have received, since 1961, in excess of \$47 million has been transferred to the U.S. Treasury. This legislation would allow payment of dividends to the veteran rather than turning the funds over to the Treasury.

Mr. Speaker, Congress never intended that the Federal Government overcharge war veterans for insurance and make a profit on that overcharge. The action we take today in passing this bill will correct this situation. It is a matter of simple justice.

Mr. Speaker, I have long advocated a strong national defense posture for our country. My voting record and policy statements during my years in the Congress will bear this out. A vital part of our overall national defense program has been our National Guard and our Ready Reserve programs. I need not remind you of the war record of the men and women who served in these units during every national crisis, both foreign and domestic. I want to continue to provide incentives that will keep these programs strong. This legislation will go a long way in doing this and I urge that it be adopted.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on Senate amendments to H.R. 6574, Veterans' Insurance Act of 1974, just concurred in.

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

There was no objection.

#### LEGISLATIVE PROGRAM

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

Mr. RHODES. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader the program for the balance of the week and for next week, if the gentleman is prepared to give it to us.

Mr. O'NEILL. Mr. Speaker, if the distinguished minority leader will yield, I will be happy to respond to his request.

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

Mr. O'NEILL. Mr. Speaker, there is no further legislative business for today.

The program for the House of Representatives for the week of May 13, 1974 is as follows:

Monday is District day, and no bills are scheduled.

On Tuesday, we will consider S. 1752, National Commission on Productivity and Work Quality, under an open rule, with 1 hour of debate.

On Wednesday, we have scheduled H.R. 12000, Egg Research and Consumer Information Act, subject to a rule being granted; and

S. 3231, poultry indemnity payments, subject to a rule being granted.

For Thursday and the balance of the week:

H.R. 13973, Overseas Private Investment Corporation, subject to a rule being granted.

Mr. Speaker, may I repeat my statement of last week that we are anticipating eight appropriation bills will be scheduled for the last 2 weeks of June. So again may I repeat that we anticipate there will be Friday sessions in the last 2 weeks of June, so the Members should make their plans accordingly.

#### ADJOURNMENT OVER TO MONDAY NEXT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder; we would have one bill next week if the Committee on Rules also went on strike. Is that not correct? It seems to me that the House is going on strike the way this legislative program reads.

Mr. O'NEILL. There are about three matters that are subject to rules being granted on Tuesday and Wednesday next.

Mr. GROSS. So you would have one bill next week and if they failed to grant rules on the three other bills, we would only have that one.

Mr. O'NEILL. The answer to the gentleman is the gentleman is correct.

Mr. GROSS. Next week I take it we will find out, judging from these bills, whether the egg or the chicken came first.

Mr. O'NEILL. Well, that has been a weighty problem in the world for years, and probably we will get a response on that.

Mr. GROSS. And you think next week with the sparse program we have here we will be able to settle that?

Mr. O'NEILL. Well, I hope the chairman of the Committee on Agriculture will come back with a satisfactory answer to the gentleman.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday of next week.

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

There was no objection.

#### PANAMA CANAL AND OAS MEETING IN ATLANTA

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

Mr. FLOOD. Mr. Speaker, two of the "combustible" issues discussed at the annual meeting of the Foreign Ministers of the Organization of American States in Atlanta were Cuba and Panama. Of these, the latter is one of world significance because of the thousands of vessels of many nations that transit the Panama Canal annually and have to pay tolls.

In the case of the U.S. Canal Zone and the Republic of Panama, relations have never been static but subject to constant modification, mostly by administrative actions. In addition, there have been a number of changes in the basic 1903 treaty as a result of which the United States has withdrawn its activities to the limits of the Canal Zone territory.

As to sovereignty over this protective frame, there can be no compromise as long as the United States maintains, operates, sanitates, and protects the canal but there are means by which the United States can help Panama. These include the construction of a bridge across the Atlantic end of the canal to correspond with that across the Pacific end; and assisting Panama to relocate or extend its Colon Free Zone in Panamanian territory east of the Canal

Zone. These important changes together will make a great impact on isthmian life.

There are two other nations to which the United States has treaty obligations regarding the canal: Great Britain and Colombia. Both of these countries are following canal matters closely and will be prepared to protect their interests. Under the rules governing the operation of the Panama Canal all nations, including Panama, are entitled to equal treatment in the use of Canal Zone facilities, and this includes the docks at each end of the canal.

Mr. Speaker, I trust that these views will be of assistance to the Foreign Ministers recently meeting in Atlanta.

#### WATER POLLUTION CONTROL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. OWENS) is recognized for 10 minutes.

Mr. OWENS. Mr. Speaker, several years ago this Nation committed itself to restore and maintain the integrity of its waters. The goal established by Public Law 92-500, the Federal Water Pollution Control Act Amendments of 1972, envisioned eliminating the discharge of pollutants into our navigable waterways by 1985. The most important part of this landmark legislation, passed over a Presidential veto, called for an \$18 billion grant program to the States for assistance in the construction and upgrading of municipal waste treatment facilities.

The drive toward meeting clean-water goals, which the act was designed to accelerate, has been thwarted at every turn by an administration determined to scuttle any congressionally mandated program not to their liking. First, the President vetoed the legislation. The veto was then overridden by the House on a vote of 247 to 23, a 10-to-1 margin which is almost unprecedented. Despite this clear mandate, the President then impounded half of the \$18 billion which was authorized. In essence, this act was an extraconstitutional Presidential override of the congressional override of his veto.

The saga, unfortunately, does not end there. Not content with a partial emasculation of the clean water program through the impoundment process, the Environmental Protection Agency, acting under orders from the Office of Management and Budget, immediately embarked on a monumental bureaucratic slowdown in the processing of waste treatment facility construction grants which were arriving by the thousands from cities all over the United States. As a result, by the end of calendar 1973, the administration had spent only \$17.3 million of the \$5 billion Congress had intended to be the first increment in the concerted effort to clean our Nation's waters.

The broader question of the President's authority to impound funds is in the courts. Several weeks ago, the Su-

preme Court agreed to hear several suits challenging the President's authority to impound funds authorized by Congress under the 1972 Water Pollution Control Act. The funding aspects of this program can be summarized as follows:

[In billions of dollars]

Fiscal year—	Authorized by Public Law 92-500	Presidential impoundments	Current funding levels
1973.....	5	3	2
1974.....	6	3	3
1975.....	7	3	4
Total.....	18	9	9

I suppose that it will take a definitive decision from the Court a year or so from now to force release of these funds within the time frame intended by Congress.

But what can be done today in order to force the Environmental Protection Agency to expeditiously process requests for grants used by localities to construct municipal waste treatment facilities? Mr. Speaker, there can be no doubt that a severe problem exists.

In February, the House Public Works Subcommittee on Investigations and Review, under the capable leadership of Chairman Jim Wright, held hearings inquiring into the inordinate delays being created by EPA in the approval of waste treatment facility grants. The findings of the subcommittee read like Alice-in-Wonderland revisited. Here are some of the conclusions.

A fantastic maze of baffling guidelines, burgeoning regulations, bewildering paperwork and ever-changing directives have brought what was an ongoing program to a virtual halt.

Between August 1 and December 31, 1973, \$33 million worth of projects were approved for the entire Nation. This is paltry compared to the \$5 billion authorized by the Congress for the entire year.

One community official showed the subcommittee a 13-inch stack of written reports his community was required to have by EPA to support one grant application.

One large city rewrote its application nine times in order to meet EPA requirements.

Unfortunately, these are not isolated examples. Similar "horror stories" are being repeated thousands of times across the Nation. As the subcommittee points out:

Meanwhile nothing happens. The backlog grows. Our Nation's waters get filthier, our streams more clogged with pollution.

I certainly agree with those who so succinctly state that EPA is more interested in clean paper than clean water.

I believe that the hearings held by the Public Works Committee at which EPA officials testified were useful in that they expressed congressional concern



over administration of the clean water program—or should I say the lack of it. I have written a letter to Russell Train, the EPA Administrator, expressing my concern over the program's snail's pace implementation. The text of the letter is as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., May 8, 1974.

Mr. RUSSELL TRAIN,  
Administrator, Environmental Protection  
Agency, Washington, D.C.

DEAR Mr. TRAIN: During the past several months I have become increasingly concerned about the inordinate delays created by the Environmental Protection Agency in the processing of construction grants for water treatment facilities. The Congress, in passing PL 92-500, authorized a total of \$18 billion for fiscal years 1973, 1974, and 1975 for grants to be made to municipalities in constructing and upgrading waste treatment facilities. The objective, of course, was to accelerate our drive toward cleaning up the nation's waters by mid-1985.

Leaving aside the issue of Presidential impoundment of half of the \$18 billion authorized for the program, there appears to be ample evidence available to conclude that the Environmental Protection Agency is deliberately engaged in an effort to slow down the pace of the program. Recent hearings by the House Public Works Subcommittee on Investigations and Review revealed that:

1. Regulations used for guidance by municipalities and the standards which grant applications must meet are constantly changing.

2. Documentation required from applicants is inordinately complex and voluminous.

3. Obligation of funds and approval of grants are minuscule compared to available funding authority and community needs.

As a result, the Subcommittee stated, there were thousands of grant applications backlogged in EPA awaiting approval. The above problems and many others were documented in great detail during the hearings and in a subsequent statement made in the House of Representatives by Chairman Wright. What is not clear, however, are the steps that EPA intends to take to put the clean water program on the accelerated pace Congress mandated in the Clean Water Act Amendments of 1972.

Mr. Quarles testified during the February hearings that EPA would study the feasibility of simplifying the regulations, decentralizing the grant-approval level and taking other steps to expedite the process by which grants are approved. It has been some three months since this commitment was made. I understand that while some limited improvement has taken place, the majority of the problems still exist.

In order to provide me with information to assess the progress EPA has made in streamlining the grant approval process for waste treatment facilities, I would appreciate answers to the following:

1. The number of communities by state which have applied for construction grants for all categories of municipal waste treatment facilities under the provisions of the 1972 amendments.

a. The dollar value of grant applications by states.

b. The average processing time from grant receipt to application approval on a month by month basis during calendar years 1973 and 1974.

2. The specific actions taken by EPA since January 1, 1974 to reduce the amount of documentation required for grant approval.

3. The specific steps taken since January 1, 1974 to decentralize grant approval levels.

4. Other actions taken since the hearings to expedite the grant approval process.

I agree with Chairman Wright that a large part of the year and one half since the Act was passed has been irretrievably wasted. However, I am hopeful that responses to the above questions will lead me to conclude that the Clean Water Program has finally begun to move in the direction and at the pace Congress intended.

With all best wishes,  
Sincerely,

WAYNE OWENS.

Mr. Speaker, the deadline for municipalities and industry to meet the first interim stages for effluent discharge is mid 1977. The footdragging by the administration in releasing construction grants to municipalities for waste treatment facilities forces the Congress to either extend the interim deadlines and thus renege on its commitment or to keep them in effect and thereby force cities all over the United States to violate the law. This is the bind the administration has put us in.

Industry must also meet these interim standards. Since the Environmental Protection Agency was created some 3½ years ago it has been under considerable pressure to relax congressionally imposed air and water quality standards. The most persistent sources of pressure appear to come from the White House and the Office of Management and Budget, acting in response to the pleas of special interest groups. These groups represent various industrial, manufacturing, processing, and commercial concerns whose economic self-interests would be affected by application and enforcement of congressionally imposed air and water quality standards. They appear to have more than considerable influence in this administration.

Clean water is too important to this Nation's well-being to become an area dictated by special interest groups. I understand that Chairman WRIGHT will continue the hearings on the implementation of the Clean Water Act in the near future. There may indeed be legitimate reasons to change congressionally imposed goals and standards for programs as bold and innovative as this one. I hope that the forthcoming hearings will take an objective look at the need to change certain of the effluent discharge and water quality standards established in the 1972 act. The subcommittee will be under great pressure from the administration and from industry lobbies to set back the timetables.

It is a sorry day when the foresight of the Congress of the United States is blunted by such illegitimate processes as impoundment, bureaucratic delay and the self-centered interest. I am confident that the subcommittee will slash through the rhetoric, the self-serving testimony and the emotional arguments in order to objectively determine whether our drive toward clean water should proceed with our foot on the accelerator or our foot on the brake.

## PROPOSES OPEN HEARINGS ON IMPEACHMENT PROCEEDINGS

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, in 1944 I introduced in the Senate a resolution providing for radio coverage of the proceedings of the Senate and House of Representatives. At that time, of course, we did not have television. A number of times since I have introduced resolutions providing for both radio coverage of the regular proceedings and the committee hearings of the Senate and the House of Representatives. It just seems to me wrong for us to allow in the press gallery of both the Senate and House of Representatives newspaper reporters and not to allow similarly to observe the proceedings of the Congress representatives of television and radio. There is no question now of the ability of the television and radio media to cover the proceedings of the Congress without in any way, by lights or otherwise, interfering with the deliberations of the Congress. Why should the people of this great country, only a few of whom will ever get to Washington to enjoy seeing the Congress in session from the gallery, be denied the privilege of seeing the proceedings of both Houses of the Congress by television and hearing those proceedings by radio? In the beginning the media themselves would, I think, be adequate safeguards against abuse for they would exercise their discretion as to what they would put on the air and bring to the people. This would deny exploitation of such media to the demagog or the actor, in most cases at least.

I have a resolution pending now with others before the House to open the hearings of the Judiciary Committee on impeachment proceedings and the proceedings of the House upon impeachment to radio and television as well as press coverage. Surely a matter of such immense import should be carried to the people by all the media.

Varying views of whether the impeachment proceedings in the House should be carried by television and radio have been presented in the Washington Post by outstanding authorities, some pro, some con. Due to the importance of this proceeding, I include the views of Jerome Barron and George Reedy appearing in the Washington Post of April 29 and of Hon. Paul A. Porter and Fred W. Friendly appearing in the Washington Post of May 4 to appear in the RECORD following my remarks:

IMPEACHMENT ON TV: TWO VIEWS  
PUBLICITY WOULD BECOME ALL PERVASIVE  
(By Jerome Barron)

Impeachment trials, fortunately, are such events in this country that there is little direct, authoritative guidance on whether impeachment of a President should be televised: We have no experience on the question of mixing impeachment with television.

When the Billie Sol Estes case came before the Supreme Court in 1965, Justice Tom C. Clark, speaking for the court, said that the

"chief function" of judicial machinery was to "ascertain the truth." Rather tartly, the court said: "The use of television, however, cannot be said to contribute materially to this objective."

In an impeachment proceeding, the senators are the jurors.

"If the community be hostile to an accused, a televised juror, realizing that he must return to neighbors who saw the trial themselves, may well be led 'not to hold the balance nice, clear and true between the state and the accused,'" the Supreme Court said. Furthermore, is there any real answer to the court's anxiety that television inevitably fixes the jury's eyes on the camera rather than on the testimony?

In an era when the law has extended due process concepts to more and more areas of American life, surely it is hard to argue that due process and its implications for criminal trials should not also apply to the question of televising an impeachment.

It may be said that hearings of the Senate Watergate Committee were televised, and that if the proceedings of the committee that led to an impeachment could be televised, why shouldn't the impeachment trial itself also be televised?

The two are not comparable. Only at the outermost perimeters of its legislative responsibilities did the Watergate Committee touch on questions of guilt or innocence as they might affect criminal defendants, the *raison d'être* of the impeachment trial, however, is the guilt or innocence of the accused.

Excluding the television cameras would not deprive the public of its right to know. Coverage by the print press of any impeachment will be continuous, extensive and free-wheeling. News and commentary on radio and television would be similarly free and extensive. That is our tradition, and the precedent of the Andrew Johnson trial. But televising an impeachment would allow publicity to become all pervasive.

In an impeachment, the Senate is, in effect, a courtroom, and we therefore should remember the counsel of Chief Justice Earl Warren in his separate opinion in the *Estes* case: "We must take notice of the inherent unfairness of television in the courtroom and rule that its presence is inconsistent with the 'fundamental conception' of what a trial should be."

I think the conclusion is clear: Televising the national torment of a President's impeachment would be unwise.

#### NO BARRIERS BETWEEN PUBLIC AND THE FACTS

(By George Reedy)

Even though Congress still has to decide whether President Nixon should be impeached and tried, it is not too early to give careful—and, I hope, favorable—consideration to allowing full, live television coverage of the proceedings.

There are issues of public confidence at stake which go beyond the usual questions of press freedom and access to news—and the decision should not be made casually.

Traditionally, both Congress and the judiciary have been reluctant to admit television cameras to their proceedings. I can concede that there are coherent reasons for this reluctance even though I am not certain the reasons are wise. But impeachment is an extraordinary procedure, and whatever may be the merits of the precedents, they cannot be made to apply without some unusual logical acrobatics.

After all, impeachment is a device whereby 535 men and women—435 through indictment and 100 through trial—can take from a man a grant of ultimate power which was given to him by all the people. In the best

of circumstances, it would be hazardous for a small group to reverse a decision made by the entire electorate. Our constitution provides no method for direct public participation in the deliberations. But television provides a method for direct public witnessing of the proceedings, and there are values to this that are incalculable.

Admittedly, no device can make the final decision satisfactory to everyone. President Nixon's implacable foes—those who hated him even before Watergate—would regard anything less than 100 per cent impeachment and conviction as evidence of legislative cowardice. His last-ditch defenders would regard anything less than 100 per cent acquittal as evidence of a sinister plot to railroad their hero. A Senate vote somewhere between 50 per cent and the two-thirds required to convict would open upon nightmares of recriminations.

But the ultimate popular verdict will rest upon the majority which is in between the two poles. This is a group which can render a reasonable judgment—especially when its members have seen events with their own eyes. In terms of the future of American unity, the popular verdict is fully as important as the legislative verdict. There should be no barriers whatsoever between the public and the facts.

Legislators, of course, have always resisted the presence of television cameras during legislative session. The reason is simply that floor sessions are only a small part of the legislative process and here the lens can distort because it makes one—and not the most interesting—part look like the whole. But an impeachment session would not be a legislative session. All of the events of major importance would take place right on the floors of the House and Senate chambers. The legislators could be relied upon to be present and to listen to the arguments. The speeches would be relevant and cogent. And finally, there would be no precedent established other than the presence of television during an impeachment session—not during a legislative session.

When everything is added together, it seems to me that there is more than ample justification for televising the proceedings in both the House and the Senate. The President should have an interest in having his side of the case stated directly to the people as well as to the Congress. The Congress should have an interest in giving the people an opportunity to see for themselves that the legislative conduct is rigidly fair. The print media should have an interest in permitting the readers to observe for themselves that interpretation and backgrounding is based upon fact and not distortion.

But the most important interest to be served is that of the people themselves. The presidency belongs to them—not to the Congress or to the media. If Congress is to direct a change in the occupancy of the office, they have the right to be present, at least as spectators, and there could be grave consequences were they to be denied a right so readily available.

#### TV AND IMPEACHMENT

##### IMPEDING THE PROCESS OF JUSTICE

(By Paul A. Porter)

I respectfully dissent from the position of the Post that the impeachment trial of the President in the Senate, if the House votes a bill, should be televised. I agree with Professor Barron's conclusion that "televising the national torment of a President's impeachment would be unwise." This in spite of Dean George Reedy's contention that "the presidency belong to the people . . . and they have the right to be present at least as spectators."

This writer was present at the creation of national television and Chairman of the F.C.C. when the initial allocation of fre-

quencies was made. Through the succeeding years, I have watched the fantastic development of this media with admiration for its growth and an awe bordering on terror for its impact. As a lawyer interested in the basic elements of due process and the right to a fair trial, it is submitted that televising the Senate proceedings could raise serious impediments to the process whether intended or not. I will not particularize the obvious.

A trial before the Senate presided over by the Chief Justice will indeed be a historic and momentous proceeding as George Reedy described. With the Chief Justice presiding, the managers for the House will have the burden of presenting their case presumably in accordance with evidentiary standards as if in court and counsel for the respondent will hopefully have the right to test that case by cross-examination and then produce probative evidence on the President's behalf as in the traditional adversary proceeding. The hundred members of the Senate will be sitting as jurors in the conventional sense. Hopefully this will be a carefully constructed, orderly procedure devoid of histrionics and sensationalism. The issues are too grave and fundamental to be exposed to such televised techniques of a Perry Mason or a Mr. District Attorney which give a superficial image of our processes of justice. In short, it could indeed be a dull event for a national television audience.

This is not a new phenomenon. In the early days of television, the famous Kefauver hearings were covered on live television. This prompted the late Judge Thurman Arnold to write a penetrating and provocative essay in the June, 1951, issue of the *Atlantic Monthly* entitled "Mob Justice and Television." Some of Judge Arnold's points seem appropriate today. A few of these are summarized:

"Trials in our courts of justice are public but the audience is so limited that the ordinary housewife can't see the show because, as we go to press, cameras are banned. I suggest that if this rule can't be changed, all the judge had to do is to hold a trial like that of Alger Hiss in the Yankee Stadium."

"... This kind of presentation [television] makes the problems of government simple enough to be understood by readers of comic strips. It eliminates the bores who are unable to discuss a public issue as a matter of black and white. When ex-Mayor O'Dwyer was testifying about the problem of crime from his vast experience as a prosecutor and a mayor, I am informed the stations were flooded with calls to get him off and put Virginia Hill back on. . . ."

"The thing which I believe is overlooked by those who argue that television is a legitimate extension of our traditional public hearing is this. The reason that a criminal trial is public is not to obtain the maximum publicity for judges or prosecutors. It was not intended to make a cause celebre out of criminal prosecutions. It is for the protection of the accused against star-chamber methods, and for the protection of the public against secret deals and alliances."

Finally, Judge Arnold reached this conclusion which seems relevant to the current discussion as to whether the Senate impeachment hearings, if convened, should be televised:

"The vice of this television proceeding is not in the way this particular committee conducted it, but in the proceeding itself. Any tribunal which takes on the trappings and aspects of a judicial hearing, particularly where there is compulsory examination of witnesses, must conform to our judicial traditions, or sooner or later it will develop into a monstrosity that demands reform. Those traditions are:—

"1. It must be public and at the same time not a device for publicity."



"2. It must protect the innocent even at the cost of letting the guilty escape.

"Television has no place in such a picture. For witnesses it is an ordeal not unlike the third degree. On those who sit as judges it imposes the demoralizing necessity of also being actors. For the accused it offers no protection whatever. Former Federal Judge Rifkind recently said that our judicial procedure, 'forged through the generations to the single end that issues shall be impartially determined on relevant evidence alone, works fairly well in all cases but one—the celebrated cause. As soon as the cause celebre comes in, the judges and lawyers no longer enjoy a monopoly. They have a partner in the enterprise, and that partner is the press.' I would add that when television is utilized in investigation or trial, cause celebre will increase like guinea pig and still another partner will be added—to wit, the mob."

**AN OBLIGATION TO COMMUNICATE DIRECTLY**  
(By Fred W. Friendly)

Permit me to begin with quotations from two distinguished colleagues, one who practiced my profession, the other yours.

"When a man is really important the worst adviser he can have is a flatterer." That's the scripture from Gerald Johnson, the Baltimore editor and historian, and I hope it applies to our dialogue here today.

The second quote, in 1808, is from a lame duck President. Thomas Jefferson, who, in an attempt to recruit barrister William Wirt of Virginia into running for office, wrote: "The object of this letter is to propose to you to come into Congress. That is the great commanding theatre of this nation. . . ."

My unflattering question is—have you let Mr. Jefferson down, have you permitted technology and the natural inclination and central motivation of Presidents to move "the great commanding theatre of this nation" to the other end of Pennsylvania Avenue?

And whose fault is that—not Marconi's, or Murrow's, or Cronkite's or Chancellor's, not even Coolidge's, or Kennedy's or Nixon's. They merely invented or exploited new forms of communications which the Senate and the House chose to ignore or to regard as a howling sideshow instead of an electronic extension of the spectators galleries of 426 seats in the Senate and 732 seats in the House. You closed your eyes and ears to a miracle permitting your gallery to be filled by three or four sightseers and lobbyists from each of your constituencies while the Executive Branch transformed its "Bully Pulpit" into an electronic throne. Presidents have used broadcasting as a magic political carpet, transporting the citizenry to the Oval Office, to the ancient wall of China, ironically even to the floor of your joint sessions while you, with few exceptions, have relegated these miracles to the status of a kind of over-the-transom, Peeping Tom, too theatrical or "too dangerous" to be allowed in. . . .

I wonder if you and your colleagues are aware of what's going on in other republics? Let's take West Germany. Later this month the Bundestag will be conducting a historic debate on proposed reforms of the abortion laws. It is an inflamed issue, but there is no controversy over the reality that Germans from the North Sea to Bavaria will be watching every minute of it on television. Indeed, nations which were not even born when television was a political fact of life in the United States, now permit and provide live coverage of their legislative process. Because the Security Council of the United Nations provides live coverage of its debates, many Americans understand more about the voting and deliberative process of that body than they do of their own nation's. . . .

The hidden agenda item in all your deliberations, of course, is the growing concern, over the possibilities of impeachment and a Senate trial involving the President. One

of America's most respected newspapermen, James Reston, has pronounced that such events of government should be closed to television because it might turn the trial into a nightmare; Senator Buckley and others fear a three-ring circus. My conviction, Mr. Chairman, is that the public's presence via the television camera will preserve decorum and dignity but certainly if this trial occurs, the American people will require a first-person, unabridged view of so historic an event without having it strained and filtered through the eyes and ears of even the most responsible newspapers. Much of the confusion over the impeachment and subsequent trial of Andrew Johnson exist today because print journalists alone, no matter how skilled cannot preserve the essence and dynamics of such complex procedures. None of us here today can know whether such a trial will take place, but I can assure you that neither history nor the American public will accept surrogate witnesses to so momentous an event. . . .

What you need is a plan of action, not just a removal of restrictions. Of all the more than 30 resolutions over the past 30 years from Senator Pepper to Representative Pepper, the most stimulating and potentially productive plan is S.R. 136, proposed by Senator Byrd of West Virginia. Simply stated, it suggests "a full and complete study and investigation with respect to the broadcasting and telecasting (including closed-circuit telecasting) of the proceedings of the Senate." I trust that the Senator will consider it a friendly if unofficial amendment if I add the phrase—and House of Representatives.

The wired Congress, if I may use that as shorthand for putting cameras and microphones in both chambers, and all hearing rooms, and connecting them by coaxial cable to every office, dining room, lobby and videotape center will be expensive but will cost far less than building a modern destroyer or celebrating the bicentennial. Operating it will be less expensive than running a destroyer or an atomic submarine per year. Senator Byrd's resolution needs to be costed out and studied—now. Such a survey could be accomplished with an economy of time and funds. . . .

Now, Mr. Chairman, you will ask, "But how does wiring the Congress ultimately reach the nation? Live or delayed coverage will still be subject to the gatekeeper function of the commercial networks and even of public broadcasting." That is true although the performance of public television and radio during the Watergate hearings was a major breakthrough in prime time coverage.

My proposal is not only to make the wired Congress available to all networks, but to leap over all those gatekeepers with their varied values and priorities and deliver the signal direct to 200 American communities. If telephone company long line and microwave distribution is too expensive, synchronous satellites made possible by this nation's maximum, costly effort in the space program will this year and in the next three years make it possible to spray television signals into every time zone simultaneously. . . .

One may ask: Why will these local broadcasters relay them to regional audiences if the networks won't? My response is—for the same series of reasons that cause some 500 different newspapers to send correspondents to Washington. These editors know that political reporting from the nation's Capitol is like regional accents and customs—different for various communities.

Debates on farm subsidies will find their audiences in Kansas, Iowa and Louisiana, while New York and Massachusetts would be more attentive to the hearings on mass transportation and urban blight. . . .

To sum up, take Senator Byrd's proposal of June 1973 seriously, combining it with Senator Pastore's proposal to commemorate our 200th birthday by opening Congress to

the nation. A study on costs and feasibility would take less than six months, a decision to go could be possible in time for 1976.

**SUBVERSIVE ACTIVITIES OF  
"ZERO"**

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, one of the distinguished television commentators on channel 4, the CBS outlet in the Greater Miami area, delivered an able address before the Tiger Bay Club of Miami on May 1. Dr. Reyes discussed the subversive activities in the United States of a sinister organization named "Zero." By some strange but evil sources a Cuban exile living in Miami was recently shot down in his own livingroom while he and his wife looked at television. Another Cuban exile residing in New York was in a similar dastardly manner assassinated. Dr. Reyes discusses this critical subject in an able address. Mr. Speaker, I include Dr. Reyes' very informative address to appear in the body of the RECORD following these remarks:

**SPEECH OF DR. MANOLO REYES**

My life has supposedly been threatened. But I will not leave this city or this County . . . or this State . . . I won't leave, despite all the threats I've had or those yet to come.

I am a man who has absolute trust in the United States of America, and its system.

I am a man who believes in each and every law enforcement agency in this country.

I am a man who believes in the due process of law and condemn all terrorist attacks—and attacks which break the law.

I am a man who believes in you. And I will keep on working. I will keep on leading a normal life and essentially I will keep on defending the cause for Cuba's liberty because no threat in the world can keep me from fighting for my ideals and my principles.

For the first time in fifteen years, a seemingly political murder was executed in this area. I speak of the murder of Jose Elias de la Torre.

I can say without any exceptions, that organizations, revolutionary movements, associations and the Cuban people in exile as a whole have condemned Torre's death which occurred on Holy Friday.

Several days later, I presented a denouncement before Congressman Claude Pepper, Vice-Chairman of the Internal Security Subcommittee of the United States in Washington, D.C.

This denouncement was based on these two facts:

1) On April 5th, 1974, at the celebration of Armed Forces Day in Cuba, Raul Castro said in his speech that the Cuban military youth were guarding Cuban territory or were acting inside their enemies' bellies.

As I've said on many occasions, Fidel Castro himself has stated that his enemies are the United States and the Cuban exiles.

Raul Castro's phrase: "and those who are acting inside our enemies' bellies", is very significant.

It is even more so in these times when terrorism has flared up in different parts of the nation.

In the past, we said that the Soviet Union was increasing its military movements in Cuba. We said this before legislators in Washington.

The 12th naval squadron of the Soviet Union, which went to the Island after our denouncement of this situation, is stationed in Cuba today.

Today, there are more than 25 thousand

Russian troops on the Island and several major airports in the hands of the Soviets.

Several months ago we said in Washington that if a stop to the coming and goings of the Venceremos Brigade to Cuba and several flows of American citizens was not enforced, this situation could bring a wave of terrorism throughout the country.

We are now facing this situation.

On the Cuban side, we can clarify that in fifteen years we never faced a political crime in our colony.

Now it has happened, and the majority of the Cubans feel that this came directly from Cuba. In any event, whether they were exiled Cubans or directed by Castro, they should be punished.

There are two facts pointing out that Castro is behind this situation.

1) I received a letter which implied a communist threat before Torriente was assassinated. This letter was sent from New York and I enclosed it to Congressman Pepper together with the denouncement.

2) Recently Castro said publicly that after Torriente's death, hysteria had taken place among the Cuban colony in Miami. He was deliberately making fun of the Cuban exiles.

I can say in all honesty that it isn't so. Every Cuban is performing his normal tasks.

And they have to fight against the complex of terror which followed them from Cuba... a terror that Castro imbeds in them through death, prison and the violation of every human right.

I must also point out that during the past fifteen years, the Cuban colony in exile has been faithfully keeping the law in a majority sense and have helped the agents in charge by preserving the law and helping to carry it out. The criminal index among the Cuban colony has always been very low.

This is a bad situation for everyone. And I believe that as in the past... working together... we are going to overcome this crisis.

Here in exile there are Cubans with great experience in investigation, prominent lawyers and criminologists, who know all the different fronts of the Cuban exiles. Maybe they could be called in to cooperate with the national authorities to give a solution to this problem as soon as possible.

I urge the Internal Security Subcommittee of the House in Washington, D.C. to initiate a full investigation and to hold a hearing here in Miami or in Washington, D.C. to confirm if the regime of Fidel Castro has had any direct participation in creating a stage of tension among the Cuban colony. It would be worthwhile to investigate also if they are taking advantage of a situation created by others and maybe without knowing it... are helping Castro by following his tactics of terrorism with anonymous letters to divide the exiled Cuban colony.

At the beginning of my words I said "my life is supposedly being threatened". And I am saying this because those of us who project our lives in the public eye are sometimes subject to threats.

In this specific case, up to the present I have not received any threats on my life by the so-called "Zero" organization. Incidentally... in Venezuela there is a guerrilla organization, Marxist in character, called "Point-Zero" to which the latest acts of terrorism in Venezuela have been credited.

On the alleged threats and with the greatest respect for my colleagues in the press,—I must point out that what they wrote and broadcast was not true on my part. Of the six persons mentioned, four said that they have not received the letter and the other two persons couldn't produce it.

I can affirm that the report referring specifically to me was blown up out of proportion. I repeat,—with due respect—that this pseudo-news, which is not true, ... was not ratified by the majority of the persons mentioned—and should not be widespread because of the damage it can cause, and the tension it can produce.

In my specific case, my wife, my children and especially my mother have suffered greatly during the past few days.

I think that as a preventive measure, ... with this new tension wave producing acts of terrorism, strong precautions should be taken to confirm any type of threat.

I remember that when the riots were at their boiling point, some were produced by false rumors.

We must apply the same principle in order to avoid what is happening now since neither the threatened nor the police have proof of what is being said. Those who want to create terror and tension among us—can try to use the news media for their own benefit.

Finally,—a great President of this nation once said: The only thing to fear... is fear itself. So... I will stay in my place... without retreating an inch.

### THE RELATIONSHIP BETWEEN THE NATION'S PROBLEMS AND EDUCATION

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the Record and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, the revelations of the past year have been shocking to us all. We have reacted in disgust to the seeming lack of morality and disdain for the law and disdain for the unwritten rules of democracy. But Watergate and all the attendant troubles are only symptomatic of a deeper disease—the disease of an affluent society—born of money and easy living and the resulting lack of self-discipline, high moral values, and commitment to honest hard work.

As someone who has been concerned over the quality of education in our country for many years I have watched with sorrow as these attitudes have permeated our educational institutions at all levels. There are many indications now that the quality of our education is slipping dangerously. In my view this is an ominous sign of a nation whose stature in the world community has depended upon the vitality, creativity, and perseverance of her people.

One of the best speeches I have ever read was given recently by Bill West before the Executive Club in Chicago. Mr. West is the headmaster of St. John's Military Academy there. He poignantly describes what he believes is the real problem with education today. I urge my colleagues to give his remarks the very serious consideration which I believe is their due.

The speech follows:

#### EXECUTIVES' CLUB SPEECH

(Remarks by Bill West)

As we scan the national and international scene over the past six months, we are quick to focus on certain events which dominate the horizon, events which we have been forced to reckon with and which have caused us to react with anger, disgust, disbelief, fear and/or concern. Permit me to name a few, the more obvious: *Watergate*, which has paralyzed our federal law making process; *Agnew*, which has caused the public to become more distrustful of our elected government officials; *Inflation*, which has become a matter of deep concern since the Administration's tampering with wage and price controls over a year ago; *Middle East*, which was timed to test the strength of the Nixon Administration following its total involvement with *Watergate*; and *Truck Strikes*, which are an outgrowth of the Middle East affair and a true indicator of how vulnerable our

economy and our government is to the pressures of a very small segment of our labor force.

How can we as individuals be proud of our society? A self-respecting person can only feel inherent disgust for the direction in which our society has been moving. How can we combat the disrespect for authority and the distrust for our elected officials that have become so prevalent in the past decade? How can we change the course of events which headline our daily newspapers? A good physician is always careful to distinguish between symptoms and the disease. In the case of a boil, he may apply a bandage; at the proper time he may lance it; but he knows the real trouble is in the blood stream.

Even so with America! The symptoms of our national illness appear on the surface, but the disease is deeper. There is pollution in the blood stream. Greed is the disease, an avaricious desire for money, success and pleasure; an inordinate grasping after the prizes of this life; an unreasoned acceptance of the philosophy that a man's life consists of the things he possesses, regardless of the means which he uses to gain them. Thus, expediency replaces morality, politics pushes aside principles and greed rules over all.

The result: Our nation as a first-rate nation is in deadly peril. America is faced with increased international competition from without and deterioration of its educational system from within. To maintain such a collision course would be disastrous, but to deviate from such a course requires discipline.

My philosophy on life in general and education in particular is founded on the need for discipline, or better stated, self-discipline. Those who believe in Bible Doctrine have learned that the sequence in the disintegration of a nation is the decline of social life, an attack on the military and the restriction on industry. In America right now we see all three phases of the disintegration in a rather advanced stage, which can only lead one to believe that America is going to be recorded in the history of man as the most powerful nation with the shortest period of dominance. Why? Because America has been the most undisciplined nation in the history of man. America's blood stream is "iron deficient". It lacks a strong, challenging, competitive educational system.

Man is a creature of many failings and weaknesses, as witnessed by the recent headlines. But man was blessed with the ability to overcome his failings and weaknesses—through education, a meaningful education that consists of leadership, integrity, spiritual development, responsibility, physical fitness, as well as academic proficiency. Each should be an integral part of education, both public and private. But are they? No.

I make a bold prediction: If education in America is permitted to run its present course, in 25 years we as a nation will no longer dominate the world scene simply because we have failed to develop our most precious natural resource—our youth—through our complacency and neglect of our most important product—education.

In the 1960's America was rocked by the unprecedented violence and destruction on the college campuses, which eventually spilled over onto the high school campuses. Vietnam was quick to be blamed. Many of the rabble rousers were using college as a means to dodge the draft. But even more important was the fact that only few college administrators, and one in particular, Dr. Hayakawa, had the courage to take a stand in opposition to the violence, destruction and demands of the undisciplined ring leaders of the student body. Why? Because the teaching ranks in education since WWII have been infiltrated by liberals, those who supported anarchy on campus and resisted authority.

The liberal attitude which has been cultivated on campuses of the large and state supported universities has permeated the



faculties of the public high schools across this great land of ours. The liberal approach to education has left its mark through lack of achievement, to wit: A definite national decline in the SAT scores of college bound high school seniors and the reading test scores of students at all grade levels. But there is a paradox. The grade point average at the college level is on the rise. The decline of the SAT scores and the rise of the GPA should never be in conflict but are as a direct outgrowth of the liberal attitude and approach that exists overwhelmingly in education today. And, I might add, that the overbuild by many state universities has caused economics to temper the grade point average.

The SAT's, or better known as the "college boards", are still considered the best test to measure a high school student's intellectual curiosity, a curiosity that cannot be satisfied without the ability and the unsatiated desire to read. There is a "dilemma" among the experts as to why the decline in the SAT scores over the past five years. The cause should be quite obvious. Students are not being challenged! They are not being required to come to class prepared in each subject every day! They have not been forced, yes *forced*, to go to work! The decline in both the SAT and the reading scores should be regarded as a danger signal and should have the same impact on education in this country as Sputnik in 1957.

If you recall, Sputnik was the catalyst that prompted Congress to provide federal funds through the National Science Foundation for high school math and science teachers to return to college on government grants to up-grade the teaching of math and science at the high school level with one purpose in mind: to keep America first in technological and scientific development. The outcome: America won the race to the moon.

In the same College Board News of January 1974 that reported a decline in the SAT scores it was also reported "nearly half of the students want 'special assistance' or help in developing good study techniques. Nearly as many want help in improving mathematical skills, increasing reading skills, and improving writing skills, while fewer students feel a need for counseling about 'personal problems'." It becomes quite evident that the foundation for education, the "three R's", still needs the same emphasis and attention it has always needed.

Unfortunately, due to the large classes found in the large public school systems in the cities and suburbs today, reading, writing and arithmetic are neglected or have been deemphasized. They are the fundamentals of education! They must be learned by drill and repetition! As Vince Lombardi proved so vividly with the Packer team in the late '50's and early '60's, a return to fundamentals is mandatory, for without them one cannot succeed in football, business or education.

Here I would like to hesitate before I tackle reading, writing and arithmetic for I wish to soften the image I must be creating as I discuss the relationship of work and discipline with education. I do believe in play. I am a very strong supporter of athletics, in fact, compulsory athletics. And, I believe in leisure time. But, I believe it is important that a young man develop the ability to put his priorities in their proper order.

There is a time to play hard and a time to work hard, but play and work should never be in conflict. An active life improves the grasp of the fundamentals and reduces the need for "counseling about 'personal problems'". And, it is time we benefit from history, the study of man's successes and failures and have impressed upon us the repeated cycle of nations and societies—hard work and discipline mean success; success means affluency and leisure

time; affluency and leisure time mean lack of discipline and lack of discipline means failure.

With each year I have noted an increase in the number of boys applying for admission to St. John's needing help in reading. Many of the applicants for 9th and 10th grades are still reading at the 4th and 5th grade level. Not because they are stupid, but because they have failed to receive the proper instruction and encouragement to read and because TV has become a very poor substitute for reading and intellectual discussion.

Recognizing this definite handicap, we at St. John's have employed a full-time remedial teacher and a part-time reading specialist. Approximately 25 percent of the student body is involved in a reading program. We could use a second full-time remedial reading teacher in order to keep pace with a major deficiency that is so prevalent. Those of us in education who are as equally concerned with discipline and academics have noted a direct correlation between reading and discipline. A poor reader becomes frustrated academically, and his frustration leads to a disciplinary problem.

Therefore, it is important that steps be taken to correct the reading problem with haste. I would dare say that a percentage of the students graduating from college today are still reading at a 6th or 7th grade level. This is a very poor commentary on the whole national educational system.

As for the teaching of writing and arithmetic, they too need strengthening. It seems rather ironic that in an allegedly English speaking nation the poorest taught subject, generally speaking, is English. It has become almost traditional for the young teacher of English to race through the fundamentals of English, such as spelling, grammar, sentence structure, punctuation and word usage, to devote a major portion of the course to his "specialty", which could be poetry, American literature, English literature, et cetera.

At a time when the English language is being so brutally treated, even by English teachers with saying like "me and him did so and so", "like I said", "different than" and referring to a person with "that" instead of "who" or "whom", there should be a concentrated effort in our English courses more than ever to retain the preciseness and exactness of our native tongue. But at a time when long hair and grubby look are socially accepted, it is easy to understand why we Americans can become sloppy in areas as important as communication.

With the advent of the so called "modern math" some fifteen years ago to give more "relevancy" to the teaching of high school math, we have again witnessed a deemphasis of the fundamentals. The fault in traditional math does not lie in the area of relevancy, but in the structure of the manner in which math is taught. Math, as you well know, is a very structured subject. The structure in which it is taught has been somewhat defeating. Mental attitudes have developed over such course titles as "Algebra I", "Plane Geometry", "Algebra II". In a very transitory population, it becomes next to impossible to implement a satisfactory five year math program nationally which would eliminate the boundaries that now exist within the accepted math programs. Being a math major and having worked with the "modern math", I concur with the verdict shared by many: "modern math has flunked".

The whole educational system is bound to flunk if we fail to fill the teaching ranks in both public and private school systems with well qualified teachers. Teachers who can teach! Teachers who command respect! Teachers who challenge! And teachers who are willing to work, willing to get involved and willing to give of themselves. Today, so many job applicants seek positions with beautiful credentials, but so few support the

credentials with loyalty, trust, performance—and hard work. The basic unit of our society, the family, has failed to maintain discipline.

Because of the failure of the family to maintain discipline, education should have been the likely substitute, and could have been had the educational ranks been filled with men and women spelled with a capital "M" and "W", respectively. But, no, public education succumbed to the permissive pressures of our society. 45 minutes of a 60 minute block of instruction became devoted to maintaining order in the classroom and not to the subject. The administrators surrendered to the desires of the students. And "open campuses" became a reality and not just a teenage dream.

It is time the "do your own thing" attitude be overcome. It is time educators take their work seriously and do away with "open campuses", as a "cop out". It is time the judiciary branch of our government support the educational administrator in his efforts to maintain law and order in our schools. It is time that "discipline" and "punishment" cease being synonymous in our society. And, it is time for teachers to quit picking and choosing those rules and regulations they wish to enforce. There must be consistency within a faculty, for inconsistency is quick to destroy the good that takes time to construct.

The teacher is the most influential member of our society in the training and development of your son or daughter, outside of the parent, and, therefore, should be outstanding in the truest sense. Those of us who have had the privilege of serving our country in the military forces know that the best teacher is the one who can lead by example. We need men and women in education who are strong in character, mentally alert and wise through experience.

And yet, far too often, the college student in choosing his vocation chooses the field of education by the process of elimination. Upon reaching college, and still searching for a major, the college student is quick to realize he is either not qualified or not willing to enter the very challenging fields of engineering, law, medicine, dentistry or architecture. So, he finds himself taking the course of least resistance, education. Having secured a degree in education, which includes many needless and nonchallenging courses, but good for credits, he moves directly from the campus as a student to a campus as a teacher. He is now "qualified" to teach, advise and counsel your son or daughter about his or her future in the world of business, competition and abuse—even without any personal practical experience in the "outside" world. How can this be? It can't and be successful!

I strongly recommend that the requirements to teach be stiffened by substituting for the recognized educational "gut" courses at the college level, courses that are more meaningful and more demanding. I strongly recommend that a candidate for education be required to serve successfully a minimum of two years in industry or the armed forces before being permitted to enter the field of education. I strongly recommend that salary scales for teachers based on longevity, credits and degrees be eliminated, for a self-respecting teacher soon realizes that such a pay scale is benefitting the lazy and penalizing the "totally involved". And, of course, I strongly recommend that tenure also be eliminated, for it is a definite obstacle in the path for improvement.

In the realm of private, or independent, education, we face some of the same problems which are plaguing the public schools. But, we are not confronted with bussing, an irresponsible expediency to correct the disparity that has traditionally existed between the educational standards of the inner city and its adjoining suburbs; with teacher strikes, a process for gaining more pay in return for doing less out of devotion; with pay scales, a system that fails to reward the

dedicated; with large classroom, an underlying cause for the decline in the "three R's" and the resulting mediocrity in education; with delayed disciplinary problems, a neutralizer to the disciplinary system of any school from lack of support from the courts; and with unconcerned parents, an element of our society that is largely responsible for the decline in our public educational systems.

However, there is an area of deep concern to every headmaster of every prep school—and that is *funds*. Because we are "independent," we are not supported by the taxpayer. Because we are independent, we must seek our operating revenue through tuition and donations from alumni, parents, foundations and corporations. As the football coach must recruit to win, a headmaster must raise funds to survive. With the sharp rise in salaries, wages and cost of material, tuition revenue is falling short of operational expenditures, and if permitted to continue, means one thing. By 1980, 50% of the private educational institutions of this country, college and secondary, will have vanished from the American scene.

This, of course, would be a damaging blow to the once proud educational system of America. It would mean that the now overcrowded public school systems that are already being reduced in effectiveness through numbers would definitely be overtaxed. It would mean that the privilege and glory in diversity of method inherent in a democratic way of life would be greatly reduced. And, it would mean that those strongholds in education unselfishly dedicated to the development of men through programs which stress leadership, integrity, responsibility, faith, patriotism, physical fitness and academic excellence would rapidly be becoming a beautiful and tremendously successful segment of education of the past. It would be a tragedy this country can ill afford.

As Headmaster of a military academy that has enjoyed a very favorable reputation in education since 1884, I would like to make a few comments concerning the military. Unfortunately, the military academies of this country have been looked upon by the public as dumping grounds for problem kids or as a rich man's reform school. For the past 3½ years I have dedicated my whole life, at the sacrifice of my family and my personal pleasures, to one purpose: To make St. John's the epitome of education. It has not been easy. It has been necessary to weed out weak and liberal educators; to dismiss those cadets who failed to adjust to a demanding and challenging program; to up-grade the curriculum and increase the academic load from four to five solid subjects; to eliminate the physical hazing; to reestablish an honored and respected military program; to establish respected cadet leadership within the Corps of Cadets and to give guidance and direction to the life of each cadet.

It takes hard work. It takes team work. And, it takes convincing to demonstrate that the ideals upon which St. John's was founded in 1884 by Dr. Smythe are every bit as effective in the 1970's as they were almost 100 years ago. There are those who feel that the military mind is not flexible, but I challenge this. Since WWII, at the last report I had, there were more Rhodes Scholars from West Point than any other university or college in this country. I look at Japan to point to the great success that nation has enjoyed as a world leader in industry because of General MacArthur's great leadership from 1945-51.

In an article about Doug Kenna, quarterback of Army's 1944 National Championship Team, and now President of the National Association of Manufacturers, it was stated, "It is not as unusual as it might appear for a West Pointer to follow a business career after fulfilling his military obligations. At

least one study shows that service academy personnel, on a per graduate basis, occupy more top corporation jobs than the product of any top business school."

And, I wish to remind you, that my good friend and classmate, General Alexander M. Haig, Jr., with whom I had lunch in the White House on Monday of this week, was the first man President Nixon called to the White House immediately following the dismissal of Mr. Nixon's top two aides as a result of Watergate, to lend stability, continuity and trust to Mr. Nixon's program.

The military has suffered as a result of Vietnam, but we fail to realize it was our politicians who got us into Vietnam, it was our politicians who tried to direct the war in Vietnam, it was our "dove" politicians who aided and abetted the enemy, and it was our politicians who extracted us from Vietnam under the cloak of "with honor". Let me remind you of the underlying cause for the great success of this country since WWII economically, socially, scientifically and industrially.

During WW II, this country had 2½ million men and women in uniform and millions of others in support of the war effort. There were no 8 hour days. There were no 5 day weeks. America in those days had not fallen into the strangle hold of the unions. If it took 48 hours to do a job, we rolled up our sleeves and went to work. We learned to put the success of our unit first and our personal needs last. We were willing to make sacrifices to ensure the success of our outfit. We were quick to realize that the leadership habits we developed could be applied to our civilian jobs upon the completion of the war. That is why America has been so successful!

Education is the life blood of America. Private education has been a stimulant to education. It has provided diversity. It has provided an alternate to those parents who need a motivating force for their son or daughter. It has provided education with the development of the "whole student" concept.

Within the past two weeks I have been very pleased, and flattered, to find a nationally syndicated article written by Jenkin Lloyd Jones, Editor and Publisher of the Tulsa Tribune, on St. John's Military Academy in which he quotes from a recent annual report of mine. In this article, Mr. Jones in his own poignant manner describes the drastic steps I have taken at St. John's to correct the problems that have crept into education everywhere as a result of the liberal and laissez-faire attitude in America over the past 10-20 years. I would like to close by quoting two paragraphs from Mr. Jones' article:

"Maybe he's right. Maybe not. It is not really terribly important whether the little school survives, for redistributing 225 boys is not a big thing in this huge land."

"In the outcome of the struggle of the little military school to keep afloat in a cockleshell of standards on a vast sea of permissiveness, one might be able to make some guesses about the future of America."

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROGERS, for the period May 13 through May 17 on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legis-

lative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. GUYER), and to revise and extend his remarks and include extraneous matter:)

Mr. BROOMFIELD, for 10 minutes, today.

(The following Members (at the request of Mr. DAVIS of South Carolina), to revise and extend their remarks, and to include extraneous matter to:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. FLOOD, for 5 minutes, today.

Mr. ALEXANDER, for 5 minutes, today.

Mr. OWENS, for 10 minutes, today.

Mr. WOLFF, for 15 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN.

(The following Members (at the request of Mr. GUYER), and to include extraneous matter:)

Mr. CONTE.

Mr. ARCHER.

Mr. BROWN of Michigan.

Mr. BURGNER.

Mr. WHALEN in two instances.

Mr. ROUSSELOT.

(The following Members (at the request of Mr. DAVIS of South Carolina), and to include extraneous matter:)

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. RIEGLE in two instances.

Mr. FLOOD.

Mr. DULSKI in five instances.

Mr. JAMES V. STANTON.

#### 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. 3031. An act to change the title of the Under Secretary of Agriculture to the Deputy Secretary of Agriculture; to provide for two additional Assistant Secretaries of Agriculture; and for other purposes; to the Committee on Agriculture.

#### ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5035. An act to amend Public Law 90-335 (82 Stat. 174) relating to the purchase, sale, and exchange of certain lands on the Spokane Indian Reservation; and

H.R. 5525. An act to declare that certain mineral interests are held by the United States in trust for the Chippewa Cree Tribe of the Rocky Boy's Reservation, Mont.

#### ADJOURNMENT

Mr. DAVIS of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 22 minutes p.m.), under its previous order, the House ad-



journed until Monday, May 13, 1974, 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:

2294. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act [8 U.S.C. 1182(a)(28)(I)(ii)(b)]; to the Committee on the Judiciary.

2295. A letter from the Chairman, Board of Directors, Future Farmers of America, transmitting a report on the audit of the accounts of the National Future Farmers of America Alumni Association for the fiscal year ended June 30, 1973, pursuant to Public Laws 81-740 and 88-504; to the Committee on the Judiciary.

2296. A letter from the president, board of trustees, Future Farmers of America Foundation, Inc., transmitting a report on the audit of the accounts of the Foundation for calendar year 1973, pursuant to Public Laws 81-740 and 88-504; to the Committee on the Judiciary.

2297. A letter from the Acting Administrator of General Services, transmitting a prospectus proposing the acquisition of space under lease arrangement in an office building to be constructed in Jackson, Miss.; to the Committee on Public Works.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 14709. A bill to amend the Internal Revenue Code of 1954 relating to capital asset defined, and for other purposes; to the Committee on Ways and Means.

By Mr. BROWN of Michigan:

H.R. 14710. A bill to direct the Secretary of Health, Education and Welfare to develop and implement a system for the issuance of social security benefit checks on a staggered or cyclical basis; to the Committee on Ways and Means.

By Mr. CAREY of New York:

H.R. 14711. A bill to require the establishment of an agricultural service center in each county of a State as part of the implementation of any plan for the establishment of such centers on a nationwide basis; to the Committee on Agriculture.

By Mr. CORMAN:

H.R. 14712. A bill to amend title XVIII of the Social Security Act to authorize payment under the supplementary medical insurance program for optometric and medical vision care; to the Committee on Ways and Means.

By Mr. DE LUGO (for himself and Mr. BURTON):

H.R. 14713. A bill to provide cost-of-living adjustments in retirement pay of certain Federal judges; to the Committee on the Judiciary.

By Mr. DULSKI:

H.R. 14714. A bill to provide for the acquisition of career status by certain employees of the Federal Government serving under overseas limited appointments; to the Committee on Post Office and Civil Service.

By Mr. DULSKI (by request):

H.R. 14715. A bill to clarify existing authority for employment of White House Office and Executive Residence personnel, and employment of personnel by the President in emergencies involving the national security and defense, and for other purposes,

to the Committee on Post Office and Civil Service.

H.R. 14716. A bill to amend subchapter II of chapter 63 of title 5, United States Code, with respect to the rates of pay for levels III, IV and V of the Executive Schedule; to the Committee on Post Office and Civil Service.

By Mr. GILMAN (for himself, Mr. MURPHY of New York, Mr. EDWARDS of California, Mr. LAGOMARSINO, Mr. BUTLER, Mr. RIEGLE, Mr. FROELICH, Mr. BURGNER, Mrs. BURKE of California, Mr. MURTHA, Mr. PATMAN, and Mr. HOGAN):

H.R. 14717. A bill to amend title II of the Social Security Act to increase to \$7,500 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. HOLIFIELD (for himself and Mr. HORTON):

H.R. 14718. A bill to discontinue or modify certain reporting requirements of law; to the Committee on Government Operations.

By Mr. QUIE (for himself and Mrs. HECKLER of Massachusetts):

H.R. 14719. A bill to amend section 428 of the Higher Education Act of 1965 to better assure that students will have reasonable access to loans to meet their postsecondary education costs; to the Committee on Education and Labor.

H.R. 14720. A bill to prohibit discrimination on the basis of sex or marital status in the granting of credit; to the Committee on Banking and Currency.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. SYMINGTON, Mr. HASTINGS, Mr. HEINZ, and Mr. HUDNUT):

H.R. 14721. A bill to amend the Public Health Service Act to revise and extend the programs of assistance under title VII for training in the health and allied health professions, to revise the National Health Service Corps program and the National Health Service Corps scholarship training program, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER, Mr. SYMINGTON, Mr. HASTINGS, Mr. HEINZ, and Mr. HUDNUT):

H.R. 14722. A bill to amend title VIII of the Public Health Service Act to revise and extend the programs of assistance under that title for nurse training; to the Committee on Interstate and Foreign Commerce.

By Mr. SEBELIUS (for himself and Mr. ALEXANDER):

H.R. 14723. A bill to amend the Agricultural Act of 1970 to change the date on which the President must report to Congress concerning Government assisted services to rural areas; to the Committee on Agriculture.

By Mr. STEELMAN (for himself, Mr. MURPHY of New York, Mr. GUNTER, and Mr. RIEGLE):

H.R. 14724. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for increased public access to certain Federal agency records; to the Committee on Government Operations.

H.R. 14725. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for an in-camera inspection by the appropriate court of certain agency records; to the Committee on Government Operations.

H.R. 14726. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to require Federal agencies to respond to requests for certain information no later than 15 days after the receipt of each such request; to the Committee on Government Operations.

H.R. 14727. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for the award of court costs and reasonable attorney's fees to successful complainants that seek certain Federal agency information; to the Committee on Government Operations.

H.R. 14728. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act) to specify those matters which in the interest of the national defense may be withheld from public disclosure by a Federal agency; to the Committee on Government Operations.

By Mr. STEELMAN (for himself, Mr. STEELE, Mr. FRASER, and Mr. GILMAN):

H.R. 14729. A bill to amend the Public Health Service Act to provide for the making of grants to assist in the establishment and initial operation of agencies and expanding the services available in existing agencies which will provide home health services, and to provide grants to public and private agencies to train professional and paraprofessional personnel to provide home health services; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELMAN (for himself, Mr. MURPHY of New York, Mr. GUNTER, and Mr. RIEGLE):

H.R. 14730. A bill to provide standards of fair personal information practices; to the Committee on the Judiciary.

By Mr. STEELMAN (for himself, Mr. GUNTER and Mr. RIEGLE):

H.R. 14731. A bill to amend the Social Security Act to prohibit the disclosure of an individual's social security number or related records for any purpose without his consent unless specifically required by law, and to provide that (unless so required) no individual may be compelled to disclose or furnish his social security number for any purpose not directly related to the operation of the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 14732. A bill to amend the Internal Revenue Code of 1954 to temporarily reduce the excise tax on gasoline by 2 cents per gallon; to the Committee on Ways and Means.

H.R. 14733. A bill to amend the Internal Revenue Code of 1954 so as to reduce by 8 percent the amount of individual income tax withheld at the source; to the Committee on Ways and Means.

By Mr. ROUSSELOT:

H. Res. 1098. Resolution to amend the House rules to require that the report of each House committee on each public bill or joint resolution reported by the committee shall contain a statement as to the inflationary impact on the national economy of the enactment of such legislation; to the Committee on Rules.

#### MEMORIALS

Under clause 4 of rule XXII,

474. The SPEAKER presented a memorial of the Legislature of the State of Florida, relative to the establishment of veterans' cemeteries in central and south Florida; to the Committee on Veterans' Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DANIELSON introduced a bill (H.R. 14734) for the relief of Marisa Marzano; to the Committee on the Judiciary.